



# METROPOLITAN PLANNING COMMISSION

## MINUTES

**June 25, 2020**  
**4:00 pm Regular Meeting**

**Meeting to be held via Teleconference**

Metro Nashville Network will broadcast the June 25th 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

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

**Commissioners Present:**

Jeff Haynes  
Ron Gobbell  
Brian Tibbs  
Dr. Pearl Sims  
Mina Johnson  
Lillian Blackshear  
Jim Lawson  
Councilmember Kathleen Murphy

**Commissioners Absent:**

Greg Adkins  
Jessica Farr

**Staff Present:**

Lucy Kempf, Executive Director  
Bob Leeman, Deputy Director  
Kelly Adams, Admin Services Officer IV  
Lisa Milligan, Planning Manager II  
Shawn Shepard, Planning Manager I  
Greg Claxton, Planning Manager I  
Jason Swaggart, Planner II  
Amelia Lewis, Planner II  
Eric Hammer, Planner II  
Harriett Brooks,  
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

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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 25, 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 23rd. 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

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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 25, 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

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## A: CALL TO ORDER

The meeting was called to order at 4:04 p.m.

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

Mr. Tibbs moved and Mr. Gobbell 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. (7-0)

## C: ADOPTION OF AGENDA

Ms. Johnson moved and Mr. Gobbell seconded the motion to adopt the agenda. (7-0)

## D: APPROVAL OF JUNE 11, 2020 MINUTES

Ms. Johnson moved and Dr. Sims seconded the motion to approve the June 11, 2020 minutes. (7-0)

## E: RECOGNITION OF COUNCILMEMBERS

Councilmember Hagar spoke in favor of deferring Items 9, 13, 16, and 29.

Councilmember Porterfield spoke in favor of deferring Item 2.

Councilmember Styles spoke in favor of Items 26a and 26b.

Councilmember Vercher spoke in favor of deferring Item 4 and requested deferral of Item 22.

Councilmember Murphy joined the meeting at 4:20 p.m.

Councilmember Hall noted he would support an additional deferral of Items 30, 31a/b, and 32 a/b if that is an option.

Councilmember Gamble spoke in favor of deferring Items 5 and 8, in favor of approving Item 21, and noted there are flooding concerns related to Item 28 that have not been addressed yet.

Ms. Johnson moved and Dr. Sims seconded the motion to place Item 22 on the deferral list. (8-0)

## F: ITEMS FOR DEFERRAL / WITHDRAWAL

1. **2020CP-010-001**  
GREEN HILLS – MIDTOWN COMMUNITY PLAN AMENDMENT
2. **2020SP-015-001**  
HAMILTON SP
3. **2020SP-023-001**  
7335 OLD CHARLOTTE PIKE
4. **2015S-166-002**  
PAYNE ROAD ESTATES - SECTION 1
5. **2018S-209-001**  
W.E. SCOTT SUBDIVISION, RESUB PHASE 2
6. **2019S-086-001**  
RESUBDIVISION OF LOTS 3 & 4 ON THE PLAT SHOWING THE DIVISION OF THE JOHN B. COWDEN PROPERTY

7. **2020S-066-001**  
DARROW DOWNS SUBDIVISION
8. **65-76P-001**  
DOLLAR GENERAL (REVISION)
9. **2020Z-069PR-001**
10. **2020Z-027PR-001**  
Mr. Gobbell moved and Councilmember Murphy seconded the motion to approve the Deferred and Withdrawn Ites. (8-0)

Ms. Blackshear recused herself from Items 1, 2, and 9.

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**

11. **2020SP-028-001**  
VASTLAND - AVALON MIDTOWN SP
12. **2020S-105-001**  
HOBSON PIKE
13. **2020S-110-001**  
3233 LAKESHORE DRIVE SUBDIVISION
14. **2020HL-005-001**  
206 6<sup>TH</sup> AVENUE NORTH AND 530 CHURCH STREET
15. **2017NHL-002-003**  
BELAIR MANSION (AMENDMENT)
16. **2020RAS-001-001**
17. **2020Z-059PR-001**
18. **2020Z-076PR-001**
19. **2020Z-077PR-001**
20. **2020Z-078PR-001**
21. **94P-020-004**  
FEDEX (REVISION AND FINAL)
22. **123-83P-001**  
CANYON RIDGE, PHASE 3 (REVISION AND FINAL)
23. **2012NL-001-003**  
SMOKIN THIGHS (REVISION)
24. **2020DTC-038-001**  
645 DIVISION RESIDENTIAL
34. **Certification of Bonus Height Compliance within the DTC: 1221 Broadway (One22One) Development**

- 35. **Certification of Bonus Height Compliance within the DTC: 1222 Demonbreun (13<sup>th</sup> & Demonbreun) Development**
- 36. **Employee Contract Renewal for Patrick Napier**
- 40. **Accept the Director's Report**

Mr. Lawson moved and Councilmember Murphy seconded the motion to approve the Consent Agenda. (8-0)  
 Ms. Blackshear recused herself from Items 11, 14, and 21.

