



# METROPOLITAN PLANNING COMMISSION

## MINUTES

**June 11, 2020**  
**4:00 pm Regular Meeting**

Meeting to be held via Teleconference

Metro Nashville Network will broadcast the June 11th meeting of Metro Planning Commission live on Comcast channel 3 and simulcast a livestream of the meeting on Nashville.gov. To locate the livestream, visit [www.nashville.gov](http://www.nashville.gov) and click on the "Live Streaming" link located on the left side of the screen.

### 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  
Brian Tibbs  
Lillian Blackshear  
Dr. Pearl Sims  
Mina Johnson  
Councilmember Kathleen Murphy

Commissioners Absent:

Greg Adkins

Staff Present:

Lucy Kempf, Executive Director  
Bob Leeman, Deputy Director  
George Rooker, Special Projects Manager  
Kelly Adams, Admin Services Officer IV  
Lisa Milligan, Planning Manager II  
Shawn Shepard, Planning Manager I  
Greg Claxton, Planning Manager I  
Abbie Rickoff, Planner II  
Jason Swaggart, Planner II  
Amelia Lewis, Planner II  
Quan Poole, Legal

**Lucy Alden Kempf**

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

## SPECIAL NOTICE TO THE PUBLIC

---

Out of an abundance of caution, and pursuant to recommendations from federal, state and local health agencies regarding avoiding group gatherings due to the COVID-19 Coronavirus, the June 11, 2020, Planning Commission meeting will be held virtually. To protect the health and safety of our community, we strongly encourage all members of the public to view or participate online.

Planning Commission meetings are shown live on the Metro Nashville Network, Comcast channel 3, and streamed online live. In addition, meeting recordings are posted on YouTube, usually on the day after the meeting. We strongly encourage the public to view this meeting remotely. Any comments to the Commission should be mailed or emailed to the Planning Department to minimize face-to-face interactions by 3 p.m. on Tuesday, June 9th. Visit <https://www.nashville.gov/Planning-Department/Meeting-Information/Virtual-Public-Comment.aspx> for the most up-to-date ways to contact the Commission. A remote station will be set up at the Metro Courthouse (1 Public Square) for anyone wishing to make comments via conference.

## General Planning Commission Information Provided for Reference

---

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, although this location is subject to change at times. Only one meeting may be held in July, August, and 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, and [streamed online live](#). In addition, meeting recordings are [posted on YouTube](#), usually on the day after the meeting.

### Writing to the Commission

Comments on any agenda item can be mailed or emailed to the Planning Department by 3 pm on the Tuesday prior to the meeting.

Mailing Address: Metro Planning Department, 800 2nd Avenue South, P.O. Box 196300, Nashville, TN 37219-6300

E-mail: [planning.commissioners@nashville.gov](mailto:planning.commissioners@nashville.gov)

### Speaking to the Commission

For the June 11, 2020, meeting, we encourage comments remotely, by email, voicemail, or live remote participation during the meeting. Please visit our webpage on Virtual Comments to find out how:

<https://www.nashville.gov/Planning-Department/Meeting-Information/Virtual-Public-Comment.aspx>

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

### Legal Notice

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



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

# MEETING AGENDA

---

## **A: CALL TO ORDER**

The meeting was called to order at 4:05 p.m

## **B: Establish that COVID-19 requires telephonic meeting as permitted under Executive Order No. 16.**

Councilmember Murphy moved and Mr. Tibbs seconded the motion to establish the meeting agenda constitutes essential business of this body and that meeting electronically is necessary to protect the health, safety, and welfare of Tennesseans in light of the COVID-10 outbreak. (8-0)

## **C: ADOPTION OF AGENDA**

Mr. Gobbell moved and Mr. Tibbs seconded the motion to adopt the agenda. (8-0)

## **D: APPROVAL OF MAY 28, 2020 MINUTES**

Ms. Johnson moved and Dr. Sims seconded the motion to approve the May 28, 2020 minutes. (8-0)

## **E: RECOGNITION OF COUNCILMEMBERS**

Councilmember Hagar spoke in favor of Items 23a and 23b and in support of deferring Item 14.

Councilmember Vercher spoke in favor of deferring Item 5.

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

- 1a. **2020CP-005-001**  
EAST NASHVILLE COMMUNITY PLAN AMENDMENT
- 1b. **2020SP-021-001**  
FOSTER STREET SP
- 2a. **2020CP-006-001**  
BELLEVUE COMMUNITY PLAN AMENDMENT
- 2b. **2020Z-052PR-001**
3. **2020CP-010-001**  
GREEN HILLS – MIDTOWN COMMUNITY PLAN AMENDMENT
4. **2020SP-012-001**  
SOLIS L & L MARKETPLACE
5. **2015S-166-002**  
PAYNE ROAD ESTATES - SECTION 1
6. **2019S-086-001**  
RESUBDIVISION OF LOT 3 AND 4 ON THE PLAT SHOWING THE DIVISION OF THE JOHN B. COWDEN PROPERTY
7. **2020S-066-001**  
DARROW DOWNS
8. **2020S-102-001**  
RESUBDIVISION OF LOT 1 AND 2 OF THE RESUBDIVISION OF LOT 1 OF THE PLAN OF MCNAIRY LAND OF THOMAS HARDING
9. **2020Z-007PR-001**
- 10a. **2020Z-008PR-001**

- 10b. 61-77P-004**  
GIFFORD COMMERCIAL PUD (CANCELLATION)
- 11a. 2020Z-009PR-001**
- 11b. 88P-029-001**  
JOELTON COMMERCIAL PUD (CANCELLATION)
- 12. 2017NHL-002-003**  
BELAIR MANSION (AMENDMENT)
- 13. 2020S-105-001**  
HOBSON PIKE
- 14. 2020S-041-001**  
TULIP GROVE SUBDIVISION
- 15. 2020SP-023-001**  
7335 OLD CHARLOTTE PIKE
- 16. 2020S-054-001**  
408 FARRIS - FOUR LOT
- 17. 2018S-209-001**  
W.E. SCOTT SUBDIVISION, RESUB PHASE 2
- 18. 2020S-103-001**  
BELLSHIRE ESTATES, SECTION V, REVISION 1
- 19. 2020Z-071PR-001**
- 20. 2019SP-009-001**  
CHARLOTTE PIKE SP
- 21. 2020Z-027PR-001**
- 22. 2012NL-001-003**  
SMOKIN THIGHS (AMENDMENT)
- 26. 2020DTC-031-001**  
CIRCLE SOUTH
- 29. 2020S-098-001**  
PETRE PLACE RESUB LOT 2
- 31. 2020Z-028PR-001**

Mr. Tibbs moved and Councilmember Murphy seconded the motion to approve the Deferred and Withdrawn Items. (8-0)

Ms. Blackshear recused herself from Items 3 and 4.

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

## G: CONSENT AGENDA ITEMS

- 23a. **2019CP-014-001**  
DONELSON - HERMITAGE - OLD HICKORY COMMUNITY PLAN AMENDMENT
- 23b. **2019Z-158PR-001**
- 24. **2020SP-024-001**  
HAMILTON AND HAGAN SP
- 25. **2019S-160-001**  
1242 PROPERTY SOLUTIONS, LLC PROPERTY
- 32. **Employee Contract Renewal for Lisa Milligan**
- 36. **Accept the Director's Report**  
Ms. Johnson moved and Councilmember Murphy seconded the motion to approve the Consent Agenda. (8-0)

## H: ITEMS TO BE CONSIDERED

- 1a. **2020CP-005-001**  
**EAST NASHVILLE COMMUNITY PLAN AMENDMENT**  
Council District 05 (Sean Parker)  
Staff Reviewer: Anna Grider

A request to amend the East Nashville Community Plan by changing from T4 Urban Neighborhood Evolving Policy to T5 Center Mixed Use Neighborhood Policy for properties located at 515 and 516 Foster Street, at the eastern terminus of Foster street, zoned SP and partially located with a Planned Unit Development Overlay District (9.51 acres), requested by Barge Cauthen and Associates, applicant; Foster Street Partners LLC, owner (see associated case 2020SP-021-001).

**Staff Recommendation: Defer to the July 23, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020CP-005-001 to the July 23, 2020, Planning Commission meeting. (8-0)**

- 1b. **2020SP-021-001**  
**FOSTER STREET SP**  
Council District 05 (Sean Parker)  
Staff Reviewer: Logan Elliott

A request to rezone from IR to SP zoning for properties located at 515 and 516 Foster Street, at the eastern terminus of Foster street and partially located with a Planned Unit Development Overlay District (9.51 acres), to permit a mixed us development, requested by Barge Cauthen and Associates, applicant; Foster Street Partners LLC, owner (see associated case 2020CP-005-001).

