



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

February 27, 2020
4:00 pm Regular Meeting

2601 Bransford Avenue
Metropolitan Public Schools
Administration Building

MISSION STATEMENT

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

Commissioners Present:

Jessica Farr, Vice Chair
Jeff Haynes
Ron Gobbell
Daveisha Moore
Dr. Pearl Sims
Mina Johnson
Councilmember Kathleen Murphy

Commissioners Absent:

Greg Adkins
Brian Tibbs
Lillian Blackshear

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
Marty Sewell, Planner III
Latisha Birkeland, Planner II
Jason Swaggart, Planner II
Amelia Lewis, Planner II
Abbie Rickoff, Planner II
Logan Elliott, Planner II
Joren Dunnivant, Planner II
Patrick Napier, Planner I
Quan Poole, Legal
Eben Cathey, Public Information Officer

Lucy Alden Kempf

Secretary and Executive Director, Metro Planning Commission
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Notice to Public

Please remember to turn off your cell phones.

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

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

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

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

Writing to the Commission

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

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

Speaking to the Commission

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

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

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

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

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

Legal Notice

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



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MEETING AGENDA

A: CALL TO ORDER

The meeting was called to order at 4:09 p.m

B: ADOPTION OF AGENDA

Mr. Haynes moved and Councilmember Murphy seconded the motion to adopt the agenda. (7-0)

C: APPROVAL OF FEBRUARY 13, 2020 MINUTES

The commission moved to defer consideration of the February 13, 2020 minutes to the next meeting.

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Murphy spoke in favor of Items 25 and 26.

Councilmember Hagar spoke in favor of Items 2a, 2b, 16, and 27 and in opposition to Item 4.

Councilmember Hall spoke in favor of Item 28.

Councilmember O'Connell spoke in favor of Items 22 and 23.

Councilmember Syracuse spoke in favor of Item 4.

Councilmember Gamble spoke in favor of Item 5.

E: ITEMS FOR DEFERRAL / WITHDRAWAL

- 2a. 2019CP-014-001**
DONELSON - HERMITAGE - OLD HICKORY COMMUNITY PLAN AMENDMENT
- 2b. 2019Z-158PR-001**
- 7. 2019SP-055-001**
218 MAPLEWOOD TRACE
- 8. 2020Z-022PR-001**
- 10. 2020Z-033PR-001**
- 11. 2020CP-000-001**
MAJOR AND COLLECTOR STREET PLAN AMENDMENT – NORTH NASHVILLE COMMUNITY PLAN
- 12a. 2020CP-008-001**
NORTH NASHVILLE COMMUNITY PLAN AMENDMENT
- 12b. 2020SP-009-001**
MODERA GERMANTOWN
- 13. 2020CP-010-001**
GREEN HILLS – MIDTOWN COMMUNITY PLAN AMENDMENT
- 14a. 2020CP-012-001**
SOUTHEAST COMMUNITY PLAN AMENDMENT
- 14b. 2015SP-005-010**
BEAMAN & TURNER PROPERTIES SP (AMENDMENT)
- 18. 2020SP-012-001**
SOLIS L & L MARKETPLACE

- 20. **2020S-037-001**
333 MCKENNEL DRIVE CONCEPT PLAN
- 21. **2020S-039-001**
PINEVIEW COTTAGES

Mr. Gobbell moved and Mr. Haynes seconded the motion to approve the Deferred and Withdrawn Items. (7-0)

F: CONSENT AGENDA ITEMS

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

- 4. **2019Z-020TX-001**
- 6. **2019SP-047-001**
KNIPFER CORNER SP
- 9. **2020Z-032PR-001**
- 15. **2020Z-004TX-001**
- 16. **2020Z-005TX-001**
- 17. **2020SP-008-001**
HOGGETT POINT COTTAGES
- 19. **2020S-032-001**
RESUBDIVISION OF LOT 1 ON THE PLAN OF ACKLEN AVENUE
- 22. **2019HP-001-001**
MARATHON VILLAGE
- 23. **2020NL-001-001**
1600 10TH AVENUE NORTH
- 24. **2020Z-030PR-001**
- 25. **2020Z-034PR-001**
- 27. **2020Z-036PR-001**
- 29. **Contract Amendment for Eric Hammer and Laura Hardwicke.**
- 30. **New Employment Contract for Harriett Brooks.**
- 33. **Accept the Director's Report**

Mr. Haynes moved and Councilmember Murphy seconded the motion to approve the Consent Agenda. (7-0)

G: ITEMS TO BE CONSIDERED

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

A request to amend the Dickerson South Corridor Study, a small area plan component of the East Nashville Community Plan, by changing Community Character Policy on various properties and amending the Dickerson South Supplemental Policy's building height subdistricts to include various parcels located along the east side of Dickerson Pike between Spring Street and Grace Street.

Staff Recommendation: Approve.

APPLICANT REQUEST **Amend East Nashville Community Plan.**

Major Plan Amendment

A request to amend the Dickerson South Corridor Study, a small area plan component of the East Nashville Community Plan, by changing Community Character Policy on various properties and amending the Dickerson South Supplemental Policy's building height subdistricts to include various parcels located along the east side of Dickerson Pike between Spring Street and Grace Street (21.0 acres).

EAST NASHVILLE COMMUNITY PLAN **Background**

The study area for Dickerson South Corridor Study (Study), an adopted small area plan of the East Nashville Community Plan, is defined by Interstates 24/65 to the west, Pages Branch to the north, various property lines along the east that transition into McFerrin Park, Cleveland Park, and Highland Heights neighborhoods, and Spring Street to the south.

At its meeting on June 13, 2019, the Planning Commission adopted the Study with the exception that the portion of the area east of Dickerson Pike from Grace Street south to Spring Street (Gateway) be removed and deferred to July 18, 2019, to allow for additional study. The Planning Commission deferred the item several times thereafter while staff continued to engage property owners, community leaders, the district councilmember, and other stakeholders.

Staff developed a three-dimensional model, presented multiple draft policy guidance and design scenario alternatives to the community for review and comment, and ultimately prepared a policy recommendation during the time between initial Study adoption in June 2019, and the February 27, 2020 the public hearing. Key issues and concerns raised during community engagement after the June, 13, 2019, Planning Commission meeting, which guided the staff recommendation, are presented in the community participation section of this report.

ANALYSIS

NashvilleNext Growth and Preservation Concept Map

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

- "Transition and Infill," which encourages higher density housing appropriate along and around corridors, for most of the Gateway, notably the western portion with access to Dickerson Pike; and
- "Neighborhood," which consists primarily of residential areas offering a mix of housing types with smaller civic and employment areas and neighborhood centers, for the eastern portion with access to Meridian Street.
- "Immediate Need High Capacity Transit," which establishes a framework for more intense housing and commercial areas along major roads with near-term improvements to provide more frequent transit service, for portion of Dickerson Pike north of intersection with North 1st Street (i.e. one block within Gateway area).

Community Character Policy

One policy, T4 Neighborhood Evolving (T4 NE), is applied to the Gateway area, which does not support commercial or mixed use. T4 Mixed Use Corridor allows commercial and mixed use and is applied to the vast majority of Dickerson Pike frontage within the Dickerson South study area boundary, including property immediately north of the Gateway.

Relationship to adjacent *Dickerson South Corridor Study* Supplemental Policy

The Study incorporated five building height subdistricts within the overall Dickerson South Supplemental Policy Area. Each subdistrict represents a maximum appropriate building height by number of stories. There are three building height subdistricts adjacent or near the Gateway.

- Six-story: Dickerson Pike west-side-fronting property south of Douglas Avenue,
- Four-story: Dickerson Pike east-side-fronting property
- Three-story: Dickerson Pike, east side, one block forms a transition to neighborhoods.

Proximity to Downtown

The Gateway is located adjacent to downtown Nashville. The policy application between downtown and properties north transitions in intensity by transect from T5 (Center) between the Cumberland River and I-24 to T4 (Urban) east of I-24.

Zoning and Existing Land Use

Most of the Gateway is currently in use for medium-density residential. Zoning entitlements reflect existing uses (RM20-Multi-Family Residential at a density of 20 dwelling units per acre). A small CL-zoned (Commercial Limited) area serves as the one exception on the northernmost property within the Gateway.

Mobility

The Gateway is well-served by roads and public transportation. The Major and Collector Street Plan (MCSP) identifies Dickerson Pike as Arterial-Boulevard and Meridian Street as Collector-Avenue. The remaining roads in the Gateway are local streets. WeGo Routes 23 Dickerson and 28 Meridian provide regular service and multiple bus stops.

The *nMotion Transit Plan* identified Dickerson Pike with full Bus Rapid Transit, a limited-stop bus service that utilizes bus-only lanes independent of travel lanes with automobiles. Major local service improvements are planned along Dickerson Pike in the interim to improve operational frequency.

COMMUNITY PARTICIPATION

Planning staff undertook an extensive community engagement outreach and participation program during the process of developing the Study. It included a week-long charrette (January 28-31, 2019), multiple steering committee meetings, multiple stakeholder interviews, and presentations to individual neighborhood associations. Following a public hearing on June 13, 2019, the Planning Commission adopted the Study, with the exception that the Gateway area be removed and deferred to allow for additional study

Staff developed a three-dimensional model of the Gateway design scenario, as published in the June 13, 2019, draft of the Study, that included heights of up to 15 stories. Staff presented the model to the McFerrin Park Neighborhood Association (MPNA) Executive Committee on August 7, 2019 and later to the MPNA general membership at their regularly scheduled meeting on September 5, 2019. Participants, by and large, remained opposed to the proposal including up to 15 stories. Staff incorporated input from this meeting in developing the next iteration presented to MPNA on October 3, 2019. It reduced heights for some areas and provided other design guidance with the aim of softening the transition from taller heights on the corridor to lower neighborhood heights. At each iteration, stakeholders continued to express a desire for a lower overall building height.

Key Issues and Common Goals

Overall, residents identified five major themes that the planning team addressed through development of a policy recommendation for the Gateway.

1. New development should be focused along Dickerson Pike frontage and should work toward addressing other difficult city-wide issues such as affordable housing, displacement of businesses, and providing needed neighborhood amenities;
2. Supplemental policy supporting building heights of up to 15 stories presented to Planning Commission in June 2019, was too aggressive for this location;
3. Redevelopment along Dickerson Pike must transition appropriately to the McFerrin Park neighborhood through lowering intensities, building types, and open space;
4. Mobility improvements to existing streets through capital projects, new street connections, and walking connections are essential components of redevelopment; and
5. Future parking needs for redevelopment along the corridor will need to be balanced as most people will still depend on car travel until a robust mass transit system is implemented.

A static draft of the proposed amendments (with exhibits) to the Dickerson South Corridor Study was released for review and comment on the Planning Department's website – DickersonRoadStudy.nashville.gov – on February 20, 2020, in preparation for the February 27, 2020, Planning Commission meeting.

PROPOSAL

Amend the Community Character Policies.

As shown in Exhibit A, change policy from T4 Neighborhood Evolving (T4 NE) to T4 Mixed Use Corridor (T4 CM) on a property fronting Dickerson Pike to achieve continuity with adopted policy along the remainder of the corridor and to better align with the goals, objectives, and policy guidance of the overall Study.

Adopt Supplemental Policy Amendment.

Amend application of Dickerson South Supplemental Policy's Building Height Subdistricts, as shown in Exhibit B, to incorporate policy guidance for the Gateway. These subdistricts supplement the Community Character Policies by fine-tuning appropriate building heights. Additionally, amend relevant narrative and graphics within the document to reflect application of the building height subdistricts.

Guidance provided by Exhibit B supports a maximum building height of six stories within the Gateway area, in addition to an opportunity for a punctuation of height of eight to 10 stories at the intersection of Dickerson Pike and Meridian Streets (i.e. at the intersection of an Arterial-Boulevard with a Collector-Avenue).

Additional edits:

Make additional edits within the Dickerson South Corridor Study to reflect changes proposed for Community Character Policy and the Dickerson South Supplemental Policy, as follows:

- Page 7, Figure 2 (Conceptual Framework): revise building heights for Gateway to reflect heights shown in Exhibit B. "Conceptual Framework;"
- Page 10-11: remove both pages to delete "Southern Gateway" design scenario;
- Page 12, Subdistricts subsection: revise narrative to remove references to T5 transect;
- Page 13, Figure 3 (Dickerson South Supplemental Policy Subdistrict): revise building heights for Gateway to reflect heights shown in Exhibit B; and
- Appendix A, Page A1 – Policy Amendments: replace with Exhibit A

STAFF RECOMMENDATION

Staff recommends approval.

Mr. Sewell presented the staff recommendation of approval.

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

Martha Carroll, 325 Gatewood Ave, spoke in favor of having more affordable housing in the area.

Adam Vollrath, 322 Wilburn St, spoke in favor of the application.

Ingrid Campbell, 812 N 2nd St, spoke in favor of the application.

Bill Holbrook, 209 Truland Ave, spoke in favor of the application.

Matt Mathias, 3660 Stoneridge spoke in favor of the application.

Lindsey Krinks, 1519 14th Ave N, spoke in opposition to the application as she is concerned about the lack of in-writing affordability requirements for this corridor.

Councilmember Parker spoke in favor of the application and noted that this has been extensively discussed with the community.

Vice Chair Farr closed the Public Hearing.

Mr. Haynes spoke in favor of the application and explained that this is one of the highlights of his nine years as a commissioner.

Dr. Sims expressed concerns on how to hold the developer accountable.

Mr. Gobbell spoke in favor of the application.

Ms. Johnson spoke in favor of the application.

Councilmember Murphy spoke in favor of the application.

Ms. Moore spoke in favor of the application.

Ms. Moore moved and Councilmember Murphy seconded the motion to approve. (7-0)

Resolution No. RS2020-52

“BE IT RESOLVED by The Metropolitan Planning Commission that 2019CP-005-002 is approved. (7-0)

2a. 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 March 12, 2020, Metro Planning Commission meeting.

The Metropolitan Planning Commission deferred 2019CP-014-001 to the March 12, 2020, Planning Commission meeting. (7-0)

2b. 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 March 12, 2020, Metro Planning Commission meeting.

The Metropolitan Planning Commission deferred 2019Z-158PR-001 to the March 12, 2020, Planning Commission meeting. (7-0)

3. 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 (Proposal No. 2020Z-001-001).

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.

HISTORY OF STRP REGULATION

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 and is permitted as a 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.

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 17.16.070 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

STATUS OF REVIEW

At the January 16, 2020, Planning Commission meeting, the Planning Commission asked staff for additional research regarding the proposal. The Commission specifically asked for the following:

- ramifications on how many eligible properties would be affected
- where STR's are currently allowed in relation to the uses outlined
- locations of sensitive uses
- current infractions with their relationship to those distances and focus on future eligible properties

Since the meeting staff has gathered research from the Police Department, Codes Department, and Host Compliance. Staff has also analyzed existing zoning patterns around the specified civic uses to determine impact on future allowances.