**H: ITEMS TO BE CONSIDERED**

- 1. **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 July 23, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020CP-010-001 to the July 23, 2020, Planning Commission meeting. (7-0-1)**

- 2. **2020SP-015-001**  
**HAMILTON SP**  
 Council District 29 (Delishia Porterfield)  
 Staff Reviewer: Abbie Rickoff

A request to rezone from IWD and R20 to SP zoning for properties located at 2793 Couchville Pike, 2871 Ned Shelton Road, and Ned Shelton Road (unnumbered), at the southwestern corner of Ned Shelton Road and Bell Road (72.99 acres), to permit all uses of IWD zoning, requested by StateStreet Group LLC, applicant; The Quarter Jackson, LLC, Buford Jones, Janice Culbertson, James Jones, and Duke-Weeks Realty L.P., owners.

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

**The Metropolitan Planning Commission deferred 2020SP-015-001 to the July 23, 2020, Planning Commission meeting. (7-0-1)**

- 3. **2020SP-023-001**  
**7335 OLD CHARLOTTE PIKE**  
 Council District 22 (Gloria Hausser)  
 Staff Reviewer: Joren Dunnavant

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 July 23, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020SP-023-001 to the July 23, 2020, Planning Commission meeting. (8-0)**

**4. 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 July 23, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2015S-166-002 to the July 23, 2020, Planning Commission meeting. (8-0)**

**5. 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 July 23, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018S-209-001 to the July 23, 2020, Planning Commission meeting. (8-0)**

**6. 2019S-086-001**  
**RESUBDIVISION OF LOTS 3 & 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 July 23, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019S-086-001 to the July 23, 2020, Planning Commission meeting. (8-0)**

**7. 2020S-066-001**  
**DARROW DOWNS SUBDIVISION**  
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 July 23, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020S-066-001 to the July 23, 2020, Planning Commission meeting. (8-0)**

8. **65-76P-001**  
**DOLLAR GENERAL (REVISION)**  
Council District 03 (Jennifer Gamble)  
Staff Reviewer: Jason Swaggart

A request to revise a portion of the preliminary Planned Unit Development Overlay District (PUD) for property located at Brick Church Road (unnumbered), at the northwest corner of Old Hickory Boulevard and Brick Church Pike, zoned R20, (4.63 acres), to permit 24,000 square feet of commercial space, requested by Dale and Associates, applicant; Gordon F. McCammon and Robert C. Helson, owner.

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

**The Metropolitan Planning Commission deferred 65-76P-001 to the July 23, 2020, Planning Commission meeting. (8-0)**

9. **2020Z-069PR-001**  
Council District 11 (Larry Hagar)  
Staff Reviewer: Amelia Lewis

A request to rezone a portion of the property from AR2a to CS zoning for property located at 4000 Andrew Jackson Parkway, at the northern corner of Andrew Jackson Parkway and Old Hickory Boulevard (3.24 acres), requested by Gresham Smith, applicant; Morgan Family Properties LLC Et Al, owner.

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

**The Metropolitan Planning Commission deferred 2020Z-069PR-001 to the July 23, 2020, Planning Commission meeting. (7-0-1)**

10. **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 July 23, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020Z-027PR-001 to the July 23, 2020, Planning Commission meeting. (8-0)**

11. **2020SP-028-001**  
**VASTLAND - AVALON MIDTOWN SP**  
Council District 21 (Brandon Taylor)  
Staff Reviewer: Logan Elliott

A request to rezone from MUI-A to SP zoning for properties located at 1709, 1711, 1715, 1717 and 1719 Hayes Street, at the southeast corner of 18th Avenue North and Hayes Street (1.12 acres), to permit a mixed use development, requested by Civil Site Design Group, applicant; Vastland Development Partnership, owner.

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

**APPLICANT REQUEST**

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

Specific Plan

A request to rezone from Mixed Use Intensive – Alternative (MUI-A) to Specific Plan (SP) zoning for properties located at 1709, 1711, 1715, 1717 and 1719 Hayes Street, at the southeast corner of 18th Avenue North and Hayes Street (1.12 acres), to permit a mixed use development.

### **Existing Zoning**

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

### **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 commercial uses.

### **GREEN HILLS – MIDTOWN COMMUNITY PLAN**

T5 Center Mixed Use Neighborhood (T5 MU) is intended to maintain, enhance, and create high-intensity urban mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses. T5 MU areas are intended to be among the most intense areas in Davidson County. T5 MU areas include some of Nashville's major employment centers such as Midtown that represent several sectors of the economy including health care, finance, retail, the music industry, and lodging. T5 MU areas also include locations that are planned to evolve to a similar form and function.

### **MIDTOWN STUDY SUPPLEMENTAL POLICY**

The site is located within the T5 Center Mixed Use Subdistrict Area 1 (T5 MU-01) of the Midtown Study Community Character Plan that was adopted in 2012. The T5 MU-01 subdistrict is intended to contain a significant amount of high density residential development that is very mixed use in nature with civic and public benefit, and high intensity commercial, and office land uses.