**Staff Recommendation: Defer to the July 23, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020SP-021-001 to the July 23, 2020, Planning Commission meeting. (8-0)**

**2a. 2020CP-006-001**

**BELLEVUE COMMUNITY PLAN AMENDMENT**

Council District 35 (Dave Rosenberg)  
Staff Reviewer: Stephanie McCullough

A request to amend the Bellevue Community Plan by changing from T3 Suburban Neighborhood Maintenance Policy to T3 Suburban Community Center policy for a portion of properties located at 8033 and 8045 Highway 100, at the southwest corner of Highway 100 and Claxton Court, zoned RS40 and within the Highway 100 Urban Design Overlay District (2.68 acres), requested by Dale and Associates, applicant; McMullin Family Properties LLC and Mamie Flanigan, owner (see associated case 2020Z-052PR-001).

**Staff Recommendation: Defer to the July 23, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020CP-006-001 to the July 23, 2020, Planning Commission meeting. (8-0)**

**2b. 2020Z-052PR-001**

Council District 35 (Dave Rosenberg)  
Staff Reviewer: Amelia Lewis

A request to rezone from RS40 to CL zoning for property located at 8045 Highway 100, approximately 600 feet west of Temple Road and within the Highway 100 Urban Design Overlay District (1.4 acres), requested by Dale and Associates, applicant; McMullin Family Properties LLC, owner (see associated case 2020CP-006-001).

**Staff Recommendation: Defer to the July 23, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020Z-052PR-001 to the July 23, 2020, Planning Commission meeting. (8-0)**

**3. 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 (see associated cases 2020SP-020-001 and 2018P-001-002).

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020CP-010-001 to the June 25, 2020, Planning Commission meeting. (7-0-1)**

**4. 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 Indefinitely.**

**The Metropolitan Planning Commission 2020SP-012-001 deferred indefinitely. (7-0-1)**

**5. 2015S-166-002**

**PAYNE ROAD ESTATES - SECTION 1**

Council District 28 (Tanaka Vercher)

Staff Reviewer: Jason Swaggart

A request for concept plan approval to create 25 single-family residential lots on properties located at 4801 Payne Road and Payne Road (unnumbered), at the southwest corner of Reeves Road and Payne Road, zoned RS7.5 and within the Payne Road Residential Urban Design Overlay District (7.39 acres) requested by Doyle Elkins, applicant; Chun Song, owner.

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2015S-166-002 to the June 25, 2020, Planning Commission meeting. (8-0)**

**6. 2019S-086-001**

**RESUBDIVISION OF LOT 3 AND 4 ON THE PLAT SHOWING**

**THE DIVISION OF THE JOHN B. COWDEN PROPERTY**

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Joren Dunnavant

A request for final plat approval to create three lots on property located at 227 Marcia Avenue, approximately 50 feet northwest of Hill Circle, zoned R6 (0.91 acres), requested by Clint T. Elliott Survey, applicant; Luke Ryan and Xenia Hom, owners.

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019S-086-001 to the June 25, 2020, Planning Commission meeting. (8-0)**

**7. 2020S-066-001**

**DARROW DOWNS**

Council District 16 (Ginny Welsch)

Staff Reviewer: Joren Dunnavant

A request for final plat approval to create four lots on property located at 170 Antioch Pike, at the northeast corner of Southlake Drive and Antioch Pike, zoned RS7.5 (0.91 acres), requested by Sanders Surveying, applicant; Raymond Company LLC, owner.

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020S-066-001 to the June 25, 2020, Planning Commission meeting. (8-0)**

**8. 2020S-102-001**

**RESUBDIVISION OF LOT 1 AND 2 OF THE RESUBDIVISION OF LOT 1**

**OF THE PLAN OF MCNAIRY LAND OF THOMAS HARDING**

Council District 19 (Freddie O'Connell)

Staff Reviewer: Joren Dunnavant

A request for final plat approval to create three lots on properties located at 1704 Meharry Boulevard and Jefferson Street (unnumbered), at the southeast corner of Jefferson Street and Dr. D.B. Todd Jr. Boulevard, zoned RM20 and located within the Fisk University Institutional Overlay District (6.44 acres), requested by Cherry Land Survey Inc., applicant; Fisk University, owner.

**Staff Recommendation: Defer for case to be reviewed administratively.**

**The Metropolitan Planning Commission deferred 2020S-102-001 to be reviewed administratively. (8-0)**

**9. 2020Z-007PR-001**

BL2020-127/Jonathan Hall

Council District 01 (Jonathan Hall)

Staff Reviewer: Jason Swaggart

A request to rezone from SP and R40 to MUN-A zoning for properties located at 6404 Eatons Creek Road, 3580, 3612, 3616 and 3622 Old Clarksville Pike, Eatons Creek Road (unnumbered), and Old Clarksville Pike (unnumbered), approximately 215 feet west of Joelton Community Center Road (53.22 acres), requested by Metro Councilmember Jonathan Hall, applicant; various owners.

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020Z-007PR-002 to the June 25, 2020, Planning Commission meeting. (8-0)**

**10a. 2020Z-008PR-001**

BL2020-139/Jonathan Hall

Council District 01 (Jonathan Hall)

Staff Reviewer: Jason Swaggart

A request to rezone from CS and RM20 to MUN-A zoning for properties located at 201, 204, 205, 210, 220, 221, 225, and 231 Gifford Place, at the southeast corner of Interstate 24 and Whites Creek Pike and within a Planned Unit Development Overlay District (22.12 acres), requested by Metro Councilmember Jonathan Hall, applicant; The Gifford Partnership, owner (see associated case #61-77P-004).

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020Z-008PR-002 to the June 25, 2020, Planning Commission meeting. (8-0)**

**10b. 61-77P-004**

**GIFFORD COMMERCIAL PUD (CANCELLATION)**

BL2020-140/Jonathan Hall

Council District 01 (Jonathan Hall)

Staff Reviewer: Jason Swaggart

A request to cancel a Planned Unit Development Overlay District for properties located at 201, 204, 205, 210, 220, 221, 225, and 231 Gifford Place, at the southeast corner of Interstate 24 and Whites Creek Pike, zoned CS and RM20 (22.12 acres), requested by Metro Councilmember Jonathan Hall, applicant; The Gifford Partnership, owner (see associated case #2020Z-008PR-001).

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 61-77-001 to the June 25, 2020, Planning Commission meeting. (8-0)**

**11a. 2020Z-009PR-001**

BL2020-132/Jonathan Hall

Council District 01 (Jonathan Hall)

Staff Reviewer: Jason Swaggart

A request to rezone from SCC to MUN-A zoning for a portion of property located at 3565 Old Clarksville Pike, approximately 580 feet east of Eatons Creek Road and within a Commercial Planned Unit Development Overlay District (25.95 acres), requested by Metro Councilmember Jonathan Hall, applicant; Joe Smith, owner (see associated case #88P-029-001).

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020Z-009PR-002 to the June 25, 2020, Planning Commission meeting. (8-0)**



**11b. 88P-029-001  
JOELTON COMMERCIAL PUD (CANCELLATION)**

BL2020-133/Jonathan Hall

Council District 01 (Jonathan Hall)

Staff Reviewer: Jason Swaggart

A request to cancel a Commercial Planned Unit Development Overlay District for a portion of property located at 3565 Old Clarksville Pike, approximately 580 feet east of Eatons Creek Road, zoned SCC (25.95 acres), requested by Metro Councilmember Jonathan Hall, applicant; Joe Smith, owner (see associated case #2020Z-009PR-001).

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 88P-029-001 to the June 25, 2020, Planning Commission meeting. (8-0)**

**12. 2017NHL-002-003  
BELAIR MANSION (AMENDMENT)**

Council District 15 (Jeff Syracuse)

Staff Reviewer: Amelia Lewis

A request to amend a Neighborhood Landmark Overlay District on property located at 2250 Lebanon Pike, at the corner of the Briley Parkway Ramp and Lebanon Pike, zoned RS20 and R8 and partially within the Downtown Donelson Urban Design Overlay District, within a Neighborhood Landmark Overlay District and partially within a Historic Landmark District Overlay(5.92 acres), to add additional parking, a special events center and increase the maximum bed and breakfast units to 17, requested by S+H Group, applicant; Lewis and Connie James, owners.

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2017NHL-002-003 to the June 25, 2020, Planning Commission meeting. (8-0)**

**13. 2020S-105-001  
HOBSON PIKE**

Council District 33 (Antoinette Lee)

Staff Reviewer: Jason Swaggart

A request for concept plan approval to create 82 cluster lots on property located at 3631 Pin Hook Road, at the southwest corner of Hobson Pike and Pin Hook Road, zoned RS10 (24.03 acres), requested by Dale and Associates, applicant; Ole South/ Craighead J.V., owner.