Staff has also continued to communicate with the Councilmember in regards to the goals of the legislation. The Councilmember has clarified the importance of residents being able to live near these civic uses to allow for ease of access and the development of complete neighborhoods that service the needs of the community.

RESEARCH FINDINGS

The parcels that are impacted by the proposed 100 foot boundary total 73,355 acres. Of this acreage, 23,712 acres, or 32.3%, are zoned in a way that currently permits not owner-occupied short term rental properties. Of this 23,712 acres, approximately 9,636 acres, or 40.6%, of the property currently zoned to permit not owner-occupied is zoned RM which will no longer permit not-owner occupied units beginning in 2022. Based on the variety of zoning districts represented on these parcels, the range of uses permitted by many of the districts, and the current development status, it would be difficult to estimate the potential number of units currently permissible that would no longer be permitted on these parcels without doing a parcel by parcel evaluation. This would take significant staff time and would be, at best, an estimate.

There are currently 3,187 not owner-occupied permits issued throughout the county. Of these, 810, or 27%, are within the 100-foot boundary. This reflects a 158% increase from 2018 within the boundary, compared to a 165% increase beyond the boundary.

Staff compiled complaints from the STR hotline, Codes' Property Standards Violations, and calls to Police. Note that these reflect a wide range of issues from noise and permit violations to abandoned vehicles and tall grass to suspicious people, burglaries, and violent crime. Because these complaints are most often reported at the address level and not to the level of individual dwelling units, these are compiled site by site. This means complaints cannot be matched exactly to STR permits. Each site may have multiple dwelling units as well as multiple STR permits.

Reviewing complaints for an 18-month period from 2018 – 2019, 62% of sites with at least one not owner occupied permit during this time within the buffer area had a complaint, compared with 48% beyond the buffer area. Because complaints are initiated by the public, this could reflect either more problems at these sites or greater public sensitivity about the same problems close to civic uses. *Given the complexities of the data sources and types of calls, staff urges caution drawing detailed conclusions at this time.*

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 units, 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.

Civic uses, such as religious institutions, schools, parks, and daycares are located throughout the county, often within or near residential neighborhoods. Having these types of civic uses close to residential properties allows for residents to easily access the types of activities and services that the civic uses provide. Residents, including children, that live within close proximity have the ability to walk or bike to civic uses, creating the type of complete neighborhoods that we seek to achieve throughout Nashville. Limiting the number of not owner-occupied short term rentals in proximity to civic uses increases the likelihood that more long term residents could live near and access community uses easily, consistent with many goals of NashvilleNext.

Staff recommends that the Planning Commission approve the amendment with a substitute to further clarify measurement of the distance and add an additional whereas statement to clarify the intent of the proposal. 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.

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 NashvilleNext supports creating and preserving walkable places for Nashville residents, with a special emphasis on making Nashville's neighborhoods safe, accessible, and welcoming for families so that they provide opportunities for play, learning, and social engagement that help children and youth thrive; and

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.

Councilmember Sledge spoke in favor of the application.

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

Charlotte Cooper, 3409 Trimble Rd, spoke in favor of the application.

Matt Davis, 510 Michigan Ave, spoke in opposition to the application.

Chris Whitson, 802 Westview Ave, spoke in opposition to the application.

Grant Hammond, 342 Harrison St, requested a deferral.

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

Eric Brasher, 318 Bonn St, spoke in opposition to the application and requested a deferral.

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

Mark McGinley, 140 Brookmeade Dr, spoke in opposition to the application and requested a deferral.

Brian Merrell spoke in opposition to the application and requested a deferral.

Bob Shinerline, 1017 Southside Ct, spoke in opposition to the application.

Justin Southwick, 5853 Brentwood Trace, spoke in opposition to the application.

Councilmember Sledge asked for approval and explained that everyone in opposition has the opportunity to make their case at Council.

Vice Chair Farr closed the Public Hearing.

Mr. Haynes recused himself.

Councilmember Murphy spoke in favor and noted that Councilmember Sledge has been very diligent with this. This protects citizens to be able to live closer to the amenities they have in their neighborhood.

Ms. Johnson spoke in favor of the application; this is a move in the right direction and makes sense from a land use policy perspective.

Mr. Gobbell noted his biggest concerns is how this applies to the DTC.

Dr. Sims suggested deferral and expressed concerns that this has serious land use issues.

Ms. Moore spoke in favor of application as it makes sense from a land use perspective, but expressed concerns regarding commercial uses.

Councilmember Murphy stated that Council can take care of the small pieces of this.

Councilmember Murphy moved and Ms. Johnson seconded the motion to approve with a substitute. (4-1-1) Dr. Sims voted against. Mr. Haynes recused himself.

Resolution No. RS2020-53

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-001TX-001 is approved with a substitute. (4-1-1)

Vice Chair Farr left the meeting.

4. 2019Z-020TX-001

BL2019-48/Rosenberg
Staff Reviewer: Shawn Shepard

A request for an ordinance amending Section 17.16.250 of Title 17 of the Metropolitan Code of Laws relative to home occupation. (Proposal No. 2019Z-020TX-001)

Staff Recommendation: Reopen public hearing and approve a second substitute.

APPLICANT REQUEST

Amend Section 17.16.250 of the Zoning Code relative to home occupation.

PROPOSED AMENDMENTS TO TITLE 17

The Zoning Code currently permits Home Occupations as an accessory use to a residence in Agricultural, Residential, Mixed Use, Office/Residential, Commercial Service (CS), and Shopping Center Regional (SCR) zoning districts subject to the conditions listed in Section 17.16.250.D of the Zoning Ordinance. Those conditions include requirements that the use be conducted by one or more occupants of the dwelling and that no clients or patrons may be served on the property. The proposed bill would amend section 17.16.250 of the Zoning Code by deleting Subsection D in its entirety and replacing it with updated standards for home occupations that include permitting customers or clients to be served on site subject to certain restrictions and limitations.

BACKGROUND

The bill, as initially filed, was presented to the Planning Commission at the December 12, 2019, meeting. At that time, staff recommended a substitute ordinance that would refine the proposed standards, including establishing limits for customer visits and expanding the list of prohibited activities. The Planning Commission deferred the proposal to allow time for further refinement of the standards to address concerns raised during the public hearing and to permit the sponsoring Councilmember to conduct additional community outreach and engagement.

Following the Planning Commission meeting in December, the Councilmember introduced a substitute ordinance at Council that incorporated many of the changes recommended by staff in December. The Councilmember also held a community meeting on Thursday, February 13, 2020, to gather additional community feedback to the proposed standards.

Staff has continued to coordinate with the Councilmember and the Codes Department to refine standards based on the input provided at the Planning Commission meeting and the community meeting. Staff is recommending additional changes to the substitute ordinance.

The text of the substitute bill currently filed with Council is shown below, with staff's additional recommended changes incorporated. (text deleted from the substitute is shown in strikethrough; new text is shown underlined):

D. Home Occupation. A home occupation shall be considered an accessory use to a residence subject to the following:

1. Location
 - a. A home occupation must be conducted entirely within the dwelling unit or accessory building.
 - b. The home occupation shall not occupy more than twenty percent of the total floor area of the principal structure ~~and in no event more than one thousand~~ to a maximum of 500 square feet of floor area plus the area of any legally permitted accessory buildings.
2. Employees and Vehicles
 - a. No more than one part-time or full-time employee not living within the dwelling may work at the home occupation location.
 - b. Parking a commercial vehicle on the premises or on a street adjacent to residentially zoned property is prohibited. Vehicles associated with the home occupation shall be limited to one passenger vehicle such as a motorcycle, automobile, pick-up truck, sport utility vehicle, van or similar, with a maximum axle load capacity of one and one-half tons.
 - c. No truck deliveries or pick-ups, except by public or private parcel services, and permitted.
3. Customer Visits
 - a. Customer visits must occur by scheduled appointment and only between the hours of 8 a.m. and 7 p.m., Monday through Saturday.
 - b. Customer visits shall be limited to no more than three visits per hour and a maximum of six total visits per day.
 - c. The permit holder shall maintain and make available to the Codes Department a log or register of appointments for each calendar year.
4. Outward Appearance
 - a. Signs, as defined in Section 17.32.030.B, exterior or interior displays of goods visible from the outside, or any exhibit that would indicate the dwelling unit or accessory building is being used for any purpose other than a residence are prohibited.
 - b. The residential character of the lot and dwelling must be maintained. A home occupation that requires a structural alteration of the dwelling to comply with a nonresidential construction code is prohibited. This prohibition does not apply to modifications to comply with accessibility requirements.
 - c. A home occupation may not produce noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, glare, humidity, fumes, electrical interference, waste run-off, or other objectionable effects outside the dwelling unit or garage.
5. Activities
 - a. The storage of materials or goods shall be permitted in connection with a home occupation provided such storage complies with the following standards.

- i. All materials or goods shall be stored completely within the space designated for home occupation activities.
- ii. Only those materials or goods that are utilized or produced in connection with the home occupation may be stored within the dwelling unit or accessory building.
- iii. All materials or goods shall be stored completely within the dwelling unit or accessory building.
- iv. All flammable or combustible compounds, products or materials shall be maintained and utilized in compliance with Fire Code NFPA-30.
- b. The following are ~~prohibited~~ permitted as home occupations:
 - i. ~~adult entertainment businesses;~~
 - ii. ~~after hours establishments;~~
 - iii. ~~any business primarily engaged in retail sales;~~
 - iv. ~~any use listed as an industrial use, medical use, transportation use, utility use, or waste management use in the zoning district land use table in Section 17.08.030;~~
 - v. ~~automobile repair services;~~
 - vi. ~~automobile service;~~
 - vii. ~~bars or night clubs;~~
 - viii. ~~bed and breakfast inns;~~
 - ix. ~~funeral homes;~~
 - x. ~~hotels;~~
 - xi. ~~major appliance repair;~~
 - xii. ~~restaurants;~~
 - xiii. ~~sex clubs; and~~
 - xiv. ~~short term rental properties.~~
 - i. Personal instruction;
 - ii. General office;
 - iii. Personal care services;
 - iv. Multimedia production; and
 - v. Artisan manufacturing.

6. Permit Requirements

- a. Home occupations that meet both of the following conditions are not required to acquire a permit for activity under this section:
 - i. The home occupation does not serve customers on the property; and
 - ii. The home occupation does not employ anyone who does not live within the dwelling.
- b. Prior to issuance of a permit, the applicant shall provide the Codes Department with a statement that the applicant has confirmed that operating the proposed home occupation would not violate any home owners association agreement or bylaws, condominium agreement, covenants, codes and restrictions, lease or any other agreement governing and limiting the use of the property proposed for the home occupation. If the applicant is not the property owner, the applicant shall also certify that the property owner is aware of the application and does not object to pursuit of the home occupation permit.
- c. In single-family and two-family zoning districts, no more than one home occupation permit may be issued per lot.

7. Transferability and Enforcement

- a. Permit Transferability. A permit issued for activities under this section shall not be transferred or assigned to another person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to commence or carry on the business. Upon termination of the occupant's residency, the home occupation permit shall become null and void.
- b. Revocation of Permit. Upon the filing of three or more verified complaints within a calendar year regarding a permit issued for activities under this section, the Zoning Administrator, or his or her designee, shall notify the permit holder in writing of such complaints and the Zoning Administrator, or his or her designee, will determine whether such complaints are valid. If it is determined that violations have occurred, the Zoning Administrator may revoke a permit as provided in Section 17.40.590. The permit holder may appeal the Zoning Administrator's decision to the Board of Zoning Appeals for a public hearing as provided in this Title.

ANALYSIS

In recent years, Metro Council has considered several bills proposing changes to the Home Occupation standards in the Zoning Ordinance. The changes were generally aimed at allowing for clients, customers, or patrons to be served on the property, although each bill took a slightly different approach. Although the Metro Planning Commission recommended approval of each of these bills, none managed to garner the support necessary for Metro Council approval.

NashvilleNext recognizes the need for places for businesses to locate across a variety of scales in order to support overall goals for economic and workforce development. The ability to launch a new business at home can eliminate economic obstacles to entrepreneurship and give new businesses a way to get off the ground prior to moving to a commercial or industrial location. Home-based businesses can also provide property owners with supplemental income to help them remain in their homes as cost of living increases.

NashvilleNext also recognizes the importance of protecting the character of existing residential neighborhoods. Volume IV of NashvilleNext, the Action Plan, identifies action steps that should be taken to address the goals identified in the plan. Action EWD 1.1 suggests that rules be created that allow home-based businesses in existing neighborhoods without disrupting the character and enjoyment of those neighborhoods.

The amendments in the substitute ordinance would modify the standards applicable to Home Occupations to permit customer visits subject to restrictions on maximum vehicle trips and hours of operation. The amendments would also establish restrictions on the activities associated with a Home Occupation use, including establishment of uses that are prohibited as a Home Occupation. Home occupations that do not serve customers on site and that do not employ anyone who doesn't live within the dwelling would continue to be permitted but would no longer require a permit. Permits would be required for home occupations that fail to meet both of these conditions.

The substitute ordinance introduced at Council incorporated changes recommended by staff at the December 12, 2019, Planning Commission hearing to consolidate and clarify the permit requirements, add limitations on customer visits per hour and per day, and to prohibit signs associated with home occupations to further preserve residential character.

Staff recommends approval of a second substitute ordinance which further refines some of the proposed limitations on home occupations. Based on community feedback received at the December 12, 2019, Planning Commission meeting, staff is recommending that the list of uses prohibited as a home occupation be replaced with a narrow list of uses that could be permitted as a home occupation. The proposed use categories are intended to capture the range of uses that are typical of home occupations (e.g. music lessons, accounting or legal services, hair care, etc.) while providing more certainty for neighbors as to the type and scale of businesses that could be permitted. The second substitute also refines the standard for maximum size of home occupations to account for the area of legally permitted accessory structures.

FISCAL IMPACT RECOMMENDATION

The Metro Codes Department will issue permits pursuant to these standards and enforce the standards on a complaint driven basis, as is their current enforcement practice. Given that the proposed amendment expands upon an existing set of standards for home occupations which are already being permitted and enforced on a complaint drive basis, the Codes Department anticipates this proposed amendment to be revenue neutral.

ZONING ADMINISTRATOR RECOMMENDATION

No exception taken.

SECOND SUBSTITUTE ORDINANCE NO. BL2019-48

An ordinance amending Section 17.16.250 of Title 17 of the Metropolitan Code of Laws relative to home occupation. (Proposal No. 2019Z-020TX-001)

WHEREAS, current regulations prohibit even one client from visiting a home-based business; and

WHEREAS, these regulations create a hardship on residents seeking additional income to survive in a city with a skyrocketing cost of living; and

WHEREAS, these regulations create a significant barrier for children seeking tutoring services, music lessons, and other enrichment; and

WHEREAS, 5.7% of Nashville workers aged 16 and older work from home; and

WHEREAS, permitting limited home-based business activity will protect the residential character of neighborhoods while allowing more Nashvillians to earn supplemental income to remain in their homes.