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

The site is approximately 1.15 acres and sits at the southeast corner of the intersection of 18<sup>th</sup> Avenue North and Hayes Street in the Midtown neighborhood. The site currently contains a one-story office building and surface parking. The site is accessed via the alley and several points on Hayes Street. The area surrounding the site is a mixture of commercial, office, vehicle parking, and vacant uses. One block north on Hayes Street is the Broadwest mixed-use development (formerly West End Summit) that is currently under construction and immediately south of 18<sup>th</sup> Avenue North is an 8-story hotel building.

18<sup>th</sup> Avenue is classified as an Arterial Boulevard in the Major and Collector Street Plan and as a Secondary Street in the Midtown Study. Hayes Street is a local street and classified a tertiary street in the Midtown Study.

### Site Plan

The plan proposes a 25-story podium style mixed-use tower that covers the majority of the site. The ground level of the tower proposes lobby space for the residential and office uses and up to 15,000 square feet of commercial tenant space split between 18<sup>th</sup> Avenue North and Hayes Street. The structured parking is accessed via the alley at the rear of the site. The tower includes two levels of below ground parking and 8 levels of above ground parking. Above the parking are two levels of office space; totaling up to 90,000 square feet. Above the office use is the residential use which varies from 12 to 15 stories for a total of 310 units. The buildings architecture addresses the intersection of 18<sup>th</sup> Avenue North and Hayes street with the 25 story portion of the building being located adjacent to the 18<sup>th</sup> Avenue North frontage and at the corner of 18<sup>th</sup> Avenue North and Hayes Street. The building steps down along the Hayes street frontage to 22 stories.

The ground floor commercial uses and above ground parking structure are proposed to be built adjacent to the sidewalk. The applicant has provided conceptual images demonstrating how the above ground parking structure will be architecturally treated and screened. The site plan has outlines demonstrating where the office and residential portion of the tower will sit above the parking structure. The plan proposes a 15 foot step-back for the portion of the building above the parking structure that rises up to 25 stories and a 40 foot step-back for the portion of the building above the parking structure that rises up to 22 stories.

### **ANALYSIS**

The proposed specific plan is consistent with the Midtown Study Supplemental Policy. The plan is consistent with the intent of the T5 MU-01 subdistrict to provide for high density residential development that is very mixed use in nature. The plan is sensitive to the fact that the north side of Hayes street is within a less intense subdistrict in the Midtown study as well as the fact that Hayes Street is classified as a tertiary street in the Midtown Study and steps down the building height and increases the building step-back along Hayes Street.

### **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.



**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. (Permit Nos, T2020002702 and T2020002699.

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

- Final constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions. Following approval of final plans by MPW, a recorded copy of any ROW dedications will need to be submitted to MPW for Bldg. permit approval.
- Provide truck turning exhibit site loading berth.
- Additional comments may follow pending TIS review.
- Private hauler will be required for waste/recycle disposal for site. Note in general notes on final.

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

- Applicant shall restripe 18th Avenue from West End Avenue to Church Street per the MCSP to provide a bike lane on each side of the roadway.
- Revised TIS will be requires during Final SP or permitting because data collection could not be conducted due to COVID-19. Additional off-site improvements may be required.

Maximum Uses in Existing Zoning District: **MUI-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	0.56	5.0 F	121 U	874	58	70

Maximum Uses in Existing Zoning District: **MUI-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.28	5.0 F	60,984 SF	3871	194	418

Maximum Uses in Existing Zoning District: **MUI-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (931)	0.28	5.0 F	60,984 SF	5113	45	476

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	-	-	310 U	2303	140	162

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	-	-	90,000 SF	958	112	104

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	-	-	15,000 SF	953	48	103

Traffic changes between maximum: **MUI-A and SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-5644	+3	-595

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing MUI-A district: 2 Elementary 1 Middle 1 High**

**Projected student generation proposed SP-MU district: 6 Elementary 3 Middle 3 High**

The proposed SP zoning is expected to generate 8 more students than the existing MUI-A zoning. Students would attend Eakin Elementary School, West End 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 105,000 square feet of commercial use consistent with the uses permitted in the MUI-A zoning district and 310 hotel or multi-family residential units. Short term rental properties- owner occupied and short-term rental properties- not-owner occupied shall be prohibited.
- Upper level cladding is required on all public street frontages, for any above ground parking structure. Facade treatments shall integrate or complement the architectural characteristics of the habitable portion of the building and the surrounding built context. Openings for natural ventilation are permissible when integrated into the facade design.
- A minimum of 75% of the lineal street frontage shall be devoted to office or non-parking commercial uses. A minimum of 50% of that wall area shall be glazing.
- Comply with all conditions and requirements of Metro reviewing agencies.
- The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
- 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 MUI-A zoning district as of the date of the applicable request or application.
- The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
- 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.
- Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**Approve with conditions and disapprove without all conditions. Consent Agenda. (7-0-1)**

**Resolution No. RS2020-151**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-028-001 is approved with conditions and disapprove without all conditions. (7-0-1)**

**CONDITIONS**

- Permitted uses shall be limited to 105,000 square feet of commercial use consistent with the uses permitted in the MUI-A zoning district and 310 hotel or multi-family residential units. Short term rental properties- owner occupied and short-term rental properties- not-owner occupied shall be prohibited.
- Upper level cladding is required on all public street frontages, for any above ground parking structure. Facade treatments shall integrate or complement the architectural characteristics of the habitable portion of the

building and the surrounding built context. Openings for natural ventilation are permissible when integrated into the facade design.