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020S-105-001 to the June 25, 2020, Planning Commission meeting. (8-0)**

**14. 2020S-041-001  
TULIP GROVE SUBDIVISION**

Council District 11 (Larry Hagar)

Staff Reviewer: Amelia Lewis

A request for concept plan approval to create 23 single family lots and seven two-family lots for a total of 30 lots for property located at Tulip Grove Road (unnumbered), at the terminus of Debbie Drive, zoned R10 (10.26 acres), requested by Civil and Environmental Engineering Services LLC, applicant; Alsisi Construction, owner.

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020S-041-001 to the June 25, 2020, Planning Commission meeting. (8-0)**

**15. 2020SP-023-001**

**7335 OLD CHARLOTTE PIKE**

Council District 22 (Gloria Hausser)

Staff Reviewer: Joren Dunnivant

A request to rezone from R15 to SP zoning for property located at 7335 Old Charlotte Pike, approximately 800 feet east of Old Hickory Boulevard (2.21 acres), to permit 28 multi-family residential units, requested by Dale and Associates, applicant; Phillip Denning and Deborah Denning, owners.

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020SP-023-001 to the June 25, 2020, Planning Commission meeting. (8-0)**

**16. 2020S-054-001**

**408 FARRIS - FOUR LOT**

Council District 09 (Tonya Hancock)

Staff Reviewer: Jason Swaggart

A request for final plat approval to create four lots on property located at 408 Farris Avenue, approximately 375 feet south of Provident Pass, zoned RS10 (0.98 acres), requested by Southern Precision, applicant; Nashville Building Group LLC, owner.

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020S-054-001 to the June 25, 2020, Planning Commission meeting. (8-0)**

**17. 2018S-209-001**

**W.E. SCOTT SUBDIVISION, RESUB PHASE 2**

Council District 03 (Jennifer Gamble)

Staff Reviewer: Latisha Birkeland

A request for final plat approval to create four lots on property located at Lowes Lane (unnumbered), at the corner of Birdwell Drive and Lowes Lane, zoned R20 (2.11 acres), requested by Dale & Associates, applicant; Be a Helping Hand Foundation, owner.

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018S-209-001 to the June 25, 2020, Planning Commission meeting. (8-0)**

**18. 2020S-103-001**

**BELLSHIRE ESTATES, SECTION V, REVISION 1**

Council District 03 (Jennifer Gamble)

Staff Reviewer: Amelia Lewis

A request for final plat approval to create five lots on property located at Westchester Drive (unnumbered), approximately 700 feet west of Dickerson Pike, zoned RS20 (6.7 acres), requested by Ragan-Smith and Associates Inc., applicant; Vernon T. Keese Jr., owner.

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020S-103-001 to the June 25, 2020, Planning Commission meeting. (8-0)**

**19. 2020Z-071PR-001**

Council District 04 (Robert Swope)  
Staff Reviewer: Logan Elliott

A request to rezone from R15 to RM6 zoning for property located at Old Hickory Boulevard (unnumbered), approximately 960 feet southwest of Woodlands Avenue (2.54 acres), requested by Dale and Associates, applicant; Zebid Tesfaye, owner.

**Staff Recommendation: Defer to the July 23, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020Z-071PR-001 to the July 23, 2020, Planning Commission meeting. (8-0)**

**20. 2019SP-009-001**

**CHARLOTTE PIKE SP**

Council District 22 (Gloria Hausser)  
Staff Reviewer: Patrick Napier

A request to rezone from R15 and R40 to SP-R zoning for properties located at 7456 and 7460 Charlotte Pike, at the northwest corner of Charlotte Pike and Sawyer Brown Road (6.87 acres), to permit 40 multi-family, residential units, requested by Dewey Engineering, applicant; Lynette M. Lavers, Margaret L. Heer, and Bertha E. Heer, owners.

**Staff Recommendation: Defer to the July 23, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019SP-009-001 to the July 23, 2020, Planning Commission meeting. (8-0)**

**21. 2020Z-027PR-001**

Council District 21 (Brandon Taylor)  
Staff Reviewer: Abbie Rickoff

A request to rezone from RS5 to R6-A zoning for property located at 720 Lena Street, approximately 80 feet south of Booker Street (0.14 acres), requested by Goodhope Development Consulting Group, Inc., applicant; Lorenzo Wright, owner.

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020Z-027PR-001 to the June 25, 2020, Planning Commission meeting. (8-0)**

**22. 2012NL-001-003**

**SMOKIN THIGHS (AMENDMENT)**

Council District 17 (Colby Sledge)  
Staff Reviewer: Patrick Napier

A request for an amendment to a Neighborhood Landmark Overlay District (NLOD) on property located at 6098 Wedgewood Avenue, approximately 260 feet west of Bransford Avenue (0.19), zoned R6 and within a Neighborhood Landmark Overlay District, to add a second story to an existing restaurant.

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2012NL-001-003 to the June 25, 2020, Planning Commission meeting. (8-0)**

**23a. 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 (2.20 acres), requested by CESO, Inc., applicant; Charron & Williams, LLC, owner. (See associated case #2019Z-158PR-001)

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Amend Donelson-Hermitage-Old Hickory Community Plan to change the policy.**

Minor Plan Amendment

A request to amend the Donelson-Hermitage-Old Hickory Community Plan by amending the Community Character Policy to change from D IN District Industrial to T3 Suburban Neighborhood Maintenance on properties located at Swinging Bridge Road (unnumbered), at southern corner of Swinging Bridge Road and Hickerson Street (2.20 acres).

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

**Current Policy**

Existing policy is District Industrial (D IN), which is intended to maintain, enhance, and create industrial districts in appropriate locations. The policy creates and enhances areas that are dominated by one or more industrial activities, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. Types of uses in D IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses. Uses that support the main activity and contribute to the vitality of the D IN are also found.

**Proposed Policy**

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

**BACKGROUND**

The applicant requested this plan amendment in conjunction with Case #2019Z-158PR-001, a request to change the zoning for properties located at Swinging Bridge Road (unnumbered) at the southeastern corner of Swinging Bridge Road and Hickerson Street. The applicant has requested a change from Commercial Services (CS) to One and Two-Family Residential (R10) in order to permit a residential development. Existing D IN policy applied to this property does not support the residential uses proposed by the applicant. Due to the conflict between the applicant's zoning request and existing policy, the applicant has proposed a policy change to T3 NM policy, which is intended to preserve the general character of developed suburban residential neighborhoods. T3 NM policy can support attached and detached housing types.

While zoned commercial, the site has remained undeveloped for several decades. The prevailing housing type in the surrounding community southwest of Swinging Bridge Road is one and two family. A grandfathered manufactured home community is located across Hickerson Avenue from the site. Meanwhile, industrial uses dominate the area to the northeast side of Swinging Bridge Road, including companies such as Sontra and 3M.

Swinging Bridge Road provides a boundary between industrial uses and residential uses from Hickerson Avenue northward. This request would further establish this boundary and create a more appropriate transition from industrial uses to the established residential neighborhood.

**COMMUNITY PARTICIPATION**

As part of the application process, the Executive Director determined the plan amendment is minor and the applicant is required to hold a community meeting. Staff hosted a community meeting at the Old Hickory Community Center on Wednesday, October 30, 2019, attended by five people from the community. The District 11 Councilmember and Council Office staff hosted a separate meeting focused on the rezoning request on October 10, 2019 at Ruth Ensor Methodist Church. Planning staff did not attend. The applicant provided a summary of the community input from that meeting to staff. A summary of comments from both meetings is provided below. Attendees at both meetings:

- Preferred T3 NM policy over existing D IN policy for the site; no participants wanted to maintain D IN policy.
- Expressed concerns about drainage, housing type, landscape buffers, and traffic.

### **ANALYSIS OF T3 NM NEIGHBORHOOD MAINTENANCE POLICY**

The application of T3 NM policy is consistent with adjacent policy currently applied to properties on the southeast side of Swinging Bridge Road where T3 NM policy is currently applied.

#### **NashvilleNext's Growth & Preservation Concept Map**

The Growth & Preservation Concept Map reflects Nashvillians' desires for growth and preservation in the future. The concept map designates the site, along with areas on the northeast side of Swinging Bridge Road as "Special Impact," which can include intense industrial areas, airports, landfills, and other uses that should be kept separate from homes. The concept map designates the area on the southwest side of Swinging Bridge Road (and adjacent to the site) as "Neighborhood," which are generally applied to residential areas.