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

Section 1. That Subsection D of Section 17.16.250 of the Metropolitan Code of Laws is hereby amended by deleting it in its entirety and substituting in lieu thereof the following:

D. Home Occupation. A home occupation shall be considered an accessory use to a residence subject to the following:

1. Location

- a. A home occupation must be conducted entirely within the dwelling unit or accessory building.

- b. The home occupation shall not occupy more than twenty percent of the total floor area of the principal structure ~~and in no event more than one thousand~~ to a maximum of 500 square feet of floor area plus the area of any legally permitted accessory buildings.
2. Employees and Vehicles
- a. No more than one part-time or full-time employee not living within the dwelling may work at the home occupation location.
- b. Parking a commercial vehicle on the premises or on a street adjacent to residentially zoned property is prohibited. Vehicles associated with the home occupation shall be limited to one passenger vehicle such as a motorcycle, automobile, pick-up truck, sport utility vehicle, van or similar, with a maximum axle load capacity of one and one-half tons.
- c. No truck deliveries or pick-ups, except by public or private parcel services, and permitted.
3. Customer Visits
- a. Customer visits must occur by scheduled appointment and only between the hours of 8 a.m. and 7 p.m., Monday through Saturday.
- b. Customer visits shall be limited to no more than three visits per hour and a maximum of six total visits per day.
- c. The permit holder shall maintain and make available to the Codes Department a log or register of appointments for each calendar year.
4. Outward Appearance
- a. Signs, as defined in Section 17.32.030.B, exterior or interior displays of goods visible from the outside, or any exhibit that would indicate the dwelling unit or accessory building is being used for any purpose other than a residence are prohibited.
- b. The residential character of the lot and dwelling must be maintained. A home occupation that requires a structural alteration of the dwelling to comply with a nonresidential construction code is prohibited. This prohibition does not apply to modifications to comply with accessibility requirements.
- c. A home occupation may not produce noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, glare, humidity, fumes, electrical interference, waste run-off, or other objectionable effects outside the dwelling unit or garage.
5. Activities
- c. The storage of materials or goods shall be permitted in connection with a home occupation provided such storage complies with the following standards.
- i. All materials or goods shall be stored completely within the space designated for home occupation activities.
- ii. Only those materials or goods that are utilized or produced in connection with the home occupation may be stored within the dwelling unit or accessory building.
- iii. All materials or goods shall be stored completely within the dwelling unit or accessory building.
- iv. All flammable or combustible compounds, products or materials shall be maintained and utilized in compliance with Fire Code NFPA-30.
- d. The following are ~~prohibited~~ permitted as home occupations:
- ~~xv. adult entertainment businesses;~~
- ~~xvi. after hours establishments;~~
- ~~xvii. any business primarily engaged in retail sales;~~
- ~~xviii. any use listed as an industrial use, medical use, transportation use, utility use, or waste management use in the zoning district land use table in Section 17.08.030;~~
- ~~xix. automobile repair services;~~
- ~~xx. automobile service;~~
- ~~xxi. bars or night clubs;~~
- ~~xxii. bed and breakfast inns;~~
- ~~xxiii. funeral homes;~~
- ~~xxiv. hotels;~~
- ~~xxv. major appliance repair;~~
- ~~xxvi. restaurants;~~
- ~~xxvii. sex clubs; and~~
- ~~xxviii. short term rental properties.~~
- vi. Personal instruction;
- vii. General office;
- viii. Personal care services;
- ix. Multimedia production; and
- x. Artisan manufacturing.
1. Permit Requirements
- d. Home occupations that meet both of the following conditions are not required to acquire a permit for activity under this section:
- iii. The home occupation does not serve customers on the property; and
- iv. The home occupation does not employ anyone who does not live within the dwelling.
- e. Prior to issuance of a permit, the applicant shall provide the Codes Department with a statement that the applicant has confirmed that operating the proposed home occupation would not violate any home

owners association agreement or bylaws, condominium agreement, covenants, codes and restrictions, lease or any other agreement governing and limiting the use of the property proposed for the home occupation. If the applicant is not the property owner, the applicant shall also certify that the property owner is aware of the application and does not object to pursuit of the home occupation permit.

f. In single-family and two-family zoning districts, no more than one home occupation permit may be issued per lot.

2. Transferability and Enforcement

c. Permit Transferability. A permit issued for activities under this section shall not be transferred or assigned to another person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to commence or carry on the business. Upon termination of the occupant's residency, the home occupation permit shall become null and void.

d. Revocation of Permit. Upon the filing of three or more verified complaints within a calendar year regarding a permit issued for activities under this section, the Zoning Administrator, or his or her designee, shall notify the permit holder in writing of such complaints and the Zoning Administrator, or his or her designee, will determine whether such complaints are valid. If it is determined that violations have occurred, the Zoning Administrator may revoke a permit as provided in Section 17.40.590. The permit holder may appeal the Zoning Administrator's decision to the Board of Zoning Appeals for a public hearing as provided in this Title.

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

Sponsor(s) Dave Rosenberg

Ms. Shepard presented the staff recommendation of reopening the public hearing and approving a second substitute.

Dave Pomeroy, 1813 Cedar Lane, spoke in favor of the application.

Darren Williams, 520 Flintlock Ct, spoke in favor of the application.

Lij Shaw, 2407 Brasher Ave, spoke in favor of the application.

Brian Carter, 217 Craigmeade Dr, spoke in favor of the application.

Jackson Foster, 326 Lauderdale Rd, spoke in favor of the application.

Sasha Mullins Lasater spoke in favor of the application.

Pat Raynor, 3233 Knobview Dr, spoke in favor of the application.

Kevin Thornton, 603 Barlin Dr, spoke in favor of the application.

Rick Tell, 509 Park Ct, spoke in favor of the application.

Kevin Wyatt, 98 Fairway Dr, spoke in favor of the application.

Wilson Harwood, 143 Gordon Terrace, spoke in favor of the application.

Sterling Snow, 109 Rustic Ct, spoke in favor of the application.

John Summers, 5000 Wyoming Ave, spoke in opposition to the application as it is inconsistent with the General Plan.

John Halliburton, 113 S 13th St, spoke in opposition to the application.

Logan Key, 1411 Fatherland St, spoke in opposition to the application due to lack of enforcement.

Lois Layne, 817 Russell St, spoke in opposition to the application and expressed concerns with enforcement.

Ann Roberts, 210 Jackson Blvd, spoke in opposition and stated that this is another step in the commercializing of neighborhoods.

Matthew Bond, 3519 Golf St, spoke in opposition to the application.

Kathryn Hayden, 5000 Wyoming Ave, spoke in opposition to the application.

Charlotte Cooper, 3409 Trimble Rd, spoke in opposition to the application.

John Stern, 1437 Winding Creek Dr, spoke in opposition to the application.

Steve Durham, 3715 Princeton Ave, spoke in favor of the application.

Councilmember Rosenberg requested approval and explained that this will drastically reduce the burden on Codes, allowing them to focus their resources on other things.

Mr. Haynes closed the Public Hearing.

Mr. Gobbell expressed concerns with enforcement.

Dr. Sims stated that while this has come a long way, she isn't sure that we are there yet. She isn't sure how we can have good policy without a sound recommendation for how we actually implement and regulate this.

Ms. Moore stated that this could use a little more polishing.

Councilmember Murphy explained that it can be polished at Council. This amendment will make it easier to enforce and allow people to access services at a lower cost as well as provide services at a more reasonable cost.

Ms. Johnson spoke in opposition as this is too radical of a change under the land use policy. We aren't denying home use occupations now, the only difference is that we don't allow clients.

Dr. Sims expressed concerns with parking for urban neighbors with more cars in the area and requested the time to think this through better and not rush it.

Councilmember Murphy moved and Mr. Gobbell seconded the motion to approve a second substitute. (3-3) Dr. Sims, Ms. Moore, and Ms. Johnson voted against. Motion failed.

Ms. Johnson moved Dr. Sims seconded the motion to disapprove. (3-3) Mr. Gobbell, Mr. Haynes, and Councilmember Murphy voted against. Motion failed.

No Recommendation.

Resolution No. RS2020-54

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-020TX-001 has no recommendation.

**5. 2009SP-022-013
MANSION AT FONTANEL (AMENDMENT)
Council District 03 (Jennifer Gamble)
Staff Reviewer: Jason Swaggart**

A request to amend a Specific Plan on properties located at 4105, 4125, 4225, 4241, and 4301 Whites Creek Pike, at the southeast corner of Knight Drive and Whites Creek Pike, zoned SP (169.20 acres), to add additional land uses, modify location of rooming units and make changes to the definitions specified in the SP, requested by Edge Planning Landscape Architecture and Urban Design, applicant; Blueroad Fontanel LLC, owner.

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

APPLICANT REQUEST

Amend SP to add additional land uses, modify location of rooming units and make changes to the definitions specified in the SP.

Preliminary SP Amendment

A request to amend a Specific Plan on properties located at 4105, 4125, 4225, 4241, and 4301 Whites Creek Pike, at the southeast corner of Knight Drive and Whites Creek Pike, zoned Specific Plan (SP) (169.20 acres), to add additional land uses, modify location of rooming units and make changes to the definitions specified in the SP.

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 a mix of uses.*

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed. *Note: Applies to property at 4241 Whites Creek Pike.*

T2 Rural Countryside (T2 RCS) is intended to maintain rural character as a permanent choice for living within Davidson County and not as a holding or transitional zone for future urban development. T2 RCS areas have an established development pattern of very low-density residential development, secondary agricultural uses, and institutional land uses. The primary purpose is to maintain the area's rural landscape.

T2 Rural Maintenance (T2 RM) is intended to preserve rural character as a permanent choice for living within Davidson County and not as a holding or transitional zone for future urban development. T2 RM areas have established low-density residential, agricultural, and institutional development patterns. Although there may be areas with sewer service or that are zoned or developed for higher densities than is generally appropriate for rural areas, the intent is for sewer services or higher density zoning or development not to be expanded. Instead, new development in T2 RM areas should be through the use of a Conservation Subdivision at a maximum gross density of 1 dwelling unit per 2 acres with individual lots no smaller than the existing zoning and a significant amount of permanently preserved open space. *Note: Applies to property at 4241 Whites Creek Pike.*

T2 Rural Neighborhood Center (T2 NC) is intended to maintain, enhance, and create rural neighborhood centers that fit in with rural character and provide consumer goods and services for surrounding rural communities. T2 NC areas are small-scale pedestrian friendly areas generally located at intersections. They contain commercial, mixed use, residential, and institutional uses.

Special Policy Area 03-T2-CO-01

The following Special Policy was adopted by the Metropolitan Planning Commission on June 27, 2013: Commercial activities are not normally supported by Conservation policy. However, the character and development pattern of the business that exists on the site provides a better opportunity for site preservation than the suburban residential zoning that is found in this portion of the surrounding Whites Creek Community. Commercial development that results in minimal disturbance of the natural environment, significant open space preservation, and limited off-site impacts on the surrounding rural community may be considered on its merits provided that:

- At least 75 percent of the site is permanently preserved as undisturbed open space;
- Development techniques are used that cause minimal disturbance to sensitive environmental features such as steep slopes, forested areas, floodplains, and water bodies;
- A development pattern is established that is appropriate to a rural environment in its appearance and operations, including setbacks, parking, building types, landscaping, lighting, road and driveway design, traffic, and noise management; and,
- Low impact development techniques are used for stormwater management.

PLAN DETAILS

The Mansion at Fontanel Specific Plan was originally approved in 2009. It is located along the east side of Whites Creek Pike, south of Knight Drive. The site is within the National Register Whites Creek Historic District. Since the original approval, there have been five amendments. The last amendment, which was approved in 2016, added approximately 31 acres to the SP and rearranged the location of the hotel/rural resort. The last amendment also limited the number of rooming units to a maximum of 150.

Plan Layout

The changes proposed to the SP include revisions to permitted uses and definitions, the addition of bungalow and yurt style units and the addition of "Makers Village" as a permitted use.

The current SP includes three categories for events: Community Related Events, Seasonal Performance Entertainment Venue, and Special Events Center. Below are details on each type, including any applicable limitations:

Community Related Events

- Generally defined as non-ticketed events such as fairs, farmer's markets, school related activities, arts and crafts sales, but not limited to these types of events
- No limit on the number of events or attendees
- No prohibition on days that events may take place
- Noise specifications per Metro Code

Seasonal Performance Entertainment Venue

- Generally defined as a commercial land use in which the principal activity is for the provision of performance venue in an outside environment with a permanent stage and stage shell
- Limited to 14 events maximum per year with 4 additional events allowed for local symphony events (18 total) and limited to a total of 4,500 attendees
- Events permitted between April 1 and November 30 and limited to Friday, Saturday, and Sunday with the exception that 3 events are permitted during summer break. Events limited to 1 day
- Noise limited to 96dB and measured from soundboard
- Traffic management required if over a certain number of attendees

Special Events Center

- Generally defined as structure and or grounds that host events such as but not limited to weddings, corporate events and the like
- No limit on the number of events or attendees
- No prohibition on days that events may take place
- Noise specifications per Metro Code
- Traffic management required if over a certain number of attendees

As proposed in the SP amendment, Seasonal Performance Entertainment Venue, Community Related Events, and Special Events Center are to be eliminated and events are differentiated by ticketed and nonticketed. Ticketed events also include differences pertaining to the number of attendees. Proposed restrictions for all events are as follows:

1. The maximum number of ticketed events over 750 people in one calendar year shall not exceed twelve (12).
2. All events greater than 2,500 people shall require a Special Events Permit.
3. Events within the Mansion are limited to a maximum of 750 attendees.
4. Ticketed events over 750 people shall be limited to Friday, Saturday, or Sunday, except that weekday ticketed events over 750 people may be held during the summer break as designated on the official Metro School's calendar.
5. Outdoor events held Sunday through Thursday shall end by 10:30 P.M. Outdoor events held Friday and Saturday shall end by 11:00 P.M.
6. The decibel level output as measured at the western property boundary along Whites Creek Pike shall not exceed a five-minute average of 85dB during any event.
7. All outdoor events shall require a permanently installed, on-site decibel level monitor, such as the "10Eazy, Class II" or approved, equal to be in operation throughout the duration of the event. The decibel level monitor shall be installed at the western property boundary along Whites Creek Pike.

The SP currently includes traditional rooming/hotel units, as well as a bed and breakfast. As proposed, the traditional rooming units will be replaced with small bungalows and yurts. The bed and breakfast will remain at its current location. Some of the bungalow units are shown along Whites Creek, but the majority are shown between Whites Creek and the mansion. These include units with attached baths and units with shared baths, similar to a campground. The location of the units are spaced out in clusters along the hillsides.