3. A minimum of 75% of the lineal street frontage shall be devoted to office or non-parking commercial uses. A minimum of 50% of that wall area shall be glazing.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
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 MUI-A zoning district as of the date of the applicable request or application.
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## 12. 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 locate 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: Approve with conditions.**

### APPLICANT REQUEST

**Concept plan approval to create 82 cluster lots.**

#### Concept Plan

A request for concept plan approval to create 82 cluster lots on property locate at 3631 Pin Hook Road, at the southwest corner of Hobson Pike and Pin Hook Road, zoned Single-Family Residential (RS10), (24.03 acres).

#### **Existing Zoning**

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 88 single-family residential lots.*

#### **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 approximately 24 acre site is located at the southwest corner of Pin Hook Road and Hobson Pike. The property contains a residence and several other detached structures. The house is accessed from a single driveway off Pin Hook Road. The site is densely wooded. Metro records do not indicate that the property is encumbered with any steep slopes or streams. A large electrical substation abuts the southern property line. Other adjacent property consists of large single-family tracts. Antioch High School is located on the east side of Hobson Pike.

#### Site Plan

The plan calls for a total of 82 single-family residential cluster lots with an overall density of approximately 3.4 units per acre. Lots range in size from 5,000 sq. ft. to 7,125 square feet.

Except for lots one through nine, all lots front onto new streets. Lots one through nine front onto Pin Hook Road. Primary access into the subdivision is shown from Pin Hook Road and Hobson Pike. Vehicular access to lots one through nine and lots 10 through 18 is provided from a rear alley. All other lots are front loaded. A future street connection is shown to the east.

The plan calls for approximately seven acres of open space consisting of passive and active areas. The plan identifies approximately one and a half acres as active and approximately five and a half acres as passive. The plan calls for "C" landscape buffer yards along the perimeter where required by Metro Zoning Code.

**ANALYSIS**

The cluster lot option in the Zoning Code allows for flexibility of design, the creation of open space, and the preservation of natural features in residential zoning districts. To promote creative designs, cluster lots are allowed to contain less area than what is required by the base zoning district. The minimum lot area within a cluster subdivision can be reduced down two smaller base zone districts. The minimum lot size proposed is 5,000 square feet consistent with the RS5 zoning district which is two districts below the RS10 zoning district that applies to the site.

In cluster lot subdivisions, a minimum of 15 percent of the development must be open space. Of the approximately 24 acres, approximately seven acres (29%) is provided as open space. Of the seven acres approximately one and a half acres is classified as active. The cluster lot option requires a minimum of one recreational facility. The plan identifies a gazebo.

As proposed, the subdivision meets all zoning requirements for the cluster lot option and the subdivision regulations. Staff is recommending approval with conditions, since the proposed plan meets all Metro requirements authorizing the Cluster Lot Subdivision.

**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.

**PUBLIC WORKS RECOMMENDATION**

**Approve**

**STORMWATER RECOMMENDATION**

**Approve**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- The project access on Hobson Pike should be constructed to include a shared left turn/through lane and a separate right turn lane. Each of these turn lanes should include at least 75 feet of storage.
- A northbound left turn lane should be provided on Hobson Pike at the project access. This turn lane should include at least 75 feet of storage and should be designed and constructed according to AASHTO standards. It is important to note that the analyses conducted for the purposes of this study indicate that the critical turning movements at the intersection of Hobson Pike and the project access will operate acceptably even if a dedicated southbound right turn lane is not provided at this intersection. However, in order to facilitate safe and efficient turning movements at this location, a southbound right turn lane with at least 75 feet of storage should be provided on Hobson Pike at the project access.
- The analyses conducted for the purposes of this study indicate that the critical turning movements at the intersection of Pin Hook Road and the project access will operate acceptably even if no dedicated turn lanes are provided at this intersection. However, in order to facilitate safe and efficient turning movements at this location, a westbound left turn lane and an eastbound right turn lane should be provided on Pin Hook Road at this intersection. If these turn lanes are provided, each one should include at least 75 feet of storage and should be designed and constructed according to AASHTO standards.
- In conjunction with the preparation of final construction documents for the proposed project, sight triangles should be provided to confirm that adequate sight distances will be available at the project accesses on Hobson Pike and Pin Hook Road. These sight triangles should be developed based on guidelines that are included in A Policy on Geometric Design of Highways and Streets, which is published by the American Association of State Highway and Transportation Officials (AASHTO) and commonly known as The Green Book. Specifically, The Green Book indicates that for a speed of 35 mph, the minimum stopping sight distance is 250 feet. This is the distance that a motorist on Hobson Pike will need to come to a stop if a vehicle turning from the project creates a conflict. Also, based on the Green Book, the minimum intersection sight distance is 390 feet. This is the distance that motorists exiting the project will need to safely complete turns onto Hobson Pike. Also, The Green Book indicates that for a speed of 45 mph, the minimum stopping sight distance is 360 feet. This is the distance that a motorist on Pin Hook Road will need to come to a stop if a vehicle turning from the project creates a conflict. Also, based on The Green Book, the minimum intersection sight distance is 500 feet. This is the distance that motorists exiting the project will need to safely complete turns onto Pin Hook Road.