The NashvilleNext planning process applied Growth & Preservation Concept Map designations generally rather than at the parcel-specific level. This location occurs along the "Neighborhood" / "Special Impact" boundary, making it an appropriate area for applying T3 NM policy.

- Concept map's vision for this area make it appropriate to consider the site for T3 NM policy.

#### **Community Character Policy Application**

"Special Impact" and "Neighborhood" areas are generalized on the concept map and are explained in greater detail through Community Character Policies. These policies guide zoning and development decisions. The requested T3 NM policy is intended to maintain the general character of developed suburban residential neighborhoods. The residential context is a mix of one- and two- family residential uses, which is compatible with the adjacent policy.

#### Key Finding

- T3 NM's intent of maintaining suburban residential neighborhoods and its location adjacent to an existing, established residential neighborhood makes it an appropriate policy for this location.

#### **Transportation and Connectivity**

While designated as a local street, Swinging Bridge Road provides access from the nearest *Major and Collector Street Plan*-classified collector-avenue (Bridgeway Avenue) and arterial-boulevard, (Old Hickory Boulevard/Robinson Road), to several large industrial employers, the southern access to Old Hickory Lock and Dam, and Old Hickory Beach. There are no sidewalks in the area. The site is not served by transit. The existing transportation system will accommodate residential development on the lot for this nine-acre property.

#### Key Finding

- While the area lacks transportation options other than driving, the existing network is adequate to support the low density envisioned by T3 NM for this location.

#### **Relationship to Surrounding Policy**

The amendment area is surrounded by two policy areas:

- T3 Neighborhood Maintenance (T3 NM) to the west, northwest, southwest, which is applied to areas that are maintain the general character of developed suburban residential neighborhoods.
- District Industrial (D IN) to the east, northeast, and, southeast, which is intended to maintain, enhance, and create Industrial Districts in appropriate locations.

The policy change to T3 NM appears to be suitable given the adjacent land uses and established zoning pattern north and west of the site. The proposed plan amendment could offer increased housing choice by introducing additional housing near employers. Residential uses will be more balanced and integrated with the established neighborhood character, rather than walled off as is currently the case.

#### Key Findings

- T3 NM policy provides for housing choice not allowed under existing policy.
- Suburban residential development patterns envisioned by T3 NM policy is more compatible with existing development located south of Swinging Bridge Road
- Changing to T3 NM policy solidifies Swinging Bridge Road as the boundary between industrial and residential uses.

#### **Analysis Summary**

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

- Community has expressed a preference for T3 NM policy over existing D IN policy for the site.

- Concept map's vision for this area make it appropriate to consider the site for T3 NM policy.
- T3 NM's intent of maintaining suburban residential neighborhoods and its location adjacent to an existing, established residential neighborhood makes it an appropriate policy for this location.
- While the area lacks transportation options other than driving, the existing network is adequate to support the low density envisioned by T3 NM for this location.
- T3 NM policy provides for housing choice not allowed under existing policy.
- Suburban residential development patterns envisioned by T3 NM policy is more compatible with existing development located south of Swinging Bridge Road
- Changing to T3 NM policy solidifies Swinging Bridge Road as the boundary between industrial and residential uses.

**STAFF RECOMMENDATION**

Staff recommends approval.

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

**Resolution No. RS2020-142**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019CP-014-001 is approved. (8-0)

**23b. 2019Z-158PR-001**

Council District 11 (Larry Hagar)

Staff Reviewer: Patrick Napier

A request to rezone from CS to RS10 zoning for property located at Swinging Bridge Road (unnumbered), at the corner of Swinging Bridge Road and Hickerson Street (2.20 acres), requested by CESO, Inc., applicant; Charron & Williams, LLC, owner. (See associated case 2019CP-014-001).

**Staff Recommendation: Approve if the associated plan amendment is approved and disapprove if the associated plan amendment is not approved.**

**APPLICANT REQUEST**

**Rezone from CS to RS10.**

Zone Change

A request to rezone from Commercial Service (CS) to Single-Family Residential (RS10) zoning for property located at Swinging Bridge Road (unnumbered), at the corner of Swinging Bridge Road and Hickerson Street (2.20 acres).

**Existing Zoning**

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

**Proposed Zoning**

Single Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 8 units.*

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

**Existing Policy**

D Industrial (D IN) is intended to maintain, enhance, and create industrial districts in appropriate locations. The policy creates and enhances areas that are dominated by one or more industrial activities, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. Types of uses in D IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses. Uses that support the main activity and contribute to the vitality of the D IN are also found.

**Proposed Policy**

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

**ANALYSIS**

The 2.20 acre site is located on the corner of Swinging Bridge Road and Hickerson Street. The site is currently vacant and contains dense vegetation. The parcel is located within a residential neighborhood with diverse lot

pattern and diverse lot sizes. The developed parcels contain a mixture of single-family, two-family, and multi-family residential uses.

The site is located at the edge of the T3 Suburban Neighborhood Maintenance policy and is adjacent to a large area DI District Industrial Policy to the northeast which contains existing industrial structures and uses. If approved, the associated case, 2019CP-014-001, would amend the policy for this site to T3 Neighborhood Maintenance policy.

The site surrounded by a large area of T3 NM policy which is intended to preserve the general character of developed suburban residential neighborhoods. The policy supports a range of residential development, including single-family, two-family, and multi-family residential, depending on location and context. The requested rezoning to RS10 is consistent with the proposed T3 NM policy at this location as it will provide the opportunity for moderately dense development that will serve as an appropriate transition between the T3 Suburban Neighborhood Maintenance and the large area of District Industrial Policy to the northwest of this site. The RS10 zone district would likely introduce a housing type which is consistent the existing development pattern and may provide some transition to the existing neighborhood.

**FIRE MARSHAL RECOMMENDATION**  
**Approve**

**TRAFFIC RECOMMENDATION**  
**Approve with conditions**

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	2.20	0.6 F	57,499 SF	3757	188	405

Maximum Uses in Proposed Zoning District: **RS10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential* (210)	2.20	3.7 D	8 U	87	6	8

\*Based on two-family lots

Traffic changes between maximum: **CS and RS10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-3670	-182	-397

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed RS10 district: 2 Elementary 1 Middle 1 High

The proposed RS10 zoning district will generate 4 additional students beyond what would be generated under the existing CS zoning. Students would attend Dupont Elementary School, Dupont – Hadley Middle School and McGavock High School.

**STAFF RECOMMENDATION**

Staff recommends approval if the associated plan amendment is approved and disapproval if the associated plan amendment is not approved.

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

**Resolution No. RS2020-143**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-158PR-001 is approved. (8-0)

## 24. 2020SP-024-001

### HAMILTON AND HAGAN SP

Council District 17 (Colby Sledge)

Staff Reviewer: Patrick Napier

A request to rezone from IR, OR20, and IWD to SP zoning for properties located at 622, 624, 626, 632, and 634 Moore Avenue, Moore Avenue (unnumbered), and 625 Hamilton Avenue, at the southeast corner of Hagan Street and Hamilton Avenue (2.46 acres), to permit a mixed use development, requested by Civil Site Design Solutions, applicant; Hamilton and Moore L.P., owner.

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

### APPLICANT REQUEST

**Preliminary SP to permit a mixed use development.**

#### Preliminary SP

A request to rezone from Industrial Restrictive (IR), Office/Residential-Alternative (OR20), and Industrial Warehousing/Distribution (IWD) to Specific Plan-Mixed Use (SP-MU) zoning for properties located at 622, 624, 626, 632, and 634 Moore Avenue, Moore Avenue (unnumbered), and 625 Hamilton Avenue, at the southeast corner of Hagan Street and Hamilton Avenue (2.46 acres), to permit a mixed use development.

#### **Existing Zoning**

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

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

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

### **SOUTH NASHVILLE 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. CO policy at this site recognizes potential steep slopes.

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

#### Wedgewood Houston Chestnut Hill Supplemental Policy

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

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

The site is 2.46 acres and currently contains industrial uses. The site includes 12 parcels. Two parcels front Hamilton Avenue, and the remaining parcels front Moore Avenue. An existing CSX rail line is located directly to the west of the parcels fronting Moore Ave with Moore Avenue terminating at the existing railroad right of way. The surrounding development pattern includes industrial and non-residential uses concentrated along the rail corridor to the north and



south of this site. Various less intense residential, office, and commercial uses are located to the northeast of rail corridor. A large one and two-family residential neighborhood is located directly to the east of the site. Several community and institutional land uses, including Fort Negley and the Adventure Science Center are located the northwest of the site. A Specific Plan permitting 37 multi-family units was recently approved for a parcel fronting Hamilton Avenue, north of the site. Property directly west of the SP site, on the opposite side of the rail line, recently received a recommendation of approval by the Metro Planning Commission to be rezoned from IR to MUG-A, Mixed Use General-Alternative.