As proposed the "Makers Village" means privately held, for-profit facilities that create craft, manufacture, distill, procure, care for, display, and sell objects of interest or value, or serves as a meeting place for such facilities. Activities may include, but not be limited to, tours of the facilities, wood-working, metal-working, painting, sculpting, recording, cooking, baking, brewing, distilling, and the making of various craft related items. Conference facility, creative offices, and administrative offices shall also be permitted uses within the Makers Village facilities. The location of the makers village stretches along the western property boundary adjacent to Whites Creek.

Access to the site will remain at the locations currently approved. Access to the mansion, bungalows and yurts will be provided by golf carts. No vehicular access other than routine maintenance and event planning is permitted. The SP also makes amendments to the traffic management requirements. Following includes changes to the traffic management requirements.

ANALYSIS

The impetus for the SP was to allow for the former Barbara Mandrell Mansion to be preserved by allowing for limited nonresidential uses with standards that preserved a majority of the densely wooded hillsides, and landscape and design requirements that maintained the rural character of the area. The subsequent amendments did not alter this intent but allowed for the continued evolution of the project. The proposal does not alter the minimum amount of open space (127 acres or 75% of the property) required or the areas denoted to remain undisturbed, nor does it modify any landscape and design standards. The proposed bungalows and yurts require less disturbance of the heavily wooded hillsides than previous development ideas.

The proposed amendment does not increase the number of allowed events from what is currently permitted as Community Related Events and Special Events Center are currently unlimited. Larger ticketed events are being dropped from a maximum of 18 to a maximum of 12 per year.

The number of attendees is currently limited to 4,500 for Seasonal Performance Entertainment Events and no limit for Community Related Events or Special Events Center. The applicant has proposed that any event, ticketed or non-ticketed, over 2,500 people would require a Special Event Permit. However, Special Event Permits as defined and regulated by Metro are only available for events on publicly owned property or involving public street closures. Staff is recommending a condition to remove references to Special Event Permit and require that the applicant submit a traffic management plan for approval by Public Works prior to any event with more than 2,500 attendees.

Seasonal Performance Event Venue is currently limited to certain months and days for events. Community Related Events and Special Events Center are not limited. The amendment would permit events to take place any month of the year. The amendment would restrict ticketed events over 750 people to only Fridays, Saturdays and Sundays with the exception that weekday ticketed events over 750 people may take place on the weekday during Metro School summer break. The amendment does not include any restriction on the number of weekday events that could occur during Metro School summer break.

The proposed SP would require sound to be monitored at the western property line along Whites Creek Pike where the current SP requires that noise be monitored at the soundboard. It further requires the latest technology to be used in sound monitoring and lowers the maximum decibel level from 96dB to 85dB. This restriction applies to all events.

As proposed, staff is recommending approval with conditions and disapproval without all conditions. The proposed bungalow and yurt units require minimum disturbance of the hillsides and the proposed makers village adds to the unique experience of Fontanel. The proposed amendment maintains the original requirements intended to limit development to a more rural character including building types and design, building placement, landscaping and lighting.

Staff finds that as the current SP does not include any restrictions for community related events, the proposed amendment will not permit any more events than what is currently permitted. While the proposed amendment removes the maximum capacity of 4,500 attendees, this restriction only ever applied to the Seasonal Performance Entertainment Venue and there is currently no maximum capacity for other types of events. Traffic has been a primary concern since the inception of the Fontanel SP. Traffic management is currently not required for community related events regardless of the size of the event. As proposed, all events include traffic management requirements that are triggered depending on the size of the event. The proposed amendment lowers the maximum noise level from what is currently permitted, requires noise to be monitored at the property line as opposed to interior to the site, and requires the latest noise monitoring systems be utilized. By adding traffic management requirements for all events and lowering the maximum noise level, events can be better regulated.

METRO HISTORICAL COMMISSION RECOMMENDATION

Approve with conditions

- The parcels proposed for addition to the Mansion at Fontanel Specific Plan District are located within the National Register-listed Whites Creek Historic District. The Historical Commission recommends that the site plan include landscape buffering along Knight Drive to preserve the rural character of the National Register district.

FIRE MARSHAL RECOMMENDATION

Approve with Conditions

- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
 - Loop' road portion to be 16' wide one-way. Remaining roads to be 20' minimum width fire apparatus access roads.

- 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

Approved

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- Coordinate w/ Metro planning on sidewalk requirements, along Whites Creek Pike and/or Knight Dr. Reference MCSP.
- Call out ST-324 commercial ramps for site access drives off Whites Creek Pike.
- Make service access drive a gated drive.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

Amended plans should have correct case number 2009SP-022-013 and identify access drives per TIS studied access driveway numbers. Gated access drives shall be identified on amended plans.

In accordance with findings of traffic study, developer shall construct the following roadway improvements and comply with recommended traffic operation.

- The primary site access drive (Site Access 1) should be designed to include a minimum of one entering lane and one exiting lane. A stop bar should be installed egress approach.
- An exclusive left turn lane should be installed on the southbound approach of Whites Creek Pike at the intersection with the primary site access drive (Site Access1). The left turn lane should be designed to include a minimum of 100 feet of storage.
- Through coordination with residents of nearby neighborhoods, vehicle speeds along Whites Creek was a point of concern that was identified. A speed limit study should be conducted to assess whether it would be beneficial to lower the speed limit on Whites Creek Pike from 40 mph to 35 mph in the vicinity of the development. This modification would require approval from the Metro Nashville
- Traffic and Parking Commission. Developer shall apply to T&P staff to conduct a speed study on Whites Creek along Fontanel property frontage.
- As part of the construction of the project, the site accesses should be designed such that the departure sight triangles, as specified by AASHTO, will be clear of all sight obstructions, including landscaping, existing vegetation, monument signs/walls, fences, etc.
- Traffic control officers shall be stationed at each utilized access point during arrival / dismissal times of heavily attended events. Consultant's traffic engineer shall determine number of attendees that will require traffic officers to be present.
- The proposed northern service drive should include a gated entry for use by employees and emergency vehicles, exclusively.
- The existing gated access point north of Site Access 2 should remain gated and continue to be used by employees and emergency vehicles, exclusively.

WATER SERVICES RECOMMENDATION

Approve with conditions

- Plans for this must be submitted and approved through a separate review process with Metro Water Permits before construction may begin.
- Capacity must be reserved before issuance of building permits.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Uses within this SP shall be limited to the specific uses as described in the SP document. Rooming units shall be limited to a maximum of 150 units.
2. All applicable conditions from BL2016-282 shall remain in effect.
3. Any relevant Public Works' requirements related to access, traffic, special event traffic management, reporting and number of parking spaces shall be met with all future development.
4. Parking on the east side of Whites Creek shall be used for overflow parking only.
5. With the corrected copy, replace Event Management Note 1 with the following: The maximum number of ticketed events over 750 people in one calendar year shall not exceed 12.
6. With the corrected copy, add the following note to the Event Management table: For any event, ticketed or not ticketed, with more than 2,500 attendees, submit a traffic management plan to Public Works for review and approval.
7. With the corrected copy, remove all references to Special Event Permit.
8. Comply and all conditions and requirements of Metro reviewing agencies.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved
11. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CN zoning district as of the date of the applicable request or application.
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.

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

John Haas, 210 12th Ave, spoke in favor of the application.

Linda Jarrett, 4300 Whites Creek Pk, spoke in favor of the application. The applicants have exceeded her expectations for transparency.

Joseph Bond, 4268 Kings Lane, spoke in favor of the application.

Angela Williams, 7203 Old Hickory Blvd, spoke in opposition to the application.

George Ewing, 4601 Whites Creek Pk, spoke in opposition to the application.

Marsha Murphy, 4462 Stenberg Rd, spoke in opposition to the application.

Gladies Herron, 609 Cherry Grove Pt, spoke in opposition to the application due to major health and safety issues for both ticketed and no-ticketed events.

Elise Hudson, 4601 Whites Creek Pk, spoke in opposition to the application and explained there are several key factors that haven't been addressed.

Councilmember Gamble spoke in favor of the application and noted this is a new owner with a new plan that has less density. This will preserve the character of the neighborhood.

Mr. Haynes closed the Public Hearing.

Dr. Sims stated that she likes the plan but has concerns with keeping accountability on track.

Ms. Moore spoke in favor of the application.

Councilmember Murphy requested to have as much as possible written into the SP so that some of the conditions added last time won't get lost in the language.

Ms. Johnson encouraged the councilmember to work closely with the developer, community, and staff between now and third reading at Council to clear up any concerns.

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

Resolution No. RS2020-55

"BE IT RESOLVED by The Metropolitan Planning Commission that 2009SP-022-013 is approved with conditions and disapproved without all conditions. (6-0)

CONDITIONS

1. Uses within this SP shall be limited to the specific uses as described in the SP document. Rooming units shall be limited to a maximum of 150 units.
2. All applicable conditions from BL2016-282 shall remain in effect.
3. Any relevant Public Works' requirements related to access, traffic, special event traffic management, reporting and number of parking spaces shall be met with all future development.
4. Parking on the east side of Whites Creek shall be used for overflow parking only.
5. With the corrected copy, replace Event Management Note 1 with the following: The maximum number of ticketed events over 750 people in one calendar year shall not exceed 12.
6. With the corrected copy, add the following note to the Event Management table: For any event, ticketed or not ticketed, with more than 2,500 attendees, submit a traffic management plan to Public Works for review and approval.
7. With the corrected copy, remove all references to Special Event Permit.
8. Comply and all conditions and requirements of Metro reviewing agencies.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved
11. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CN zoning district as of the date of the applicable request or application.
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.

6. 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: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Rezone from RS40 to SP-MU to permit a mixed-use development.

Preliminary SP

A request to rezone from Single-Family Residential (RS40) to Specific Plan – Mixed Use (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.

Existing Zoning

Single-Family Residential (RS40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre. *RS40 would permit a maximum of ten residential units.*

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.

JOELTON 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.

T2 Rural Neighborhood Center (T2 NC) is intended to maintain, enhance, and create rural neighborhood centers that fit in with rural character and provide consumer goods and services for surrounding rural communities. T2 NC areas are small-scale pedestrian friendly areas generally located at intersections. They contain commercial, mixed use, residential, and institutional uses.

PLAN DETAILS

The approximately nine acre site is located at the northeast corner of the intersection of I-24 and Whites Creek Pike. Of the four properties that make up the site, three contain single-family homes, and one is vacant. The site is relatively flat, and is mostly open field. The rear of the site is encumbered with wetlands, and a small stream bisects the site from east to west.

SP Plan

The proposed SP plan includes a hotel and automobile convenience market. As proposed the plan permits all uses that are allowed under MUN with the addition of automobile convenience, hotel/motel and restaurant. As shown on the plan, the automobile convenience (labeled as “Country Market”) is 14,000 square feet and includes four fuel islands. The hotel (labeled “Country Hotel/Restaurant”) is 42,000 square feet in size. The plan limits the height for the Country Market to one story in 25 feet and the Country Hotel/Restaurant is limited to three stories in 45 feet. The plan also indicates a 0.6 maximum floor area. As shown the closest building to Whites Creek Pike is approximately 180 feet away. The Country Market and Country Hotel/Restaurant are separated by a stream buffer that bisects the property. The Country Hotel/Restaurant is located south of the stream and adjacent to the I-24 west bound exit ramp.

All parking associated with the proposal is surface and meets the minimum requirements for the proposed uses. The plan prohibits overnight parking associated with automobile convenience. Sidewalks on Whites Creek Pike are per the Major and Collector Street Plan (MCSP) and include an eight-foot-wide sidewalk and four-foot-wide planting strip. The plan also provides space for a six-foot-wide bike lane. The plan requires a Standard C-Landscape Buffer Yard along the northern property line.

ANALYSIS

Overall, the proposed SP is consistent with the T2 NC land use policy at this location. The proposed uses are appropriate given the site being located at the intersection of I-24 and Whites Creek Pike which the MCSP identifies as an arterial. The plan provides standards that will ensure that the plan is generally consistent with the goals of the policy. To further ensure compliance with the policy goals, staff is recommending several conditions to the plan. As currently proposed, the SP would permit a maximum floor area of approximately 230,519 square feet which is not appropriate given the policy. In order to address this concern, staff is recommending that the maximum floor area be limited to 56,000 square feet which is the total floor area identified on the site plan. As proposed the plan would permit all uses permitted by MUN. Staff is recommending that uses be limited to the uses identified on the plan. As proposed the country market, which is limited to one story in height, is located along the northern property boundary adjacent to an existing home that is within a Rural Neighborhood Maintenance policy area. To ensure the appropriate transition, staff is recommending that the country market remain at its currently shown location, and that the hotel which permits up to three stories remain adjacent to the interstate as shown on the site plan.

Specific architectural standards are not provided, but the plan includes several examples of buildings that would meet the design goals of creating commercial development that is rural in character. Elevations will be provided with any final site plan and shall meet all design goals for the T2 NC policy.

FIRE MARSHAL RECOMMENDATION

Approve with Conditions

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

STORMWATER RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- Final 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.
- Comply with MPW traffic engineer comments on North access drive, align with The Falls development across Whites Creek Pike.
- Upon alignment on North access drive w/ The Falls development, distance between South access drive is to be minimum 30 ft. apart.
- South access drive shall also be a minimum of 250 ft from highway on/off ramp(s).
- Per MPW traffic comments, consider internal connectivity of gas station and hotel.
- Indicate ROW dedication on final site plan to accommodate additional lanes/sidewalk/grass strip/bike way on Whites Creek Pike.
- Indicate waste/recycle, private hauler on final site plan.
- Submit sight distance exhibit, per AASHTO, for RT/LT onto Whites Creek. Show line of sight RT/LT, use AASHTO, SSD and ISD design values, on (existing or proposed) grade profiles.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

In accordance with TIS findings, Developer of Knipfer’s Country Corner, Whites Creek Pike, shall construct the following roadway improvements.

- In conjunction with the proposed gas station, the northern project access should be constructed to include one entering lane and two exiting lanes. Also, this access should be constructed directly opposite the planned access for The Falls residential development that is under construction on the west side of Whites Creek Pike, opposite the project site, in order to avoid an off-set and conflicting left turns.
- A southbound left turn should be constructed on Whites Creek Pike at the northern project access to gas station. This turn lane should include at least 75 feet of storage and should be designed and constructed according to AASHTO standards.
- In conjunction with the proposed hotel, the southern project access should be constructed to include one entering lane and one exiting lane.
- Consideration shall be given to providing internal connectivity between the gas station and the hotel in order to reduce the number of turning movements to and from Whites Creek Pike.
- In conjunction with The Falls residential development that is under construction on the west side of Whites Creek Pike, opposite the project site, the existing five-lane cross section on Whites Creek Pike will be extended north approximately 400 feet to the access for The Falls. With this cross-section, a southbound left turn lane will be provided at the southern project access, which will provide direct access for the hotel. If the proposed hotel is constructed before the roadway improvements for The Falls are completed, a southbound left turn lane is not necessary to provide adequate operations at the southern project access because of the low volumes traveling to and from the hotel from the north.
- The analyses conducted for the purposes of this study indicate that a northbound right turn lane is warranted for construction on Whites Creek Pike at each of the project accesses and shall be constructed if the Falls development has not previously constructed the 5 lane cross section on Whites Creek Pk.
- Both gas station and Hotel projects shall dedicate any necessary ROW for a 5 lane cross section to be constructed on Whites creek by the Falls project.