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Concept plan only. Public Water and Sewer construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must be paid prior to building permits approval. (See capacity fee Permit #'s T20190022928 and T2019022931).

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. On the cover sheet, delete note 15 under "General Concept Plan Notes".

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

**Resolution No. RS2020-152**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-028-001 is **approved with conditions.** (8-0)

**CONDITIONS**

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. On the cover sheet, delete note 15 under "General Concept Plan Notes".

**13. 2020S-110-001  
3233 LAKESHORE DRIVE SUBDIVISION**

Council District 11 (Larry Hagar)  
Staff Reviewer: Abbie Rickoff

A request for concept plan approval to create 13 cluster lots on property located at 3233 Lakeshore Drive, approximately 310 feet southwest of Azura Landing, zoned RS20 (7.21 acres), requested by Q. Scott Pulliam, applicant; Timothy Huffine, et al, owners.

**Staff Recommendation: Approve with conditions.**

**The Metropolitan Planning Commission deferred 2020S-110-001 to the July 23, 2020, Planning Commission meeting. (8-0)**

**14. 2020HL-005-001  
206 6<sup>TH</sup> AVENUE NORTH AND 530 CHURCH STREET**

Council District 19 (Freddie O'Connell)  
Staff Reviewer: Abbie Rickoff

A request to apply a Historic Landmark Overlay District on property located at 202 6th Avenue North (Site A, 0.08 acres) and on property located at 530 Church Street (Site B, 0.11 acres), at the northeast corner of 6th Avenue North and Church Street, zoned DTC and located within the Capitol Mall Redevelopment District Overlay (0.19 total acres), requested by Barge Design Solutions, applicant; Cornerstone Associates, LLC, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Apply a Historic Landmark Overlay District.**

Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District on property located at 202 6th Avenue North (Site A, 0.08 acres) and on property located at 530 Church Street (Site B, 0.11 acres), at the northeast corner of 6th Avenue North and Church Street, zoned Downtown Code (DTC) and located within the Capitol Mall Redevelopment District Overlay (0.19 total acres).

**Existing Zoning**

Downtown Code (DTC) is the underlying base zoning and is designed for a broad range of residential and non-residential activities associated with an economically healthy, socially vibrant, and sustainable Downtown.

**Proposed Overlay**

Historic Landmark Overlay District (HL) is applied to a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

### **DOWNTOWN COMMUNITY PLAN**

T6 Downtown Core (T6 DC) is intended to maintain and enhance the “core” of Downtown such that it will remain the commercial, civic, and entertainment center of Nashville and Middle Tennessee. T6 DC is intended to have the highest intensity of development in the County. Offices are the predominant type of development, although the T6 DC contains a diverse array of land uses including retail, entertainment, institutional uses, government services, and higher density residential. The highest intensity development is in the central portion of the Core (north of Broadway), with less intensive uses locating in the surrounding “frame” area of T6 DC, in the SoBro neighborhood.

### **Supplemental Policy**

The site is located within a supplemental policy which was created to provide additional guidance for specific areas within the downtown community plan. The supplemental policy, 09-T6-DN-CORE-01, is the densest neighborhood in Downtown and is intended to accommodate a mix of uses. Within the Core, and primarily within the Historic Core, there are a number of historic structures that figure prominently into Nashville’s history and are unique building types in the country. The Core is also home to several historic structures that housed some of the earliest banks and commercial institutions in Nashville. Many of the goals within the supplemental policy are directed at the protection and preservation of existing historic structures within the Historic Core, including:

- There is an area with an especially high concentration of historic structures and a National Register Landmark District, including the Arcade and Printer’s Alley. It is the intent to preserve these historic structures to the greatest extent possible, to support their adaptive reuse, and to ensure that new development within the area complements the context of the historic structures.
- A Historic Preservation Overlay District is recommended for the Historic Core.

### **REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) considered this application at its June 17, 2020, meeting and recommended approval. MHZC staff provided the following background information:

#### Site A (202 6<sup>th</sup> Avenue North)

202 Sixth Avenue North is significant for its Art Deco commercial architecture. It is also significant for its connection to the development of Nashville in the early- to mid-twentieth century, particularly with its association to the Rich, Schwartz & Joseph and later Harvey’s stores. Its survival into the twentieth-first century is remarkable given the changes to downtown Nashville over the last one hundred years.