#### Specific Plan

This SP proposes a mixed use development that permits a maximum of 220 residential units and a maximum of 5,000 square feet of non-residential uses. The permitted non-residential uses include retail and restaurant uses. The site consists of three separate structures; two of the structures will front Moore Avenue, noted as Buildings 2 and 3 on the plan. The remaining structure will front Hamilton Avenue, noted as Building 1 on the plan. The plan also proposes that of the 220 residential units, 9 will be permitted as live work units within a maximum total of 6,670 square feet. These units will front a small central open space courtyard located between Buildings 2 and 3.

The non-residential uses are located within Building 1 and will occupy the entire frontage of Hamilton Ave wrapping the corner along the Hagan Street frontage. The maximum height for Building 3 is noted as 5 stories in 78 feet. With the tallest portion of Building 3 located adjacent to the CSX rail line. The maximum height for Buildings 1 and 2 is noted as four stories in 60 feet for Building 1, 4 stories in 52 feet for Building 2.

The primary access point for the site is provided through Hagan Street. Hagan Street terminates into a small private drive allowing access for an internal parking structure. The parking structure will contain 262 spaces within 4 stories. The parking structure will be screened from view by the residential portion of building 3. Additional access is provided along the frontage of Moore Avenue.

Open space is provided in three locations within the site. A central open space amenity with a pool and patio is located within building three. A second open space courtyard area is located in between Building 3 and Building 2. This space will contain a plaza for community functions and formal landscaping. The terminus of Moore Avenue will contain an open lawn with surrounding landscaping acting as a small park adjacent to the site; this area will be publicly accessible

Glazing standards are specified for residential uses and non-residential uses ranging from 20% for residential to 50% for ground floor non-residential uses. A minimum raised foundation is required for ground floor residential. A minimum and maximum raised foundation is indicated for both residential and non-residential ground floor uses. Architectural elevations have been provided with the preliminary SP site plan submittal and will also be required with the submittal of the final SP site plan.

#### **ANALYSIS**

The proposed SP at this location is consistent with the T4 MU and supplemental policy, which is intended to provide moderate density residential and non-residential development in areas that are envisioned to become primarily mixed use. The site is located within a larger area of T4 MU policy in close proximity to Interstate 65 South and the CSX rail line, where additional intensity is supported. The site is also located in an area identified by NashvilleNext as a Tier 1 Center. Tier 1 Centers are the focus of coordinated investments to shape growth where additional intensity would be appropriate through infill development that supports pedestrian, vehicular, and multimodal transportation. Supporting infrastructure for increased intensity is present in the form of existing mass transit. An MTA bus route and bus stop are located north of the site on Hamilton Avenue. Proximity of future development to existing transit networks offers options beyond single vehicle occupancy trips.

The proposal includes a height transition from the railroad track down to Hagan Street, providing for height appropriate to the context of the site while also providing for the intensity expected within a Tier 1 Center. The proposed SP is consistent with the policy for the area and is appropriate given the surrounding land uses and land use policies. Given the form and bulk; location within the larger neighborhood, and transition provided to the adjacent neighborhood proposed within the SP the plan as proposed is consistent with the T4MU and supplemental policy in this location.

#### **FIRE MARSHAL RECOMMENDATION**

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

- Limited building detail, and/ or building construction information provided. Construction must meet all applicable building and fire codes. 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. - JLA

#### **STORMWATER RECOMMENDATION**

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

- Site must comply with LID and combined sewer policies.

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Preliminary SP only. Public sewer and public water construction plans may need to be submitted and approved, prior to Final SP Stage. Please contact metro water prior to Final SP Stage concerning situation in Merritt Ave. If needed, these approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/SP approval.

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- 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 w/ MPW traffic comment for removal of bulb-in on Hamilton.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- An approved development on the northwest quadrant of the intersection of Hamilton Avenue at Hagan Street will install an eastbound left-turn lane. A westbound left-turn is not warranted and the applicant does not wish to install. Revise plans to account for a 6' wide 75' long taper.
- Remove on-street parking on Hamilton Avenue. Applicant is permitted to install on-street parking on Hagan Street.
- Coordinate with Jason Radinger (MPW Bikeway Coordinator) on installation of / contribution to part of the Chestnut Street bikeway. Show improvements within Final SP packet.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	1.95	0.6 F	50,965 SF	127	32	34

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.32	0.8 F	11,129 SF	109	13	13

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.19	0.6 F	4,965 SF	9	1	1

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)	-	-	220 U	1623	101	120

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	-	-	5,000 SF	318	16	35

Traffic changes between maximum: **IR, OR20, IWD and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1696	+71	+107

**METRO SCHOOL BOARD REPORT**

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

**Projected student generation proposed SP-MU district: 47 Elementary 18 Middle 22 High**

The proposed SP zoning may generate 87 more students than the existing IR zoning. Students would attend Fall-Hamilton Elementary School, Cameron College Prep Middle School, and Glenclyff High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 220 multi-family residential units, including up to 9 live/work units (up to 6,670 square feet); and a maximum of 5,000 square feet of non-residential uses as permitted within MUL-A zoning. All non-residential uses are limited to the designated commercial zones specified on the plan. Short term rental properties – owner occupied and short term rental properties – not owner occupied are prohibited.
2. With the submittal of the final site plan, the applicant shall propose screening for the exposed parking garage for review by Planning staff.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
7. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. 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.
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. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**Approve with conditions and disapprove without all conditions. Consent Agenda. (8-0)**

**Resolution No. RS2020-144**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-024-001 is approved with conditions and disapproved without all conditions. (8-0)

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 220 multi-family residential units, including up to 9 live/work units (up to 6,670 square feet); and a maximum of 5,000 square feet of non-residential uses as permitted within MUL-A zoning. All non-residential uses are limited to the designated commercial zones specified on the plan. Short term rental properties – owner occupied and short term rental properties – not owner occupied are prohibited.
2. With the submittal of the final site plan, the applicant shall propose screening for the exposed parking garage for review by Planning staff.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
7. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

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

**25. 2019S-160-001**  
**1242 PROPERTY SOLUTIONS, LLC PROPERTY**

Council District 26 (Courtney Johnston)  
Staff Reviewer: Amelia Lewis

A request for final plat approval to create nine lots on property located at Eisenhower Drive (unnumbered), approximately 85 feet east of Towry Drive, zoned R6 (1.24 acres), requested by Clint Elliott Surveying, applicant; 1242 Property Solutions, LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**  
**Final plat to create 8 lots.**

Final Plat

A request for final plat approval to create eight lots on property located at Eisenhower Drive (unnumbered), approximately 85 feet east of Towry Drive, zoned One and Two- Family Residential (R6) (1.24 acres).

**Existing Zoning**

One and Two Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 8 lots with 2 duplex lots for a total of 10 units.*

**Community Character Manual Policy**

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

**PLAN DETAILS**

The site is approximately 1.24 acres and is located just east of the intersection of Towry Drive and Eisenhower Drive. The site is currently vacant. The surrounding land use pattern contains a diverse mixture of structure types and land uses. The area to the west is zoned One and Two-Family Residential (R8) and has primarily been established with single family detached structures. The area to the north is a mix of One and Two Family Zoning (R6 & R10) and has been established with multi-family, single family, and some vacant properties. The southern and eastern sides of the property are bordered by Interstate 24.

Site Plan

The site plan proposes to subdivide the existing 1.24 acres to create eight lots. The properties all have frontage along Eisenhower Drive and Harding Place. All lots meet the minimum lot size of the R6 zoning district which is 6,000 sf.

Zoning regulations state that 25% of newly created lots within a one and two-family zoning district subdivision can be duplex eligible. The proposed plat has identified Lots 7 and 8 as duplex eligible.

**ANALYSIS**

The site has frontage along two public rights-of-ways, Harding Place and Eisenhower Drive. The proposed lots are oriented towards Eisenhower Drive. The creation of double frontage lots is generally prohibited by the Subdivision Regulations, however the regulations state that the Planning Commission may grant exceptions to this standard to provide access to residential development from a street that is not an arterial or collector street. In this case, Eisenhower Drive is a local street whereas Harding Place is an arterial boulevard per the Major and Collector Street Plan. Staff recommends the Plan Commission grant the exception to allow the creation of double frontage lots with the condition that all access be limited to Eisenhower Drive.