Maximum Uses in Existing Zoning District: **RS40**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	8.82	1.08 D	9 U	114	12	11

Maximum Uses in Proposed Zoning District: SP-MU

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	2.0	1.0 F	42,000 S.F.	205	109	100

Maximum Uses in Proposed Zoning District: SP-MU

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	2.0	1.0 F	14,000 S.F.	365	102	103

Traffic changes between maximum: RS40 and SP-MU

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+456	+199	+192

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Concept Plan only, Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final Site Plan/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.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited automobile convenience, restaurant and of hotel/motel. No other uses shall be permitted.
2. The maximum floor area in the SP shall be limited to 56,000 square feet. Fuel island shall be consistent with general size and location as shown on the plan.
3. The minimum building setback from Whites Creek Pike is 140 feet.
4. The location of the hotel/motel shall be limited to the area on the south side of the stream buffer adjacent to I-24.
5. A maximum of one story in 30 feet in height is permitted for any building located on the north side of the stream buffer, and the maximum height of four stories in 45 feet is permitted for any building located on the south side of the stream buffer.
6. Overnight parking associated with automobile convenience shall be prohibited.
7. Elevations shall be provided with any final site plan. Building design shall meet the policy goal of achieving a general character that is rural in nature.
8. Comply with all conditions and requirements of Stormwater, Water Services, and Public Works.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. 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 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
11. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
12. 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.
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 (7-0).

Resolution No. RS2020-56

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019SP-047-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited automobile convenience, restaurant and of hotel/motel. No other uses shall be permitted.

2. The maximum floor area in the SP shall be limited to 56,000 square feet. Fuel island shall be consistent with general size and location as shown on the plan.

3. The minimum building setback from Whites Creek Pike is 140 feet.

4. The location of the hotel/motel shall be limited to the area on the south side of the stream buffer adjacent to I-24.

5. A maximum of one story in 30 feet in height is permitted for any building located on the north side of the stream buffer, and the maximum height of four stories in 45 feet is permitted for any building located on the south side of the stream buffer.

6. Overnight parking associated with automobile convenience shall be prohibited.

7. Elevations shall be provided with any final site plan. Building design shall meet the policy goal of achieving a general character that is rural in nature.

8. Comply with all conditions and requirements of Stormwater, Water Services, and Public Works.

9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

10. 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 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

11. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

12. 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.

13. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

7. 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 March 12, 2020, Metro Planning Commission meeting.

The Metropolitan Planning Commission deferred 2019SP-055-001 to the March 12, 2020, Planning Commission meeting. (7-0)

8. 2020Z-022PR-001

Council District 33 (Antoinette Lee)
Staff Reviewer: Amelia Lewis

A request to rezone from AR2a to IWD zoning for properties located at 12610 and 12622 Old Hickory Blvd and Old Hickory Blvd (unnumbered), approximately 480 feet east of Hobson Pike (12.38 acres), requested by Kimley-Horn, applicant; William D. Yeargin Jr. ETUX, Billy Spaulding, and William B. Spaulding, owners.

Staff Recommendation: Defer to the March 12, 2020, Metro Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020Z-022PR-001 to the March 12, 2020, Planning Commission meeting. (7-0)

9. 2020Z-032PR-001

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

A request to rezone from RS5 to R6-A zoning for property located at 1820 Scovel Street, approximately 185 feet east of 21st Ave N (0.15 acres), requested by Lukens Engineering Consultants, applicant; Billy Fuqua, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential-Alternative (R6-A) zoning for property located at 1820 Scovel Street, approximately 185 feet east of 21st Ave N (0.15 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 8.712 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-A would permit a maximum of 1 lots with 1 duplex lots for a total of 2 units.*

NORTH NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The site consists of one parcel located at 1820 Scovel Street. There is an existing residential structure on the site. The site has frontage on Scovel Street with an improved alley at the rear of the site. The adjacent properties are both zoned Specific Plan and permit multi-family developments consistent with the RM15-A zoning district intensity level and building form. Surrounding properties along Scovel Street include single-family, multi-family, and office uses.

Staff finds the proposed R6-A zoning district to be consistent with the land use policy for the area. The variety of housing types permitted in this district is consistent with the policy goal of increasing housing choice for this area. The Alternative standards of the proposed district are consistent with the goal of the policy to create a pedestrian friendly environment. The redevelopment of this site will require the construction of sidewalks consistent with the Major and Collector Street Plan. This site is located within the Urban Zoning Overlay district and the proposed zoning district is utilizing the alternative standards so access will be required to be taken from the existing improved alley.

The requested rezoning to R6-A is compatible with surrounding land uses and is consistent with policy; therefore, staff recommends approval.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building details provided. Additional access or fire code issues will be addressed in the permitting phase.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	0.15	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
Multi- Family Residential (220)	0.15	15 D	2 U	15	1	2

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: 1 Elementary 0 Middle 0 High

The proposed R6-A zoning district will generate 1 additional students beyond what would be generated under the existing RS5 zoning district assuming. Students would attend Churchwell Elementary, John Early Middle School, and Pearl-Cohn Creek High School.

STAFF RECOMMENDATION

Staff recommends approval.

Approved. Consent Agenda (7-0)

Resolution No. RS2020-57

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-032PR-001 is approved. (7-0)

10. 2020Z-033PR-001

Council District 20 (Mary Carolyn Roberts)
Staff Reviewer: Amelia Lewis

A request to rezone from R6 to RM15-A zoning for property located at 819 Watts Lane, approximately 290 feet west of Neighborly Ave (0.55 acres), requested by Land Development Solutions, applicant; Robert L. & Gertrude Abbott, owners.

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission indefinitely deferred 2020Z-033PR-001. (7-0)

11. 2020CP-000-001
MAJOR AND COLLECTOR STREET PLAN AMENDMENT –
NORTH NASHVILLE COMMUNITY PLAN
Council District 19 (Freddie O'Connell)
Staff Reviewer: Elwyn Gonzalez

A request to amend the Major and Collector Street Plan to classify 16th Avenue North, spanning from Charlotte Avenue northward to Jefferson Street, as a collector street, requested by Smith Gee Studios, applicant.

Staff Recommendation: Defer to the March 26, 2020, Metro Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020CP-000-001 to the March 26, 2020, Planning Commission meeting. (7-0)

12a. 2020CP-008-001
NORTH NASHVILLE COMMUNITY PLAN AMENDMENT
Council District 19 (Freddie O'Connell)
Staff Reviewer: Gene Burse

A request to amend the North Nashville Community Plan by changing from District Industrial Policy to T4 Urban Mixed Use Neighborhood Policy for property located at 1420 Adams Street and 1818 Cement Plant Road, approximately 400 feet northeast of Taylor Street, zoned IG (18.59 acres), requested by Cooper Carry Inc., applicant; Baugh & Pardue Properties LLC, owner. (See associated case 2020SP-009-001).

Staff Recommendation: Defer to the March 12, 2020, Metro Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020CP-008-001 to the March 12, 2020, Planning Commission meeting. (7-0)

12b. 2020SP-009-001
MODERA GERMANTOWN
Council District 19 (Freddie O'Connell)
Staff Reviewer: Abbie Rickoff

A request to rezone from IG to SP-MU zoning for property located at 1420 Adams Street, approximately 400 feet north of Taylor Street (approximately 11.56 acres), to permit a mixed use development, requested by Cooper Carry, applicant; Baugh & Pardue Properties, LLC, owner. (See associated case 2020CP-008-001).

Staff Recommendation: Defer to the March 12, 2020, Metro Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020SP-009-001 to the March 12, 2020, Planning Commission meeting. (7-0)

13. 2020CP-010-001
GREEN HILLS – MIDTOWN COMMUNITY PLAN AMENDMENT
Council District 17 (Colby Sledge)
Staff Reviewer: Stephanie McCullough

A request to amend the Green Hills - Midtown Community Plan by changing from T4 Urban Neighborhood Evolving Policy and T4 Urban Neighborhood Center Policy to T4 Urban Mixed Use Corridor Policy and T4 Urban Mixed Use Neighborhood Center Policy for property located at 1100 Summit Avenue, and a portion of properties located at 1200 11th Avenue South and 1277 12th Avenue South, at the southeast corner of 14th Avenue South and Edgehill Avenue, zoned RM20 and located within a Planned Unit Development Overlay District (19.50 acres), requested by Barge Design Solutions, applicant; Edgehill Homes and MDHA, owners.

Staff Recommendation: Defer to the April 9, 2020, Metro Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020CP-010-001 to the April 9, 2020, Planning Commission meeting. (7-0)

14a. 2020CP-012-001
SOUTHEAST COMMUNITY PLAN AMENDMENT
Council District 32 (Joy Styles)
Staff Reviewer: Anita McCaig

A request to amend the Southeast Community Plan by changing from T3 Suburban Neighborhood Evolving policy to District Destination Retail policy for property located at 3141 Old Franklin Road (2.92 acres) and simplifying existing supplemental policies for properties located at 4001 Cane Ridge Road and a portion of properties located at 4100 William Turner Parkway and Cane Ridge Road (unnumbered), zoned AR2a and SP (287.42 acres), requested by Barge Design Solution, applicant; Century Farms LLC, IDB, and Cemetery, owners. (See associated case #2015SP-005-010).

Staff Recommendation: Defer to the March 12, 2020, Metro Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020CP-012-001 to the March 12, 2020, Planning Commission meeting. (7-0)

14b. 2015SP-005-010
BEAMAN & TURNER PROPERTIES SP (AMENDMENT)
Council District 32 (Joy Styles)
Staff Reviewer: Patrick Napier

A request to amend a Specific Plan for properties located at 3141 Old Franklin Road, 4001 Cane Ridge Parkway, 4100 William Turner Parkway and Cane Ridge Road (unnumbered), located on the north side of Old Franklin Road, between Cane Ridge Road and Interstate 24, zoned AR2a and SP (332.24 acres), to amend signage and development standards, revise subdistrict boundaries, and to add 2.92 acres, requested by Barge Design Solutions, applicant; Century Farms, LLC, owner. (See associated case #2020CP-012-001).

Staff Recommendation: Defer to the March 12, 2020, Metro Planning Commission meeting.

The Metropolitan Planning Commission deferred 2015SP-005-010 to the March 12, 2020, Planning Commission meeting. (7-0)

15. 2020Z-004TX-001
BL2020-117/Sledge
Staff Reviewer: Lisa Milligan

A request for an Ordinance to amend Section 17.20.040 of the Metropolitan Code of Laws relative to parking requirements on multimodal corridors.

Staff Recommendation: Approve a substitute.

APPLICANT REQUEST

Amend Section 17.20.040 of the Zoning Code pertaining to parking along multimodal corridors.

PROPOSED AMENDMENTS TO TITLE 17

The proposed bill would amend the Zoning Code by adding the following to new subsection to the end of Section 17.20.040 (new text shown in underline):

G. No parking shall be required for uses located on multimodal corridors, as designated in the major and collector street plan.

ANALYSIS

Section 17.20.040 of the Zoning Code outlines adjustments that can be made to parking required by the code for particular uses. There are exemptions for buildings located within the DTC and certain buildings constructed prior to 1974. There are also various adjustments that can be made to the amount of parking required based on a site's location in relation to certain streets, the provision of transit, and the provision of on street parking, among others.

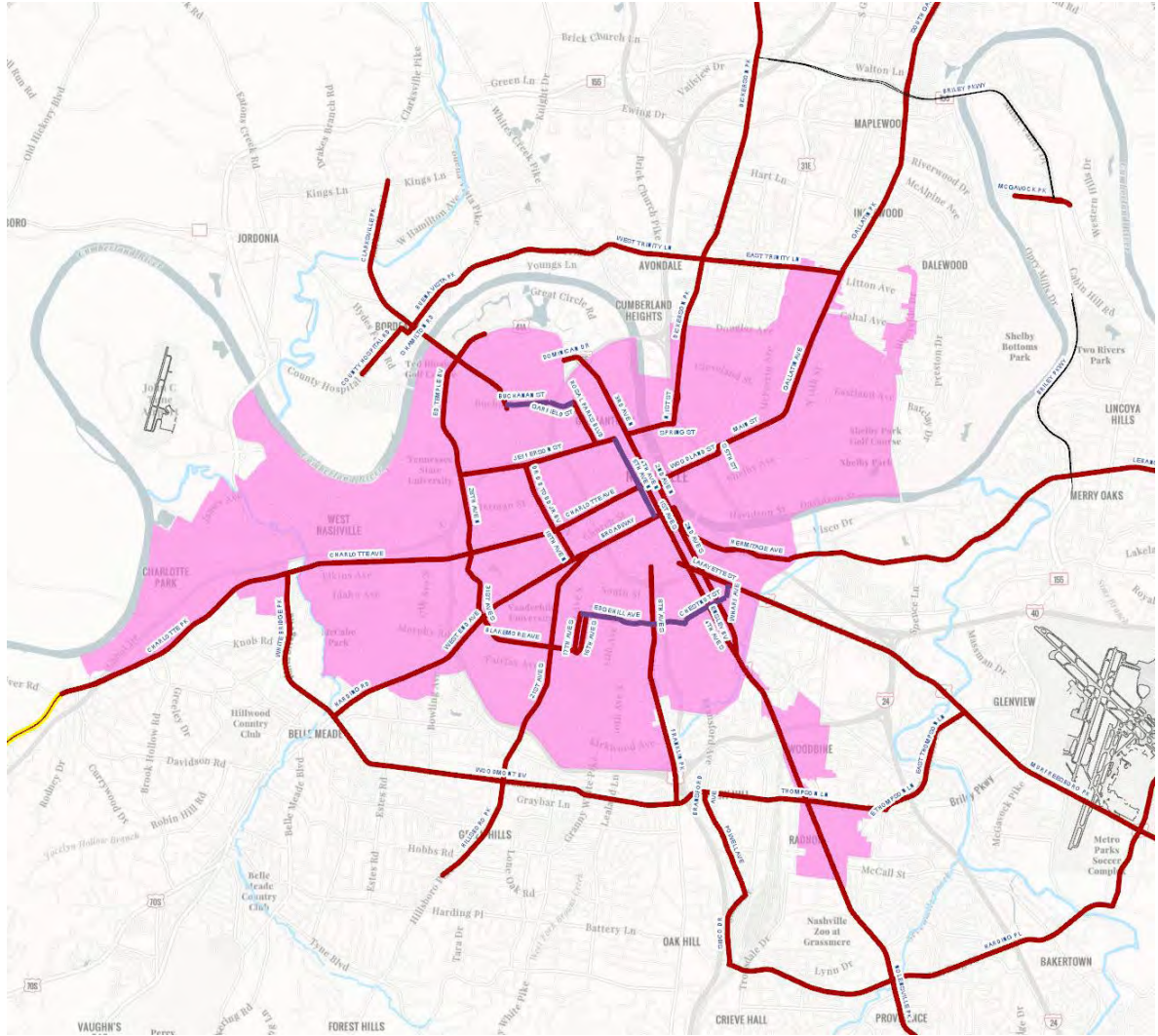
The proposal would add an exemption for uses located along a multimodal corridor as designated in the Major and Collector Street Plan (MSCP). Multimodal corridors as defined by the MCSP are roadways that provide the highest level of multimodal mobility, with an emphasis on transit service and linking to walking and biking infrastructure. Multimodal corridors serve both residential and mixed-use areas and are further defined as being either Immediate Need or Long Term Need. Both Immediate and Long Term Need are anticipated to experience more housing and employment intensity in the near future.