In 1983, the structure was listed in the National Register of Historic Places as part of the Fifth Avenue Historic District. Changes to the building since that time have not altered its contributory status. The structure therefore meets the requirements of Section 17.36.120 for a landmark overlay.

No exterior alterations are currently planned.

#### Site B (530 Church Street)

530 Church Street is significant for its late nineteenth century commercial architecture. It is also significant for its connection to the development of Nashville in the late nineteenth to early twentieth century, particularly with its association with the famed Harvey’s Department store. Its survival into the twentieth century is remarkable given the changes to downtown Nashville over the last one hundred years.

In 1977, the structure was listed in the National Register of Historic Places as part of the Fifth Avenue Historic District. Changes to the building since that time have not altered its contributory status. The structure therefore meets the requirements of Section 17.36.120 for a landmark overlay.

No exterior alterations are currently planned.

**Recommendation:** Staff suggests that the Metro Historic Zoning Commission recommend approval of the historic landmark to the Planning Commission and Metro Council and the adoption of the existing Historic Landmark Design Guidelines to apply to exterior alterations. Staff finds that the building is listed in in the National Register of Historic Places as a contributing building to the Fifth Avenue Historic District, and therefore meets the requirements of section 17.36.120. for a landmark overlay.

### **METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On June 17, 2020, the Metro Historic Zoning Commission reviewed the request and recommended approval of the Historic Landmark designation for Site A and Site B. In addition, they adopted the existing design guidelines for Historic Landmarks to guide changes on the properties.

**STAFF RECOMMENDATION**

The proposed Historic Landmark Overlay District is intended to preserve the historic structures on the properties through the implementation of development guidelines by the Metro Historic Zoning Commission and Staff. The policy and supplemental policy encourage the protection and preservation of historic structures in the downtown core. Staff recommends approval of the Historic Landmark Overlay District.

**Approve. Consent Agenda. (7-0-1)**

**Resolution No. RS2020-153**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020HL-005-001 is **approved. (7-0-1)**”

- 15. 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: Approve with conditions.**

**APPLICANT REQUEST**

**Amend a Neighborhood Landmark Overlay District.**

Neighborhood Landmark Overlay District

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 Single-Family Residential (RS20) and One and Two-Family Residential (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.

**Existing Zoning**

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

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

Urban Design Overlay (UDO) is intended to allow for the application and implementation of special design standards with the intent of achieving a sense of place by fostering a scale and form of development that emphasizes sensitivity to the pedestrian environment, minimizes intrusion of the automobile into the built environment, and provides for the sensitive placement of open spaces in relationship to building masses, street furniture and landscaping features in a manner otherwise not insured by the application of the conventional bulk, landscaping and parking standards of the Zoning Code. *The site is located in the Downtown Donelson UDO.*

Neighborhood Landmark Overlay District (NLOD) is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood or community.

**HISTORY**

In 2017, Metro Council approved BL2017-773, which created a Neighborhood Landmark Overlay District for property located at 2250, 2254, and Lebanon Pike (unnumbered) and Revere Place (unnumbered). This designation recognizes the unique characteristics that a structure contributes to the community and identifies the feature as a critical component of the neighborhood context and structure. In 2018, a plan was approved to permit up to 15 bed and breakfast units in the two existing structures on site, mansion tours, and an innkeeper’s cottage.

**PLAN DETAILS**

The 5.92 acre site is located on the north side of Lebanon Pike, east of Briley Parkway. This property is located at the northeast corner of Briley Parkway and Lebanon Pike. Lebanon Pike is an active arterial-boulevard that includes various residential and commercial uses.

There are several existing structures on the southern half of the site: The Belair Mansion, is on the west side of the property, an inn keeper's cottage to the east of the mansion, and on the eastern property line is a guest house. There is a parking lot with 44 parking spaces located between these structures and Lebanon Pike.

The requested amendment to the Neighborhood Landmark District will permit two additional bed and breakfast units, for a total of 17 bed and breakfast units on site, permit the construction of a special events center and create additional parking. One of the proposed bed and breakfast units will be located in the existing guest house and one will be located within the mansion. The proposed 9,500 square foot event center will be located north of the mansion. An additional 86 parking spaces are proposed to the north and east of the event center, on the northeastern portion of the site. The additional parking will provide a total of 133 spaces on the site. The proposed parking is adjacent to existing residential development. The proposal includes a 20 foot landscape buffer to the north of the parking, and a five foot landscape buffer to the south of the proposed parking.

The site has an existing vehicular entrance on Lebanon Pike, which would remain with this proposal. The existing drive would be extended to the north, connecting to the proposed parking on the northeastern area of the plan.

#### **ANALYSIS**

In NL overlay districts, the Zoning Code allows Council to permit land uses not permitted under the underlying zoning district, which in this instance are R8 and RS20, provided that the Planning Commission determines that they are compatible and sensitive to abutting properties. In addition to revising the uses, a Neighborhood Landmark Development Plan requires a recommendation by the Planning Commission and must include design standards to ensure the compatibility of the proposed plan with surrounding uses.