The proposed subdivision meets the standards of the subdivision regulations including minimum lot size and street frontage. Future development will be required to meet the standards of the Metro Zoning Code. Staff recommends approval as the proposed subdivision meets the requirements of the subdivision regulations.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Approve**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- New driveway connections or access points will require a permit from the Public Works Department. Adequate sight distance must be provided per AASHTO for new driveway connections.

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approval is contingent on construction and completion of MWS Project #'s 19-SL-198. A bond amount of \$51,000.00 is assigned to 19-SL-198.

**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. On the corrected copy of the plat, add the following note: All access for lots is limited to Eisenhower Drive. No access is permitted to Harding Place.
3. All conditions from Metro Public Works and Metro Water Services must be completed or bonded prior to the recording of the final plat.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

**Resolution No. RS2020-145**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019S-160-001 is approved with conditions. (8-0)

**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. On the corrected copy of the plat, add the following note: All access for lots is limited to Eisenhower Drive. No access is permitted to Harding Place.
3. All conditions from Metro Public Works and Metro Water Services must be completed or bonded prior to the recording of the final plat.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**26. 2020DTC-031-001**

**CIRCLE SOUTH**

Council District 19 (Freddie O'Connell)

Staff Reviewer: Eric Hammer

A request for an overall height modification for properties located at 700, 711 and 712 Lea Avenue and 410, 500 and 512 8th Avenue South, at the southeast corner of 8th Avenue South and Lafayette Street, zoned DTC, and located within the Capitol Mall Redevelopment District Overlay and partially within the Gateway Boulevard Urban Design Overlay District (1.67 acres), to permit a 30 story building, requested by Circle South Holdings LLC, applicant and owner.

**Staff Recommendation: Defer to the June 25, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020DTC-031-001 to the June 25, 2020, Planning Commission meeting. (8-0)**

**27. 2015SP-062-002**

**BRENTWOOD SKYLINE (AMENDMENT)**

Council District 04 (Robert Swope)

Staff Reviewer: Amelia Lewis

A request to amend the Brentwood Skyline Specific Plan for property located at Stone Brook Drive (unnumbered), approximately 170 feet south of Fox Ridge Drive, (6.56 acres), to permit an additional 55 multi-family residential units for a total of 195 multi-family residential units, requested by Lukens Engineering Consultants, applicant; Mt View, LLC, owner.

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

**APPLICANT REQUEST**

**Amend a SP to permit an additional 55 multi-family units.**

SP Amendment

A request to amend the Brentwood Skyline Specific Plan (SP) for property located at Stone Brook Drive (unnumbered), approximately 170 feet south of Fox Ridge Drive, (6.56 acres), to permit an additional 55 multi-family residential units for a total of 195 multi-family residential units.

**Existing Zoning**

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

**SOUTHEAST COMMUNITY PLAN**

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

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

**HISTORY**

This site was originally approved as a Planned Unit Development (PUD). The Highlands of Brentwood PUD was approved by Metro Council in September 1989. The PUD was approved for a 7-story office building that permitted up to 131,400 square feet of office space.

In 2015, the existing SP zoning was approved for the site to permit 140 multi-family units. The SP proposed in 2015 had a proposed building footprint of 38,600. This proposal decreased the amount of disturbance on an environmentally sensitive site from the approved PUD. The proposed amendment would permit an additional 55 units for a total of 195 units.

### **PLAN DETAILS**

The site is generally located south of Old Hickory Boulevard and east of Interstate 65, near the terminus of Stone Brook Drive.

The proposed site plan is similar to the original approved SP. The seven story U-shaped building is located on the southern property line of the site. The first two levels of the building are parking, with five levels of residential units above. The internal portion of the U-shaped building contains the two vehicular drive entrances leading into the garage. Given the steep slopes on the site, a portion of the parking levels are below ground. There is also a proposed surface parking lot and club house proposed within the U-shaped portion of the building.

### **ANALYSIS**

The policies have not changed on the site since the original SP approval. T3-NE policy areas are intended to be developed in suburban residential patterns, with higher densities and with greater housing variety than classic suburban neighborhoods. The requested additional intensity is consistent with the intent of the policy to provide higher density suburban development. The policy guidance for T3-NE includes guidance for developing with sites where both T3-NE and CO policies exist. Given that the original site plan was approved to be consistent with CO policy, and the footprint of the proposed plan minimally changes, this plan is also consistent with the CO policy.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet. Where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.
- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- All buildings and/or developments are required to meet the fire-flow requirements listed in the adopted code prior to construction.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- 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.
- Where two separate and approved fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses. The AHJ may approve variations to this requirement in the event remoteness cannot be accomplished.
- 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 water construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. Capacity must be paid before issuance of building permits.

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- Final constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions. Following approval of final plans by MPW, any ROW dedications and waste/recycle private hauler agreements will need to be submitted to MPW for Bldg. permit approval.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Development shall work with MPW to provide a sidewalk connection from development to existing sidewalk on the west side of Stone Brook drive.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	6.56	-	140 U	1018	66	80

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)	6.56	-	195 U	1434	90	108

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+55 U	+416	+24	+28

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing SP-R district: 6 Elementary 3 Middle 3 High**

**Projected student generation proposed SP-R district: 8 Elementary 4 Middle 4 High**

The amended SP zoning may generate four more students than the existing SP zoning district. Students would attend Percy Priest Elementary School, J.T. Moore Middle School, and Hillsboro High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

- Permitted uses shall be limited to a maximum of 195 multi-family residential units. Short term rental property – owner occupied and short term rental property – not owner-occupied shall be prohibited.
- With the exception of the amendment to the maximum number of units, all conditions of BL2015-1230 remain in effect.
- The maximum height is limited to 7 stories in 85 feet.
- With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.
- 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.
- If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20 fallback zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
- 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.
- 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.
- Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall



be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

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

Jim Lukens, Lukens Engineering Consultants, spoke in favor of the application and expressed agreement with all conditions.

Yvonne Smith, 119 Villa View Ct, spoke in opposition to the application.

**Ms. Farr closed the Public Hearing.**

Ms. Blackshear spoke in favor of staff recommendation.

Mr. Gobbell spoke in favor of staff recommendation.

Ms. Johnson spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation.

Dr. Sims spoke in favor of staff recommendation as the plan is consistent with policy and consistent with the existing SP.

**Mr. Tibbs moved and Mr. Gobbell seconded the motion to approve with conditions and disapprove without all conditions. (8-0)**

**Resolution No. RS2020-146**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-062-002 is approved with conditions and disapproved without all conditions. (8-0)

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 195 multi-family residential units. Short term rental property – owner occupied and short term rental property – not owner-occupied shall be prohibited.
2. With the exception of the amendment to the maximum number of units, all conditions of BL2015-1230 remain in effect.
3. The maximum height is limited to 7 stories in 85 feet.
4. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20 fallback zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
7. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
10. 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.

**28. 2020SP-018-001**  
**829 DICKERSON PIKE SP**  
Council District 05 (Sean Parker)  
Staff Reviewer: Abbie Rickoff

A request to rezone from CL to SP-MU zoning for properties located at 829 and 835 Dickerson Pike, approximately 350 feet south of Cleveland Street and within the Dickerson Pike Sign Urban Design Overlay District and the Skyline Redevelopment District (0.9 acres), to permit a mixed use development, requested by S + H Group, LLC, applicant; Dickerson Road Investor, LLC and 829-D, LLC, owners.

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

**APPLICANT REQUEST**

**Preliminary SP to permit a mixed use development.**

Zone Change

A request to rezone from Commercial Limited (CL) to Specific Plan-Mixed Use (SP-MU) zoning for properties located at 829 and 835 Dickerson Pike, approximately 350 feet south of Cleveland Street and within the Dickerson Pike Sign Urban Design Overlay District and the Skyline Redevelopment District (0.9 acres), to permit a mixed use development.

**Existing Zoning**

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

**Proposed Zoning**

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

**HISTORY**

At the May 14, 2020, Planning Commission meeting, the MPC deferred case 2020SP-018-001, after a public hearing was held, following Staff's recommendation of disapproval, as staff found the proposed heights to be inconsistent with the Building Height Subdistricts policy of the Dickerson South Corridor Study. The deferral was requested to allow the applicant and staff sufficient time to discuss the overall intent of the supplemental Building Heights Subdistricts

policy and whether the building heights, as proposed in the SP, were consistent with the policy goals. Following the deferral, staff and the applicant have had further conversations relative to the policy expectations in this area. The analysis included below, including staff's recommendation, has been updated to reflect further evaluation of the policy and its application to the proposed plan. No changes to the plans have been proposed.