The proposal would remove the parking requirement for uses located along multimodal corridors. Uses can still provide parking, but parking would not be required. This would encourage creating additional intensity along

corridors in a form that is supportive of and encourages the use of alternative forms of transportation such as walking, biking, and transit.

Staff has two recommendations to further refine the proposal. First, staff recommends that the proposal be limited to multimodal corridors within the Urban Zoning Overlay (UZO). The UZO generally recognizes the original developed area of Nashville which has a more compact, urban form. Transit is currently more readily available in this area and sidewalks and bike lanes are more prevalent. Focusing the proposal on the UZO is appropriate given the existing infrastructure. Second, staff recommends that the language be refined to give guidance as to what it means to be located along a multimodal corridor. Staff proposes that lots must have a majority of their frontage along the corridor to be considered for the exemption.

Below is a map showing the location of multimodal corridors (shown in red) and the UZO (shown in pink).



Zoning Administrator Recommendation

The Zoning Administrator takes no exception to the legislation. The Zoning Administrator supports Planning's recommended substitute.

Fiscal Impact Recommendation

The Metro Codes Department will issue permits consistent with the current process. No fiscal impact is noted.

Substitute Bill BL2020-117

An Ordinance to amend Section 17.20.040 of the Metropolitan Code of Laws relative to parking requirements on multimodal corridors (Proposal No. 2020Z-004TX-001).

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

Section 1. That Section 17.20.040 of the Metropolitan Code is hereby amended by adding the following new Subsection G:

G. Within the Urban Zoning Overlay, no parking shall be required for uses located on multimodal corridors, as designated in the major and collector street plan. This exemption applies only to uses located on a lot or parcel having a majority of its frontage on the multimodal corridor.

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) Colby Sledge, Freddie O'Connell

Approved with a substitute. Consent Agenda. (7-0)

Resolution No. RS2020-58

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-004TX-001 is approved with a substitute. (7-0)

16. 2020Z-005TX-001

BL2020-151/Hagar

Staff Reviewer: Lisa Milligan

A request to amend Chapters 17.36 and 17.40 of the Metropolitan Code pertaining to creating a Residential Accessory Structure Overlay district.

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend Chapter 17.36 and 17.40 of the Zoning Code.

PROPOSED AMENDMENTS TO TITLE 17

The proposed bill would amend the Zoning Code to create a Residential Accessory Structure Overlay District. This would be an optional overlay that could be placed over residential areas to provide for design guidance and regulation of accessory structures. The process to apply the overlay is the same process as a rezoning. This bill does not apply the overlay to any areas; it only creates the tool that can be utilized. The overlay includes standards addressing number of structures, location, size, height, and materials. The full text of the proposal as at the end of this report.

ANALYSIS

There are numerous overlays that currently exist within the Zoning Code to address design related issues. These include the Contextual Overlay and Corridor Design Overlay, for example. The Residential Accessory Structure Overlay is an additional tool that can be applied to residential areas to add more stringent regulations to accessory structures such as garden sheds, detached garages, carports and the like. Staff recommends approval as this is simply an optional zoning tool that can be utilized if a neighborhood chooses.

Zoning Administrator Recommendation

The Zoning Administrator neither opposes or supports the proposed legislation.

Fiscal Impact Recommendation

The Metro Codes Department will issue permits consistent with the current process. The Codes staff may need to spend more time reviewing permits to ensure compliance but no fiscal impact is noted.

Bill BL2020-151

An ordinance amending Chapters 17.36 and 17.40 of the Metropolitan Code pertaining to the creation of a Residential Accessory Structure Overlay district (Proposal No. 2020Z-005TX-001).

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

Section 1. That Chapter 17.36 of the Metropolitan Code is hereby amended by creating Article XV – Residential Accessory Structure Overlay, and adding the following Section 17.36.570 (Purpose and intent):

The Residential Accessory Structure Overlay district provides appropriate design standards and bulk regulations for accessory structures in residential areas necessary to maintain and reinforce an established form or character of residential development in a particular area.

Section 2. That Chapter 17.36 of the Metropolitan Code is hereby amended by adding the following Section 17.36.580 (Overlay designation):

A Residential Accessory Structure Overlay district shall be created according to the procedures of Chapter 17.40, Article III and depicted as a geographical area on the official zoning map.

Section 3. That Chapter 17.36 of the Metropolitan Code is hereby amended by adding the following Section 17.36.590 (Guidelines):

- A. Number. A maximum of two accessory structures may be constructed on a lot.
- B. Location. Accessory structures shall not be erected in any required setback and must be located to the rear of the principle structure.
- C. Size. the combined gross floor area of all accessory structures on a lot shall be no more than 30% of the total gross floor area of the principal structure.
- D. Height. Accessory structures shall not exceed one story or sixteen feet in height, whichever is less. The top elevation of an accessory structure shall not exceed the top elevation of the principal structure.
- E. Materials. Accessory structures greater than 150 square feet in gross floor area must be constructed in a like manner to the principal building in terms of roof style and building materials. Metal, plastic, vinyl, and concrete masonry units are prohibited as primary siding materials for accessory structures greater than 150 square feet in gross floor area except where the material is the primary material on the principal structure.

Section 4. That Chapter 17.36 of the Metropolitan Code is hereby amended by adding the following Section 17.36.590 (Permitted land uses):

The range of land uses permitted within a Residential Accessory Structure Overlay district shall be those permitted by the underlying zoning district(s) as established by the zoning district land use table of Section 17.08.030.

Section 5. That Chapter 17.36 of the Metropolitan Code is hereby amended by adding the following Section 17.36.600 (Variation of conventional standards):

The Residential Accessory Structure Overlay district varies the conventional standards of the underlying zoning district(s) as established in Chapter 17.12, Sections 17.12.050 and 17.12.060.

Section 6. That Chapter 17.36 of the Metropolitan Code is hereby amended by adding the following Section 17.36.610 (Residential Accessory Structure Overlay district):

- A. Application for a Residential Accessory Structure Overlay District. Lots included in a district must be contiguous and continuous throughout the residential portion of a complete block face(s).
- B. Historic Overlay District. A Residential Accessory Structure Overlay district shall not be applied in an adopted historic overlay district. Adoption of a historic overlay district shall supersede an adopted Residential Accessory Structure Overlay district and only the requirements of the historic overlay district shall apply.
- C. Contextual Overlay District. A Residential Accessory Structure Overlay district shall not be applied in an adopted contextual overlay district. Adoption of a contextual overlay district shall supersede an adopted Residential Accessory Structure Overlay district and only the requirements of the contextual overlay district shall apply.
- D. Urban Design Overlay District. A Residential Accessory Structure Overlay district shall not be applied in an adopted urban design overlay district. Adoption of an urban design overlay district shall supersede an adopted Residential Accessory Structure Overlay district and only the requirements of the urban design overlay district shall apply.
- E. Urban Zoning Overlay. A Residential Accessory Structure Overlay district shall not be applied in the adopted urban zoning overlay district. Expansion of the urban zoning overlay district shall supersede an adopted Residential Accessory Structure Overlay district and only the requirements of the urban zoning overlay district shall apply.
- F. Eligible Zoning Districts. Residential Accessory Structure Overlay districts shall only be applicable in Single Family (RS and RS-A) and One and Two-Family (R and R-A) Residential Zoning districts. Residential Accessory Structure Overlay districts shall not be applied to property within Specific Plan (SP) Zoning districts.
- G. Planning Commission Recommendation. The planning commission shall review a proposed Residential Accessory Structure Overlay district application for conformance with the General Plan. The

planning commission shall act to recommend approval, approval with conditions or disapproval of the application. Within ten working days of an action, the commission's resolution shall be transmitted in writing to the applicant, the Metro Clerk, the zoning administrator and all other appropriate governmental departments.

H. Council Consideration. The Metropolitan Council shall consider an ordinance establishing a Residential Accessory Structure Overlay district according to the procedures of Article III of Chapter 17.40 (Amendments). All property owners within and proximate to a proposed Residential Accessory Structure Overlay district shall be notified according to the procedures of Article XV of Chapter 17.40.

I. Final Site Plan Approval. For property located within a Residential Accessory Structure Overlay district, a final site plan application shall be submitted for review and approval by the Zoning Administrator in a manner consistent with the procedures of Section 17.40.170A. The applicant is required to submit all necessary information to the Zoning Administrator and to certify the accuracy of the submitted information.

J. Modifications to Design Standards Not Permitted. Residential Accessory Structure Overlay Districts shall be adopted with the standards outlined in 17.36.590 (Guidelines). Modifications to these standards shall not be permitted. Variance requests shall follow the process outlined in Chapter 17.40.

K. Changes to a Residential Accessory Structure Overlay District Boundary. A proposed change in the geographic boundary of a Residential Accessory Structure Overlay district on the official zoning map shall be considered by the Council according to the procedures of Article III of Chapter 17.40 (Amendments).

Section 7. Section 17.40.740.C.3 is hereby amended by deleting in its entirety and replacing with the following:

Applying the urban design overlay district, historic preservation district, neighborhood conservation district, urban zoning overlay district, contextual overlay district, corridor design overlay district, or residential accessory structure overlay as provided in Chapter 17.36;

Section 8. That this Ordinance shall take effect five (5) days 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) Larry Hagar

Approved. Consent Agenda. (7-0)

Resolution No. RS2020-59

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-005TX-001 is approved. (7-0)

17. 2020SP-008-001

HOGGETT POINT COTTAGES

Council District 14 (Kevin Rhoten)

Staff Reviewer: Logan Elliott

A request to rezone from RS15 to SP zoning for property located at 3783 Hoggett Ford Road, approximately 400 feet east of Hermitage Point Drive (5.0 acres), to permit 28 multi-family residential units, requested by Dale and Associates, applicant; Allen Gregory, owner.

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

APPLICANT REQUEST

Preliminary SP to permit 28 multi-family residential units.

Specific Plan

A request to rezone from Single-Family Residential (RS15) to Specific Plan Residential (SP) zoning for property located at 3783 Hoggett Ford Road, approximately 400 feet east of Hermitage Point Drive (5.0 acres), to permit 28 multi-family residential units.

Existing Zoning

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *RS15 would permit a maximum of 12 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 5 acres and is located on Hoggett Ford Road west of Dodson Chapel Road. The site currently contains a single-family structure and areas of vegetation. The surrounding properties have been subdivided for single-family residential lots. The property directly south of Hoggett Ford Road has been developed into attached townhomes. Other properties fronting Hoggett Ford Road contain a mixture of residential uses.

The surrounding properties north of Hoggett Ford Road are zoned RS15 and the surrounding properties south of Hoggett Ford Road are zoned RM9. The areas to the west and to the south of the subject site are within the T3 Neighborhood Evolving policy with the area to the north and to the east within the T3 Neighborhood Maintenance policy.

Site Plan

The plan proposes 28 multi-family detached residential units. The units are proposed to front on a shared private drive that runs north into the site and intersects an east/west private drive at the rear of the site. The units have driveways and some units may have garages. A standard B landscape buffer is being provided along the perimeter of the site adjacent to existing residential uses. The applicant is providing sidewalks and a planting strip consistent with the Major and Collector Street Plan along Hoggett Ford Road. The applicant is also providing for an internal sidewalk network that will connect to Hoggett Ford Road sidewalks. An amenity space is being offered in the front of the site to the east of the access point.

ANALYSIS

Planning staff finds the proposed Specific Plan to be consistent with the land use policy for the area. Staff supports the use of private drives for access and internal circulation as currently provided as the site sits on a narrow property that does not have any opportunities to enhance the connectivity of the larger area. The provided development pattern is consistent with the surrounding suburban residential neighborhood.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building details provided. 20'w drive aisle shown on plans. Buildings limited to 30' height unless fire department aerial apparatus access requirements are met. See general comments below: 1. 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 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 (See Capacity Permit #'s T2020000826 and T2020000833).

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. In general, a recorded copy of ROW dedication (if needed) should be submitted to MPW, prior to bldg. permit.

TRAFFIC AND PARKING RECOMMENDATION
Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	5.00	2.904 D	12 U	114	9	12

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: **RS15 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+16 U	+91	+4	+4

METRO SCHOOL BOARD REPORT

Projected student generation existing RS15 district: 1 Elementary 1 Middle 1 High
 Projected student generation proposed SP-R district: 2 Elementary 2 Middle 1 High

The proposed SP-R zoning is expected to generate 2 more students than the existing RS15 zoning. Students would attend Tulip Grove Elementary School, Dupont Tyler 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 a maximum of 28 multi-family residential units. Short term rental property – owner-occupied and short term rental property – not owner-occupied shall be prohibited.
2. A type B landscape buffer should be provided along all the west, north, and east property boundary.
3. 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.
4. 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.
5. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

6. Comply with all conditions and requirements of Metro reviewing agencies.
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 RM6 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council Ordinance.
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. 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. (7-0)
Resolution No. RS2020-60

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-008-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 28 multi-family residential units. Short term rental property – owner-occupied and short term rental property – not owner-occupied shall be prohibited.
2. A type B landscape buffer should be provided along all the west, north, and east property boundary.
3. 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.
4. 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.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Comply with all conditions and requirements of Metro reviewing agencies.
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 RM6 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council Ordinance.
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. 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.

- 18. 2020SP-012-001**
SOLIS L & L MARKETPLACE
 Council District 24 (Kathleen Murphy)
 Staff Reviewer: Amelia Lewis

A request to rezone from IR to SP zoning for a portion of property located at 384 Charlotte Pike, at the terminus of Alabama Avenue (3.05 acres), to permit 265 multi-family residential units and 20,000 square feet of office and retail space, requested by Catalyst Design Group, applicant; L & L Market Place LLC, owner.