Staff finds the proposed expansion of the existing bed and breakfast use and the proposed event center is compatible within this Neighborhood Landmark due to its location, the proposed buffer between the property and adjacent residential areas, the location of the parking, and the overall mixture of uses along this corridor. This proposal does not negatively impact the historic features of the site and contributes to the feature as a valuable asset to the community.

#### **STORMWATER RECOMMENDATION**

##### **Approve**

#### **FIRE MARSHAL RECOMMENDATION**

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

- Limited building details or construction information provided. Future construction must comply with all applicable fire and building codes and may require changes to the project. Any additional fire code or access issues will be addressed prior to permitting for construction.

#### **WATER SERVICES RECOMMENDATION**

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

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

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

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

- In order to preserve the historic nature of the property, the existing project access on Lebanon Pike should remain with its current laneage.
- Because Lebanon Pike is a major arterial roadway that serves as a primary commuter route, events at Belair Mansion should be limited to weekends. Specifically, the project site should not contribute any traffic volumes along the frontage of the project site during the PM peak hour of typical weekday commuter traffic on Lebanon Pike.
- Based on the calculations conducted for the purposes of this study, an event on the property, as it exists with the 47 existing parking spaces, can accommodate a maximum capacity of 82 guests without providing off-site parking and shuttling. For events larger than 82 guests, additional parking will be needed off-site, consistent with Section 17.20.090 of The Code of the Metro Government of Nashville and Davidson County. Under these conditions, guests must be shuttled to and from the project site.
- Based on the calculations conducted for the purposes of this study, an event on the property, as it will be with the construction of 84 new parking spaces on-site, will be able to accommodate a maximum capacity of 250 guests without providing off-site parking and shuttling. For events larger than 250 guests, additional parking will be needed off-site, consistent with Section 17.20.090 of The Code of the Metro Government of Nashville and Davidson County. Under these conditions, guests must be shuttled to and from the project site.
- If rideshare/uber traffic is allowed, developer shall provide traffic officers as needed to direct traffic on site.



- Appropriate traffic officers shall be provided to reduce the queueing of entering traffic on Briley Parkway during events.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 17 bed and breakfast units, a 9,500 square foot event center, mansion tours, and an innkeeper’s cottage.
2. Vehicular access along Lebanon Pike shall be limited to the one existing curb cut shown on the site plan.
3. There shall be no pole or monument signs and all signs shall meet the CN zoning requirements and be limited to 24 square feet.
4. All conditions of BL2017-773 apply.
5. The building permit plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

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

**Resolution No. RS2020-154**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2017NHL-002-003 is **approved with conditions. (8-0)**

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 17 bed and breakfast units, a 9,500 square foot event center, mansion tours, and an innkeeper’s cottage.
2. Vehicular access along Lebanon Pike shall be limited to the one existing curb cut shown on the site plan.
3. There shall be no pole or monument signs and all signs shall meet the CN zoning requirements and be limited to 24 square feet.
4. All conditions of BL2017-773 apply.
5. The building permit plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

**16. 2020RAS-001-001**

BL2020-316/Larry Hagar  
Council District 11 (Larry Hagar)  
Staff Reviewer: Patrick Napier

A request to apply a Residential Accessory Structure Overlay District to various properties located along Brandywine Drive, Montchanin Road, Montchanin Terrace, Willow Bough Lane, Barley Mill Road, Rising Sun Court, Rising Sun Terrace, Rising Sun Lane, Cherry Branch Lane, Rolling Mill Road, Louviers Lane, Kennett Road, Kennett Court, Rolling Mill Court, and Shute Lane, zoned RS30 (343.38 acres), and a request to amend Section 17.36.610 of the Metro Zoning Code related to the application for Residential Accessory Structure Overlay District, requested by Metro Councilmember Larry Hagar, applicant; various owners.

**Staff Recommendation: Approve amendments to Title 17 and approve the overlay.**

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

**17. 2020Z-059PR-001**

Council District 31 (John Rutherford)  
Staff Reviewer: Amelia Lewis

A request to rezone from AR2a to RM15 zoning for properties located at 5215 Blue Hole Road and Blue Hole Road (unnumbered), approximately 545 feet north of Bell Road (3.87 acres), requested by Catalyst Design Group, applicant; Michael Thomas, owner.

**Staff Recommendation: Approve.**

## **APPLICANT REQUEST**

### **Zone change from AR2a to RM15.**

#### Zone Change

A request to rezone from Agricultural/Residential (AR2a) to Multi-Family Residential (RM15) zoning for properties located at 5215 Blue Hole Road and Blue Hole Road (unnumbered), approximately 545 feet north of Bell Road (3.87 acres).

#### **Existing Zoning**

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

#### **Proposed 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 58 units.*

## **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.

## **ANALYSIS**

The site is located on the west side of Blue Hole Road, north of the intersection of Blue Hole Road and Bell Road. The properties to the south and southeast of the site, at the intersection, are zoned Commercial Limited (CL) and Commercial Services (CS). The properties to the north and west of the site have been primarily developed with multi-family development. Some of these properties are within Planned Unit Developments (PUD) with underlying zoning districts of Residential Multifamily, RM9 and RM15 zoning districts. The property to the east across Blue Hole Road is zoned AR2a.