**SITE CONTEXT AND PLAN DETAILS**

The 0.9-acre site includes 2 parcels and is located midblock, between Cleveland Street and Hancock Street, on the east side of Dickerson Pike. The larger parcel (829 Dickerson) contains a vacant building which is proposed to be removed, and the smaller parcel (835 Dickerson) contains a commercial building, which is indicated to be retained and integrated into the development. Surrounding properties along Dickerson Pike include primarily commercial and industrial uses. Alley #309 runs along the back of the site and is generally the dividing line between the non-residential uses along the corridor, and the residential uses to the east. The rear alley provides access to properties which front onto Joseph Avenue, to the east.

Site Plan

The plan proposes a mixed-use building that fronts Dickerson Pike, with vehicular access provided from Alley #309. The building's north and south wings extend towards the rear alley, partially covering the surface parking area located off the alley. Proposed uses include a 100-room hotel, retail, and restaurant. The building is four stories, with a fifth story which will include additional hotel rooms, a restaurant, and fitness center. Pedestrian entries will connect to the sidewalk and planting strip, which will be installed to meet the Major and Collector Street Plan requirements. No vehicular access is proposed from Dickerson Pike.

**EAST NASHVILLE COMMUNITY PLAN**

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

### Dickerson South Corridor Study

The Dickerson South Corridor Study (Study), was adopted by the Planning Commission on June 13, 2019 and February 27, 2020, 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.

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 a T4 CM subdistrict which supports maximum heights of up to 4 stories. This subdistrict spans the east side of Dickerson Pike, from Douglas Avenue south to Grace Street, and is intended to provide an appropriate step down in height and development intensity between the Dickerson Pike corridor and the neighborhood. This subdistrict supports only the RM20-A, MUN-A, and MUL-A zoning districts. The pattern of development created by the supported zoning districts is consistent with envisioned height and development intensity supported by the subdistrict.

### **ANALYSIS**

The plan proposes redevelopment of vacant and/or underutilized properties into a mixed use development along a major corridor, which would generally be supported by the T4 CM policy. Staff has reevaluated the vision and goals of the Dickerson South Corridor Study against the proposed 5<sup>th</sup> story (see attached memo) and supports the plan, as proposed, for several reasons. The 5<sup>th</sup> story steps back from the lower levels along Dickerson Pike. The 5<sup>th</sup> story is also set back from the alley at the rear of the site, which separates this site from the residential neighborhood to the east. This setback helps to keep the overall bulk of the fifth story closer to Dickerson Pike, rather than to the interior neighborhood, forming a transition in scale and massing as the building relates to the lower-intensity policy areas to the east. It also prevents intrusive heights along the building's eastern edge, consistent with the general logic to step down in height from west to east.

The plan meets several critical policy goals envisioned for the corridor, including street activation that prioritizes pedestrians and a tree-lined streetscape in place of head-in parking and driveway access points that have long dominated Dickerson Pike. Additionally, the inclusion of non-residential development along the corridor provides transit-supportive uses and densities necessary for high-capacity transit service to succeed. Right-of-way will be dedicated along the street frontage for pedestrian improvements and to accommodate high-capacity transit service, consistent with the Major and Collector Street Plan requirements. The building frames the corridor with several pedestrian entries that have been identified on the plans, and the conceptual elevations include additional design details to ensure street-level interaction, including glazing and façade treatments. Staff finds that the plan meets several critical planning goals and is consistent with the overall intent of the Dickerson South Corridor Study.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

- Alley noted as 20'w. Limited building details provided. Subject to full and complete plan review for compliance with adopted code prior to construction permitting.

### **STORMWATER RECOMMENDATION**

#### **Approve with conditions**

- Add C/D Note to plans:  
(Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15' CMP).)

### **WATER SERVICES RECOMMENDATION**

#### **Approve with conditions**

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

### **PUBLIC WORKS RECOMMENDATION**

#### **Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval or the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- For final SP approval, comply with MPW traffic comment: identify off-site parking location for site, if required.
- From previous comments, Alley pavement improvements extending from Hancock to Cleveland shall be coordinated with MPW at final SP.

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **Approve with conditions**

Revised TIS was received 4/21/20. Comply with TIS conditions.

- The analyses conducted for the proposed project indicate that the signalized intersection of Dickerson Pike and Cleveland Street will operate at LOS B during both peak hours under existing, background, and total projected conditions. Therefore, no laneage or traffic control modifications will be necessary to provide adequate traffic operations at this intersection in conjunction with the proposed project. The analyses conducted for the purposes of this study indicate that the westbound left turns onto Dickerson Pike will extend beyond the alley during the busiest times during the peak hours. However, these conditions will occur for relatively short periods of time, and the existing traffic signal will create gaps in the eastbound and westbound traffic on Cleveland Street.
- The analyses conducted for the proposed project indicate that, at the unsignalized intersection of Dickerson Pike and Hancock Street, most of the critical turning movements will operate at LOS D or better during both peak hours under existing, background, and total projected conditions. Although the westbound turning movements will operate at LOS E or LOS F during the peak hours, the average vehicle delays will be reasonable, and the typical vehicle queues will be low. However, it would be appropriate to stripe Hancock Street to include three 11-foot travel lanes between Dickerson Pike and the alley. These lanes should include one eastbound travel lane and two westbound travel lanes, striped as separate left and right turn lanes at the intersection with Dickerson Pike.
- As shown in the current site, the existing alley east of the project site, parallel to Dickerson Pike, should be widened in cooperation with Metro Public Works in order to facilitate safe and efficient traffic operations into and out of the project site.
- Developer shall apply to T&P staff to post no stopping, loading, or parking signage along Dickerson Pk frontage.
- At final SP, identify off-site parking location for site, if required.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.9	0.6 F	23,522 SF	1493	75	161

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
Hotel (310)	-	-	100 Rooms	703	45	49

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (931)	-	-	10,548 SF	885	8	83

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	-	-	4,430 SF	282	15	31

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+377	-7	+2

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 100 hotel rooms and all uses of MUL-A. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. No vehicular access to Dickerson Pike shall be permitted.
3. On the corrected copy, remove the lay by lane along Dickerson from all plan sheets.

4. On the corrected copy, remove General Note #9: "Proposed accessory uses shown are what is currently anticipated for development but are subject to change based on tenant demand for approved uses under MUL-A zoning. Developer understands a revised TIS may be required to account for any change in proposed uses."
5. On the corrected copy, landscaping and tree density requirements shall be updated to comply with the Metro Zoning Code.
6. On the corrected copy, correct General Note #5 to read: "Architectural elevations will be required with submittal of the final site plan."
7. With the submittal of the final site plan, provide architectural elevations complying with the conceptual elevations, including locations of pedestrian entrances, and all architectural standards outlined on the Preliminary SP for review and approval.
8. Comply with 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. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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. 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 Owner's Association.
14. 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.
15. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

Ms. Blackshear recused herself from this item.

Aaron Armstrong, 1303 Forrest Ave, spoke in favor of the application.

Mr. Tibbs moved and Ms. Johnson seconded the motion to reopen the Public Hearing. (7-0-1)

Ben Jordan, 1011 N 5<sup>th</sup> St, spoke in opposition to the application as it does not fit the policy.

Waddell Wright, 1061 2<sup>nd</sup> Ave S, spoke in opposition to the application as the councilmember is not consistent with his policies.

Mr. Armstrong asked for approval and noted there was overwhelming support at all community meetings.

Councilmember Parker spoke in favor of the application and explained that the developer had extensive engagement with the community and they were very receptive to this project.

**Ms. Farr closed the Public Hearing.**

Mr. Haynes spoke in favor of staff recommendation. This is less about the number of stories and more about the total height of the project. This will activate the Dickerson Road corridor.

Mr. Tibbs spoke generally in favor of staff recommendation.

Mr. Gobbell spoke in favor of staff recommendation.

Ms. Johnson stated that the developer did a great job designing and addressing the intent of the policy and there is a good amount of community support. The commission needs to be fair/reasonable/transparent at the same time and make the right decision.

The applicant clarified that maximum building height is 74 feet at the top of the building.

Councilmember Murphy asked if there was some sort of trade off to the community for the extra height as 74 feet is tall.

Mr. Haynes asked if a mechanical penthouse would be allowed under the existing four-story policy and Mr. Claxton confirmed.

Mr. Haynes stated given that is the case, this could be a 65-foot, four-story commercial structure with a 10-15-foot penthouse and the design would not be in keeping with what we are trying to accomplish. The applicant has done a good job and responded well with a design that works. This project deserves the commissions support.

Dr. Sims agreed that this is a great project for that part of the community, but the plan essentially makes a street in the backyard of some tenants. There should be a buffer system here as this will create a street in their backyard but give nothing to minimize noise. She requested to add a condition for some type of buffer for those that want one – some type of fence or landscaping.

Mr. Tibbs spoke in agreement with Dr. Sims.