Staff Recommendation: Defer to the March 12, 2020, Metro Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020SP-012-001 to the March 12, 2020, Planning Commission meeting. (7-0)

19. 2020S-032-001
RESUBDIVISION OF LOT 1 ON THE PLAN OF ACKLEN AVENUE
Council District 17 (Colby Sledge)
Staff Reviewer: Abbie Rickoff

A request for final plat approval to create four lots on property located at 916 Acklen Avenue, approximately 175 feet east of 10th Avenue South, zoned R8 and within the Waverly Belmont Neighborhood Conservation Overlay District (0.918 acres), requested by Q.S. Pulliam, RLS, applicant; Jason Bockman, owner.

Staff Recommendation: Approve with conditions.

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

Final Plat

A request for final plat approval to create four lots on property located at 916 Acklen Avenue, approximately 175 feet east of 10th Avenue South, zoned One and Two-Family Residential (R8) and within the Waverly Belmont Neighborhood Conservation Overlay District (0.918 acres).

Existing Zoning

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 4 lots with 1 duplex lot for a total of 5 units, based on the acreage only. However, application of the Subdivision Regulations may result in fewer units at this site. No duplex lots have been proposed with this plat.*

The site is located within a Neighborhood Conservation Overlay District, which is a historic zoning overlay district adopted by Metro Council.

SITE CONTEXT AND PLAN DETAILS

The site comprises 0.918 acres and is located on the north side of Acklen Avenue, east of 10th Avenue South and south of Wedgewood Avenue. The parcel includes an existing parking lot and is served by Alley #659 at the rear of the site. This request is for final plat approval to create four equally sized lots. Lots 1 through 4 are each proposed with 9,998.3 square feet (0.22 acres) and 49.69 feet of frontage. Vehicular access is proposed to be limited to the rear alley only.

ANALYSIS

The property is within a Designated Historic District. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for determining compatibility of proposed infill lots in Designated Historic Districts. The conventional regulations found in Chapter 3 are utilized. Section 3-5.4 of the Subdivision Regulations establishes criteria for reviewing infill subdivisions located within Designated Historic Districts. Staff reviewed the final plat against the following compatibility criteria as required by the Subdivision Regulations:

Designated Historic District.

The subject property is located within the Waverly Belmont Neighborhood Conservation Overlay District, which is a historic district adopted by Metro Council.

Zoning Code

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

Historic Zoning Commission Staff Recommendation

Approve

Agency Review

All review agencies have recommended approval.

SUMMARY

The proposed subdivision complies with Section 3-5.4 of the Subdivision Regulations. Access to the proposed lots will be limited to the rear alley only, and the Metro Historic Zoning Commission has recommended approval, demonstrating that the proposed lots are consistent with the design character of the district.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve

HISTORIC RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. A corrected copy of the final plat incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to plat recordation
2. Vehicular access to lots 1, 2, 3, and 4 shall be from the rear alley only.
3. On the corrected copy, add the vehicular access language from Note #9 to the face of the lots.
4. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

Approved with conditions. Consent Agenda. (7-0)

Resolution No. RS2020-61

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020S-032-001 is approved with conditions. (7-0)

CONDITIONS

1. A corrected copy of the final plat incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to plat recordation
2. Vehicular access to lots 1, 2, 3, and 4 shall be from the rear alley only.
3. On the corrected copy, add the vehicular access language from Note #9 to the face of the lots.
4. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

20. 2020S-037-001

333 MCKENNEL DRIVE CONCEPT PLAN

Council District 07 (Emily Benedict)

Staff Reviewer: Joren Dunnavant

A request for concept plan approval to create nine lots on properties located at 325, 329, and 333 McKennell Drive, approximately 200 feet west of Harwood Drive, zoned R10 (2.67 acres), requested by Dale & Associates, applicant; Big Tent, LLC, owner.

Staff Recommendation: Defer to the March 12, 2020, Metro Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020S-037-001 to the March 12, 2020, Planning Commission meeting. (7-0)

21. 2020S-039-001

PINEVIEW COTTAGES

Council District 03 (Jennifer Gamble)

Staff Reviewer: Logan Elliott

A request for concept plan approval to create 42 single-family lots on a portion of property located at Dickerson Pike (unnumbered), at the current terminus of Tuckahoe Drive, zoned R10 (12 acres), requested by Dale & Associates, applicant; Daniel R. Zumwalt, owner.

Staff Recommendation: Defer to the March 12, 2020, Metro Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020S-039-001 to the March 12, 2020, Planning Commission meeting. (7-0)

22. 2019HP-001-001
MARATHON VILLAGE
Council District 19 (Freddie O'Connell)
Staff Reviewer: Amelia Lewis

A request to apply a Historic Preservation Overlay District to various properties located along Clinton Street, from 16th Avenue North to 12th Avenue North, zoned CF, IR and SP (8.19 acres), requested by Councilmember Freddie O'Connell, applicant; various owners.

Staff Recommendation: Approve.

APPLICANT REQUEST
Apply Historic Preservation Overlay District.

Historic Preservation Overlay District

A request to apply a Historic Preservation Overlay District to various properties located along Clinton Street, from 16th Avenue North to 12th Avenue North, zoned Core Frame (CF), Industrial Restrictive (IR) and Specific Plan (SP) (8.19 acres).

Existing Base Zoning

Core Frame (CF) is intended for a wide range of parking and commercial service support uses for the central business district.

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

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.

Proposed Overlay

Historic Preservation Overlay Districts (HP) are geographical areas which possess a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development.

NORTH NASHVILLE COMMUNITY PLAN

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

Consistent with Policy?

Yes. The policy encourages the preservation and protection of historic features in an urban context. The T4-MU policy is to maintain and enhance urban neighborhoods with a diverse mix of uses.

The proposed Historic Preservation Overlay District will aid implementation in the maintenance and enhancement of the properties as well as furthering the design principles in the land use policy.

REQUEST DETAILS

The following information was taken from the February 19, 2020 Metro Historic Zoning Commission Report:

Background:

A public hearing for a potential Marathon Village was first held on April 17, 2019. The Commission voted unanimously to defer based on concerns regarding the boundaries and owner opposition. The Commission expressed concern with the qualification of the district due to the amount of vacant lots and non-contributing properties included in the original boundary. The proposed boundaries have changed and no longer include Jo Johnston and 16th Avenues. The current boundaries include approximately 50% contributing buildings; however, it should be acknowledged that some large areas are all one lot. For instance, 1404 Clinton Avenue is one lot, in the calculation of the percentage, but includes approximately six buildings. Between this block and the Marathon Motor Works, the entirety of the north side of Clinton Street is contributing.

In addition, property owners expressed concern with the guidelines regarding height for new construction not matching underlying zoning potential. The design guidelines have been changed to match underlying zoning with the exception of some properties immediately adjacent to historic buildings and owned by Barry Walker.

Analysis and Findings:

The area includes two buildings listed in the National Register of Historic Places, industrial buildings associated with the manufacturing industry, and additional industrial buildings located on Clinton Street.

The two buildings listed in the National Register of Historic Places are the Mill building (1200-1310 Clinton Street) and the Administrative building (1305 Clinton Street). In 1995, the National Park Service found the district eligible for the National Register of Historic Places under Criterion A of the National Register’s criteria for its significance to the industrialization of Nashville and Tennessee between 1881 and 1914. Marathon Village represents Nashville’s and the state’s industrial and economic history, reflected in the changing uses of the buildings from Nashville Cotton Mills to Marathon Motor Works. Although the building underwent modifications in the period between serving as a cotton mill and an automobile manufacturing plant, few changes have occurred since 1912.

The overlay also includes the industrial strip at 1404 Clinton Street, as well as the George M.Fly & Sons LL building located at 1419 Clinton Street. They are contributing buildings to the overlay because of their association with the industrialization of Nashville Tennessee.

Additional historical information is available in the attached draft design guidelines. The proposed district meets section 17.36.120.A.5 as a portion of the district is listed in the National Register of Historic Places. The areas outside of the National Register district meets section 17.36.120A.1 due to its association with the Werthan Industrial complex and its contribution to the understanding of the history of the industrialization of Nashville.

METRO HISTORIC ZONING COMMISSION RECOMMENDATION

On February 19, 2020, the Metro Historic Zoning Commission voted unanimously to recommend a historic preservation zoning overlay for Marathon Village.

STAFF RECOMMENDATION

Staff recommends approval of the historic preservation overlay district for the requested properties.

Ms. Lewis presented the staff recommendation of approval.

Barry Walker, 1305 Clinton St, spoke in favor of the application.

Ched Cooke, 1414 Clinton St, spoke in opposition to the application.

Charlie Nelson, 1414 Clinton St, spoke in opposition to the application as it has some unintended consequences. This is not the right way to preserve the history of Nashville.

Tony Turnbow, 203 3rd Ave S, requested a deferral. This has unintended consequences and needs to be vetted further.

David Craig, 4110 Ashland City Hwy, spoke in opposition to the application.

Ken Browning, 1110 Goosebay Rd, spoke in opposition to the application because it will stifle development in the area.

Mr. Haynes closed the Public Hearing.

Mr. Gobbell spoke in favor of the application.

Ms. Johnson suggested deferral due to the lack of notification and the misunderstanding.

Councilmember Murphy suggested a deferral due to confusion and misunderstanding.

Councilmember Murphy moved and Ms. Johnson seconded the motion to defer to the March 12, 2020 Planning Commission meeting. (6-0)

Resolution No. RS2020-62

“BE IT RESOLVED by The Metropolitan Planning Commission that 2019HP-001-001 is deferred to the March 12, 2020, Planning Commission meeting. (6-0)

23. 2020NL-001-001
1600 10TH AVENUE NORTH
Council District 19 (Freddie O'Connell)
Staff Reviewer: Logan Elliott

A request to apply a Neighborhood Landmark Overlay District on property located at 1600 10th Ave N, at the northeast corner of Garfield Street and 10th Ave N, zoned R6-A (0.36 acres), to permit seven multi-family residential units, requested by Smith Gee Studio, applicant; Amani Kelly, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Establish a Neighborhood Landmark Overlay District and Development Plan approval to permit 7 multi-family units in an existing structure with minor revisions to the existing structure and site plan.

Neighborhood Landmark

A request to apply a Neighborhood Landmark Overlay District on property located at 1600 10th Ave N, at the northeast corner of Garfield Street and 10th Ave N, zoned One and Two-Family Residential – Alternative (R6-A) (0.36 acres) to permit seven multi-family residential units.

Existing Zoning

One and Two-Family Residential – Alternative (R6-A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre, including 25 percent duplex lots, and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *R6-A would permit a maximum of 3 lots with 3 duplex lots for a total of 6 units.*

PLAN DETAILS

The proposed development plan (2020NL-001-001) proposes 7 multi-family units in an existing 6,742 square foot structure located at 1600 10th Avenue North. The existing structure has previously been used as a church and currently sits vacant. The extent of the external changes relate to a proposed courtyard on the side of the building, striping the existing parking area along the alley, façade changes, and landscaping modifications. The site includes a retaining wall along the 10th Avenue North and Garfield Street frontages that is proposed to remain as is. A dumpster is proposed to be placed along the alley and to be screened by landscaping.

ANALYSIS

Applications to establish a Neighborhood Landmark district follow similar procedures as a rezoning application because the creation of an overlay district is considered an amendment to the Official Zoning Map. The role of the Planning Commission for this application is to consider the criteria to establish a Neighborhood Landmark District and make a recommendation to the Metro Council. A requirement of creating a Neighborhood Landmark District is that a Development Plan be submitted with scaled drawings, written text, and any information necessary to demonstrate how the proposal will protect the character of the district and neighborhood, and to ensure compatibility with surrounding uses.

The proposal includes a detailed site plan, architectural elevations and floorplans, addressing each of the requirements for a Neighborhood Landmark Development outlined in Section 17.40.160 of the Metro Zoning Ordinance, including building mass and scale, parking, and landscaping. A fire escape on the northern side of the building is being removed as it is structurally unsound and not required per the fire code. Otherwise, the mass and scale of the existing structure is not changing with this application. Private yard areas are being provided on the sides of the building and will be bounded by an ornamental fence. The applicant is proposing to provide tandem parking spaces in the existing parking area and will exceed the parking requirements of the Metro Zoning Code. The applicant is proposing façade changes that have been reviewed by the Metro Historic Zoning Commission and will require final approval from Metro Historic Staff as it relates to the specific materials uses and the exact methods of restoration and preservation as the project progresses.

Section 17.40.160.H. of the Metro Zoning Code provides findings for approval for the Planning Commission to consider in the review of a Neighborhood Landmark District. These include:

- a. The feature is a critical component of the neighborhood context and structure
- b. The retention of the feature is necessary to preserve and enhance the character of the neighborhood
- c. That adaptive reuse, as described in the development plan, will facilitate protection and preservation of the identified feature
- d. That the proposed use(s) in the development plan is compatible with and sensitive to abutting properties and the overall neighborhood fabric and appropriate to preserve and maintain the district.

Staff finds that the proposed development plan meets all the above criteria. The existing structure at 1600 10th Avenue is a critical component of the neighborhood context and structure. The retention of the feature is necessary to preserve the neighborhood character and the proposed reuse of the building will facilitate its preservation. Also, the

proposed plan is compatible and sensitive to surrounding properties. Staff recommends approval of the Neighborhood Landmark District and the proposed Development Plan.

METRO HISTORIC ZONING COMMISSION

Approve with conditions

- On 2/19/2020 the MHZC unanimously voted to recommend approval of the Neighborhood Landmark with the condition that the applicant also apply for a Historic Landmark.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building details provided. Additional access or fire code issues will be addressed in the permitting phase.

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- Coordinate with planning on sidewalk required along 10th Ave North and Garfield St.

STORMWATER RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approve with conditions.

Conditions

1. Permitted uses across shall be limited to a maximum of 7 multi-family residential units. Short term rental property – owner-occupied and short term rental property – not owner-occupied shall be prohibited.
2. The applicant shall apply for a Historic Landmark District Overlay for this property, as conditioned by the Metro Historic Zoning Commission at its February 19th, 2020 meeting.
3. Comply with all conditions and requirements of Metro reviewing agencies.

Approved with conditions. Consent Agenda. (7-0)

Resolution No. RS2020-63

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020NL-001-001 is approved with conditions. (7-0)

Conditions

1. Permitted uses across shall be limited to a maximum of 7 multi-family residential units. Short term rental property – owner-occupied and short term rental property – not owner-occupied shall be prohibited.
2. The applicant shall apply for a Historic Landmark District Overlay for this property, as conditioned by the Metro Historic Zoning Commission at its February 19th, 2020 meeting.
3. Comply with all conditions and requirements of Metro reviewing agencies.

24. 2020Z-030PR-001

Council District 05 (Sean Parker)
Staff Reviewer: Patrick Napier

A request to rezone from RS5 to RM20-A zoning for properties located at 139C and 139D Elmhurst Avenue, approximately 400 feet north of Lucile Street (0.18 acres), requested by Smith Gee Studio, applicant; Twenty Holdings, LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to RM20-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to Multi-Family Residential – Alternative (RM20-A) zoning for properties located at 139C and 139D Elmhurst Avenue, approximately 400 feet north of Lucile 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 single family structure per lot.*

Proposed Zoning

Multi-Family Residential – Alternative (RM20-A) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM20-A would permit a maximum of four residential units.*

EAST NASHVILLE COMMUNITY PLAN

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

Dickerson South Corridor Study

The Dickerson South Corridor Study (Study), was adopted by the Planning Commission on June 13, 2019, after a participatory process with extensive community input. The Study provides supplemental guidance for future development in the Dickerson Pike area by addressing land use, transportation, and community design at the neighborhood scale while also supporting high capacity transit envisioned by NashvilleNext. A portion of the Study area, bordering the McFerrin Park neighborhood, was removed from the adopted plan and deferred to a later date to allow for additional study. The site proposed for rezoning is located within the Study area that was adopted by the Planning Commission on June 13, 2019.

The Dickerson South Corridor Study also established a supplemental Building Heights Subdistricts policy for the area, which provides guidance on maximum building heights and appropriate zoning districts that achieve close to the maximum height envisioned by the subdistrict. This site is located in subdistrict area 1 which supports maximum heights of up to 4 stories. This subdistrict encompasses both sides of Elmhurst Avenue and both sides of Fern Avenue from the interstate to Dickerson Pike along the southern frontage of Fern Avenue. The height designated on the corner of Fern and Dickerson at the northwest corner of Fern Ave is designated as 6 stories. This subdistrict supports only the R6-A, R8-A, RM9-A, RM15-A, and RM20-A zoning districts. This pattern of development is consistent with envisioned height and development intensity supported by the subdistrict.

ANALYSIS

The property is approximately a quarter acre in size. It is located on the west side of Elmhurst Avenue, and is one block from Dickerson Pike to the east. Elmhurst Avenue includes single-family homes and vacant property. An SP (Specific Plan) was approved at the corner of Elmhurst and Lucile St. The portion of the SP fronting Elmhurst contains a stacked flat structure with a maximum 50 feet in height. This structure is proposed with shallow setbacks and parking internal to the site.

The T4 NE policy at this location encourages a greater mixture of higher density residential which can provide additional housing options and support the Dickerson Pike corridor. The proposed RM20-A achieves this goal by permitting multi-family within proximity to Dickerson Pike. The RM20-A zone district is also consistent with previous zone changes in the immediate area, including the abutting property to the west. RM20-A is consistent with the Dickerson Pike study, which maintains the T4 NE policy, and additionally calls for heights up to four stories. The proposed RM20-A zoning district is consistent with the T4 NE policy and therefore, staff recommends approval.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building details provided. Additional access or fire code issues will be addressed in the permitting phase.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Traffic study may be required at time of development

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	0.18	7.26 D	2 U	10	1	1

*Based on two-family residential lots

Maximum Uses in Proposed Zoning District: **RM20-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.18	20 D	4 U	30	2	3

Traffic changes between maximum: **RS5 and RM20-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+2 U	+20	+1	+2

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed RM20-A district: 1 Elementary 1 Middle 1 High

The proposed RM20-A zoning could generate three 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 as the request is consistent with the T4 NE land use policy.

Approved. Consent Agenda. (7-0)

Resolution No. RS2020-64

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-030PR-001 is approved. (7-0)

25. 2020Z-034PR-001

Council District 08 (Nancy VanReece)
Staff Reviewer: Joren Dunnavant

A request to rezone from RS20 to RM2 zoning for property located at 1101 Chadwell Drive and Chadwell Drive (unnumbered), approximately 520 feet west of South Graycroft Avenue (6.74 acres), requested by Catalyst Design Group, applicant; Due West Towers LLC, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS20 to RM2.

Zone Change

A request to rezone from Single-Family Residential (RS20) to Multi-Family Residential (RM2) zoning for property located at 1101 Chadwell Drive, approximately 520 feet west of South Graycroft Avenue (6.74 acres).

Existing Zoning

Single-Family Residential (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre. *RS20 would permit a maximum of 12 units.*

Proposed Zoning

Multi-Family Residential (RM2) is intended for single-family, duplex, and multi-family dwellings at a density of two dwelling units per acre. *RM2 would permit a maximum of 13 units.*

MADISON COMMUNITY PLAN

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

ANALYSIS

The proposal is for property located at 1101 Chadwell Drive. The surrounding land uses include single-family residential, one and two-family residential, and vacant. There is a nearby hospital to the south, along the arterial road, West Due West Avenue, zoned OG. The subject property is currently vacant. The T3 NM policy intends to create suburban neighborhoods with greater housing choice, improved connectivity, and moderate to high density. The RM2 zoning is on the low end of density of what the T3NM policy lists as appropriate zoning districts. The RM2 zoning will allow for this neighborhood to have transition between the OG zoning to the south, and the single family residential to the north of Chadwell, while maintaining the character of the existing surrounding development. Therefore, staff recommends approval

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

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	6.74	2.178 D	12 U	114	9	12

Maximum Uses in Proposed Zoning District: **RM2**

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)	6.74	2 D	13 U	96	6	8

Traffic changes between maximum: **RS20 and RM2**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1 U	-18	-3	-4

METRO SCHOOL BOARD REPORT

Projected student generation existing RS20 district: 1 Elementary 1 Middle 1 High

Projected student generation proposed RM2 district: 2 Elementary 1 Middle 1 High

The proposed RM2 zoning will generate 1 more student than the existing RS20 zoning district. Students would attend Stratton Elementary School, Madison Middle School, and Hunters Lane High School.

STAFF RECOMMENDATION

Staff recommends approval.

Approved. Consent Agenda. (7-0)

Resolution No. RS2020-65

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-034PR-001 is approved. (7-0)

26. 2020Z-035PR-001

Council District 08 (Nancy VanReece)
Staff Reviewer: Joren Dunnavant

A request to rezone from OG and RS20 to RM9 zoning for a portion of property located at 1022 South Graycroft Avenue, approximately 460 feet west of South Graycroft Avenue (7.70 acres), requested by Catalyst Design Group, applicant; Charles R. Jones, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS20 to RM9.

Zone Change

A request to rezone from Single-Family Residential (RS20) and Office General (OG) to Multi-Family Residential (RM9) zoning for a portion of property located at 1022 South Graycroft Avenue, approximately 460 feet west of South Graycroft Avenue (7.70 acres).

Existing Zoning

Single-Family Residential (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre. *RS20 would permit a maximum of 14 units based on 6.89 acres.*

Office General (OG) is intended for moderately high intensity office uses.

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 69 units.*

MADISON COMMUNITY PLAN

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

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

ANALYSIS

The proposal is for a vacant property located at 1022 South Graycroft Avenue. The surrounding land uses include single-family residential, office and medical, and vacant. There is an existing hospital directly to the south, along the arterial road, West Due West Avenue. The policy is T3 Suburban Neighborhood Maintenance and Conservation. While NM policy generally seeks to preserve residential neighborhoods, this site is located adjacent to a more intense policy that front along West Due West Avenue. The CO policy area identifies a small portion of the property that is over 20% slope. The proposed RM9 zoning will provide a transition in development intensity between the directly adjacent hospital to the south, zoned OG, and the single-family development to the north. Therefore, staff recommends approval.

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

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.81	1.5 F	52,925 SF	516	62	61

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	6.89	2.178 D	12 U	148	14	14

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)	7.7	9 D	69 U	481	34	43

Traffic changes between maximum: **OG, RS20 and RM9**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-183	-42	-32

METRO SCHOOL BOARD REPORT

Projected student generation existing RS20 district: 2 Elementary 1 Middle 1 High
 Projected student generation existing OG district: 0 Elementary 0 Middle 0 High
 Projected student generation proposed RM9 district: 2 Elementary 1 Middle 1 High

The proposed RM9 zoning will generate no more students than the existing RS20 and OG zoning districts. Students would attend Stratton Elementary School, Madison Middle School, and Hunters Lane High School.

STAFF RECOMMENDATION

Staff recommends approval.

Approved. Consent Agenda. (7-0)

Resolution No. RS2020-66

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-035PR-001 is approved. (7-0)

27. 2020Z-036PR-001

Council District 11 (Larry Hagar)
 Staff Reviewer: Logan Elliott

A request to rezone from MUL to MUL-A zoning for properties located at 2208, 2210 and 2212 Elliott Drive, at the western corner of 24th Street and Elliott Drive (0.24 acres), requested by James Dillard and Danny Roark, applicants and owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from MUL to MUL-A.

Zone Change

A request to rezone from Mixed Use Limited (MUL) to Mixed Use Limited-Alternative (MUL-A) zoning for properties located at 2208, 2210 and 2212 Elliott Drive, at the western corner of 24th Street and Elliott Drive (0.24 acres).

Existing Zoning

Mixed-Use Limited (MUL) is intended for a moderate intensity mixture of residential, retail, restaurant, and office 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.

NORTH NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The site consists of three parcels located on Elliott Drive is one block south and east of the Dupont-Hadley Middle School in the Old Hickory area. The site is at the corner of Elliott Drive and 24th Street. The site currently has an industrial use and is surrounded by a mixture of residential, commercial, and vacant land uses.

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.

The requested rezoning to MUL-A is compatible with surrounding land uses and is consistent with policy, therefore staff recommends approval.

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.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Traffic study may be required at time of development.

METRO SCHOOL BOARD REPORT

The proposed MUL-A zoning district will not modify the number of students generated under the existing zoning district.

STAFF RECOMMENDATION

Staff recommends approval.

Approved. Consent Agenda. (7-0)

Resolution No. RS2020-67

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-036PR-001 is approved. (7-0)

28. 2020Z-038PR-001

Council District 01 (Jonathan Hall)
Staff Reviewer: Logan Elliott

A request to rezone from RS15 to RM9 zoning for property located at Ashland City Highway (unnumbered), at the northwest corner of Ashland City Highway and Cato Road (3.74 acres), requested by Smith Gee Studio, applicant; Guerrier Development LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS15 to RM9.

Zone Change

A request to rezone from Residential Single-Family (RS15) to Residential Multi-Family (RM9) zoning for property located at Ashland City Highway (unnumbered), at the northwest corner of Ashland City Highway and Cato Road (3.74 acres).

Existing Zoning

Residential Single-Family (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *RS15 would permit a maximum of 9 units.*

Proposed Zoning

Residential Multi-Family (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 33 units.*

BORDEAUX - WHITES CREEK - HAYNES TRINITY COMMUNITY PLAN

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

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

ANALYSIS

The site consists of a single parcel located on Ashland City Highway west of the intersection with Cato Road. The site is currently undeveloped. Ashland City Highway is identified as an Arterial Boulevard in the Major and Collector Street Plan and Cato Road is a local street. Surrounding properties are primarily single-family and vacant land use with some community, institutional or utility uses.

The property immediately adjacent to this site are also zoned RS15 with the property across Cato Road also being zoned RS15. The subdivision across Cato Road is buffered from Cato Road and the subject site by a stream. The properties across Ashland City Highway are zoned Commercial Limited (CL) and Agricultural (AR2A)

The proposed RM9 zoning district is consistent with the intent of the policy to increase housing diversity and provide for a moderate density development pattern with moderate setbacks. The site is located on an Arterial Street and is within a third of a mile of Briley Parkway. The development pattern of the proposed RM9 district is consistent with the other developments happening in the surrounding T3 Neighborhood Evolving area.

The requested rezoning to RM9 is compatible with surrounding land uses and is consistent with the land use policy, therefore staff recommends approval.

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.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Traffic study may be required at time of development.

Maximum Uses in Existing Zoning District: RS15

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	3.74	2.904 D	9 U	114	12	11

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)	3.74	9 D	33 U	242	16	19

Traffic changes between maximum: **RS15 and RM9**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+24 U	+128	+4	+8

METRO SCHOOL BOARD REPORT

Projected student generation existing RS15 district: 1 Elementary 1 Middle 1 High

Projected student generation proposed RM9 district: 6 Elementary 4 Middle 4 High

The proposed RM9 zoning district will generate 11 additional students beyond what would be generated under the existing RS15 zoning district. Students would attend Cumberland Elementary, Joelton Middle School, and Whites Creek High School.

STAFF RECOMMENDATION

Staff recommends approval.

Mr. Elliott presented the staff recommendation of approval.

Scott Morton, 1105 N 14th St, spoke in favor of the application.

Delecia Guerrier spoke in favor of the application as it is smart development and smart growth.

Dan Lane, 3912 Drakes Branch Rd, spoke in favor of the application.

Andree Johnson, 215 Tennen Rd, spoke in favor of the application because higher density will bring in needed services and restaurants.

Ken Chambers, 2549 Jordan Ridge Dr, spoke in favor of the application.

Kevin Murray, 4309 Cato Rd, spoke in opposition as it doesn't fit with the character of the community.

Joseph Bond, 4268 Kings Lane, spoke in opposition to the application.

Virenda Orr, 4201 Eatons Creek Rd, spoke in opposition to the application due to stormwater runoff concerns.

Rosa Coleman, 4223 Eatons Creek Rd, spoke in opposition to the application.

Olga Viouz, 2729 Cato Ridge Rd, spoke in opposition to the application as the density is too high and traffic is already terrible.

Rae Krenn, 4485 Cato Rd, spoke in opposition because the density is too high.

Mr. Haynes closed the Public Hearing.

Ms. Moore spoke in favor of the application.

Dr. Sims spoke in favor of the application.

Mr. Gobbell spoke in favor of the application.

Ms. Johnson expressed concerns with the density.

Councilmember Murphy requested adding a condition that a traffic study "shall" be completed.

Mr. Gobbell moved and Ms. Moore seconded the motion to approve with a condition that a traffic study be performed prior to issuance of a building permit. (5-1) Ms. Johnson voted against.

Resolution No. RS2020-68

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-038PR-001 is approved with a condition that a traffic study be performed prior to issuance of a building permit. (5-1)

H: OTHER BUSINESS

29. Contract Amendment for Eric Hammer and Laura Hardwicke.

Approved. Consent Agenda. (7-0)

Resolution No. RS2020-69

"BE IT RESOLVED by The Metropolitan Planning Commission that the contract amendments for Eric Hammer and Laura Hardwicke are approved. (7-0)

30. New Employment Contract for Harriett Brooks.

Approved. Consent Agenda. (7-0)

Resolution No. RS2020-70

"BE IT RESOLVED by The Metropolitan Planning Commission that the new employment contract for Harriett Brooks is approved. (7-0)

31. Historic Zoning Commission Report
32. Board of Parks and Recreation Report
33. Executive Committee Report
34. Accept the Director's Report

Approved. Consent Agenda. (7-0)

Resolution No. RS2020-71

"BE IT RESOLVED by The Metropolitan Planning Commission that the Director's Report is approved. (7-0)

35. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

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

April 09, 2020

MPC Meeting

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

April 23, 2020

MPC Meeting

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

J: ADJOURNMENT

The meeting adjourned at 11:30 p.m.

Chairman

Secretary