Ms. Johnson encouraged the councilmember and developer to work with the community to come up with a creative buffer solution as needed.

Dr. Sims requested this be included as a condition in order to protect one of our affordable, inclusive neighborhoods from becoming a street and leave it to the creativity of the councilmember and developer to figure out the best way to do that.

Councilmember Murphy asked to hear from Councilmember Parker to see if this was discussed with the neighborhood at the community meetings.

Councilmember Parker noted that any buffering on the east side of the alley wouldn't protect against the height of the structure, it would be against additional traffic introduced to the alleyway. The applicant would be willing to work with the property owners to make some type of improvement if they so desire.

Mr. Armstrong expressed willingness to work with the councilmember as well as the property owners to have some type of landscape buffer or fencing if desired.

**Mr. Haynes moved and Ms. Johnson seconded the motion to approve with conditions and disapprove without all conditions including an additional condition that prior to final site plan approval, the applicant shall work with the Councilmember and neighbors on the opposite (east) side of Alley #309 from this project to install landscape buffers or fences if the neighbors so choose (7-0-1)**

Mr. Haynes left the meeting at 6:30 p.m.

#### **Resolution No. RS2020-147**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-018-001 is approved with conditions and disapproved without all conditions. (7-0-1)

#### **CONDITIONS**

1. Permitted uses shall be limited to a maximum of 100 hotel rooms and all uses of MUL-A. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. Prior to final site plan approval, the applicant shall work with the Councilmember and neighbors on the opposite (east) side of Alley #309 from this project to install landscape buffers or fences if the neighbors so choose.
3. No vehicular access to Dickerson Pike shall be permitted.
4. On the corrected copy, remove the lay by lane along Dickerson from all plan sheets.
5. On the corrected copy, remove General Note #9: "Proposed accessory uses shown are what is currently anticipated for development but are subject to change based on tenant demand for approved uses under MUL-A zoning. Developer understands a revised TIS may be required to account for any change in proposed uses."
6. On the corrected copy, landscaping and tree density requirements shall be updated to comply with the Metro Zoning Code.
7. On the corrected copy, correct General Note #5 to read: "Architectural elevations will be required with submittal of the final site plan."
8. With the submittal of the final site plan, provide architectural elevations complying with the conceptual elevations, including locations of pedestrian entrances, and all architectural standards outlined on the Preliminary SP for review and approval.
9. Comply with all conditions and requirements of Metro reviewing agencies.
10. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

11. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
12. 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.
13. 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.
14. 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 Owner's Association.
15. 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.
16. 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.

**29. 2020S-098-001**

**PETRE PLACE RESUB LOT 2**

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Abbie Rickoff

A request for final plat approval to create two lots on property located at 1205 St. Marys Lane, approximately 195 feet east of Tucker Road, zoned R10 (0.46 acres), requested by Clint Elliott Survey, applicant; L.A.N.D. Group, LLC, owner.

**Staff Recommendation: Defer to the July 23, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020S-098-001 to the July 23, 2020, Planning Commission meeting. (8-0)**

**30. 308-84P-001**

**ROBIN HOOD CONDOMINIUMS PHASE 2 (CANCELLATION)**

Council District 09 (Tonya Hancock)

Staff Reviewer: Jason Swaggart

A request to cancel a Planned Unit Development Overlay District for properties located at Forest Park Road (unnumbered), approximately 250 feet north of Lanier Drive, zoned RM15 (4.51 acres), requested by RK Junior Contracting LLC, applicant; Garafola Properties LLC, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Cancel PUD.**

PUD Cancellation

A request to cancel a Planned Unit Development Overlay District for properties located at Forest Park Road (unnumbered), approximately 250 feet north of Lanier Drive, zoned Multi-Family Residential (RM15) (4.51 acres).

**Existing Zoning**

Multi-Family Residential (RM15) is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre. *RM15 would permit a maximum of 68 residential units.*

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

**MADISON 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.

**ANALYSIS**

The subject property is approximately four and a half acres in size. It does not have street frontage and sits directly behind Robin Hood Condominiums. There are approximately 88 existing units in Robin Hood Condominiums. The subject PUD proposed to be canceled was approved by Council in 1984 for 54 multi-family units. No other applications have been received since the original approval and the property remains undeveloped.

The T3 NE policy can support all types of residential from single-family to multi-family. If canceled, development of the site would be reviewed under the underlying RM15 zoning district, which would permit a maximum of 68 units. This is approximately 14 more units than currently permitted by the PUD. Given the property’s location, multi-family is an appropriate use of the site. The permitted density under the RM15 zoning district that applies to the subject site is less than the number of units in Robin Hood Condominiums. The lower density acts as a transition from the higher density Robin Hood Condominiums to the back of the site which is adjacent to a single-family residential neighborhood. The adjacent single-family neighborhood that backs up to the subject site is zoned RS10. The Zoning Code requires a “C” landscape buffer yard between the two districts which further provides a transition and protects the adjacent single-family neighborhood.

Since the first publication of this staff report, issues regarding access to the site have been raised by residents of Robin Hood Condominiums. The primary issue raised is whether new development on the subject site can access Forest Park Road through Robin Hood Condominiums. Staff researched this issue and has found information indicating that the site may have access to Forest Park Road through Robin Hood Condominiums. A plat creating the lot and individual units for Robin Hood Condominiums includes a 20’ common access and public utility easement that extends from Forest Park Road to the eastern property line abutting the subject site. A master deed was also found indicating that future development on the subject site will access Forest Park Road through Robin Hood Condominiums. Of note is that the master deed also limits the subject site to 54 units which is consistent with the approved PUD.

Staff is recommending approval of the PUD cancellation as the underlying RM15 zoning district is consistent with the T3 NE land use policy. It is important to note that staff’s recommendation is solely based on land use policy. While staff has been informed of possible access issues as above stated, those issues are a private matter and not enforceable by Metro.

**FIRE MARSHAL RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Approve**

**TRAFFIC & PARKING RECOMMENDATION**

**Approve**

**STAFF RECOMMENDATION**

Staff recommends approval.

Mr. Swaggart presented the staff recommendation of approval.

The applicant spoke in favor of the application.

Nancy Steine spoke in opposition and requested more information.

Alisa Walling, 410 Lanier Dr, stated that she isn’t clear on if she is in opposition or not and requested more information.



Tammy Vaughn spoke in opposition and requested more information.

Elizabeth Jeffers, 1336 Old Hickory Blvd, spoke in opposition until she has more information and requested a meeting with the developer.

Councilmember Hancock clarified that there has not been a community meeting on this due to COVID-19, but she does understand the concerns of the neighbors and is willing to hold a meeting.

**Ms. Farr closed the Public Hearing.**

Dr. Sims spoke in favor of a deferral to allow time for a community meeting.

Mr. Tibbs spoke in favor of a deferral to allow time for a community meeting.

Ms. Blackshear spoke in favor of a deferral to allow time for a community meeting.

Mr. Gobbell spoke in favor of a deferral to allow time for a community meeting.

Ms. Johnson spoke in favor of a deferral to allow time for a community meeting.

**Councilmember Murphy moved and Mr. Tibbs seconded the motion to defer to the July 23, 2020 Planning Commission meeting. (7-0)**

**Resolution No. RS2020-148**

"BE IT RESOLVED by The Metropolitan Planning Commission that 308-84P-001 is deferred to the July 23, 2020 Planning Commission meeting. (7-0)

**31. 2020Z-028PR-001**

Council District 21 (Brandon Taylor)

Staff Reviewer: Amelia Lewis

A request to rezone from R6 to RM20-A zoning for properties located at 427A and 427 B 35th Ave N, 429 and 431 35th Ave N, at the southwest corner of Delaware Ave and 35th Ave N (0.34 acres), requested by Smith Gee Studio, applicant; Twenty Holdings, LLC, owner.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred 2020Z-028PR-001 indefinitely. (8-0)**

**I: OTHER BUSINESS**

**32. Employee Contract Renewal for Lisa Milligan**

**Resolution No. RS2020-149**

"BE IT RESOLVED by The Metropolitan Planning Commission that Employee Contract Renewal for Lisa Milligan is **approved. (8-0)**

**33. Historic Zoning Commission Report**

**34. Board of Parks and Recreation Report**

**35. Executive Committee Report**

**36. Accept the Director's Report**

**Resolution No. RS2020-150**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Director's Report is **approved. (8-0)**

**37. Legislative Update**

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

**June 25, 2020**

MPC Meeting

4 pm, via remote teleconference

**July 23, 2020**

MPC Meeting

4 pm, location to be determined

## **K: ADJOURNMENT**

The meeting adjourned at 6:44 p.m.