The requested zoning district is consistent with for the intent of T3 NE policy to establish moderate density residential development. The policy guidance for considering when increased intensity is appropriate includes the site's location in relation to centers and corridors, the size of the site, environmental conditions on and near the site, and the character of adjacent Transect and policy areas will be considered.

The site is located just north of the intersection of two arterial roads. The development to the south of the site is commercial, which is appropriate for the intersection. The properties to the north and the west have been developed with multi-family development. These sites have developed at approximately 9 units/acre and 15 units/acre. The proposed zoning district is compatible with the existing surrounding development. The site is approximately 3.8 acres which would permit a maximum of 58 units. The site is likely large enough to accommodate an increase in development.

Existing environmental conditions on the site are indicated by the CO Policy on site. This policy is primarily due to steep slopes on the edges of the site. The majority of the center of the site does not have steep slopes. In order to meet the policy guidance for the conservation areas, future development should be located on areas not affected by steep slopes.

## **FIRE MARSHAL RECOMMENDATION**

### **Approve with conditions**

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

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- A traffic study may be required at the time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (210)	3.87	0.5 D	2 U	19	2	2

\*Based on two-family lots

Maximum Uses in Proposed Zoning District: **RM15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	3.87	15 D	58 U	398	29	37

Traffic changes between maximum: **AR2a and RM15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+56 U	+379	+27	+35

**METRO SCHOOL BOARD REPORT**

Projected student generation existing AR2a district: 0 Elementary 0 Middle 0 High

Projected student generation proposed RM15 district: 8 Elementary 6 Middle 4 High

The proposed RM15 zoning is anticipated to generate 18 more students than the existing AR2a zoning district. Students would attend Maxwell Elementary School, Marshall Middle School, and Cane Ridge High School.

**STAFF RECOMMENDATION**

Staff recommends approval.

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

**Resolution No. RS2020-155**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-059PR-001 is **approved. (8-0)**

**18. 2020Z-076PR-001**

Council District 21 (Brandon Taylor)

Staff Reviewer: Jason Swaggart

A request to rezone from RS5 to R6-A zoning for property located at 2416 Alameda Street, approximately 150 east of 25th Avenue North (0.15 acres), requested by A Way Up LLC, applicant and owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

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

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential – Alternative (R6-A) zoning for property located at 2416 Alameda Street, approximately 150 east of 25th Avenue North (0.15 acres).

**Existing Zoning**

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

**Proposed Zoning**

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

lots, and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. R6-A would permit a maximum of two residential units.

**NORTH NASHVILLE COMMUNITY PLAN**

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

**ANALYSIS**

The subject property is located on the north side of Alameda Street between 24<sup>th</sup> Avenue North and 25<sup>th</sup> Avenue North. The property is approximately 0.15 acres and contains a single-family home. An alley is located at the rear of the property. Surrounding land uses consist primarily of single-family residential with some two-family residential and vacant land.

T4 Neighborhood Evolving policy in this location allows moderate density that will enhance the pedestrian realm and provide additional housing choices. The R6-A zoning district is at the lower end of the range of zonings supported by T4 NE policy and is consistent with the policy at this location as it provides design criteria such as raised foundations, alley only access and appropriate building placement in addition to diversity of housing.

**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.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	0.15	8.712 D	1 U	10	1	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (210)	0.15	7.26 D	2 U	19	2	2

\*Based on two-family lots

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

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

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RS5 district: 0 Elementary 0 Middle 0 High  
 Projected student generation proposed R6-A district: 0 Elementary 0 Middle 0 High

The proposed R6-A zoning is not expected to generate more students than the existing RS5 zoning district. Students would attend Park Avenue Elementary School, McKissack Middle School, and Pearl-Cohn High School.

**STAFF RECOMMENDATION**

Staff recommends approval.

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-076PR-001 is **approved. (8-0)**

**19. 2020Z-077PR-001**

Council District 02 (Kyonzté Toombs)  
Staff Reviewer: Amelia Lewis

A request to rezone from RS5 to RM15-A-NS zoning for property located at 1527 Baptist World Center Drive, approximately 260 feet southeast of Seminary Street (0.34 acres), requested by Simons Properties LLC, applicant; Samuel Walker, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from RS5 to RM15-A-NS.**

Zone Change

A request to rezone from Single-Family Residential (RS5) to Residential Multi-Family Alternative-No STRP (RM15-A-NS) zoning for property located at 1527 Baptist World Center Drive, approximately 260 feet southeast of Seminary Street (0.34 acres).

**Existing Zoning**

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

**Proposed Zoning**

RM15-Alternative (RM15-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. The -NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property - Not-Owner Occupied uses from the district. *RM15-A-NS would permit a maximum of five units.*

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

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

Supplemental Policy

This site is located within the Haynes Trinity Small Area Plan area of the Bordeaux-Whites Creek-Haynes Trinity Community Plan area. The intent of the supplemental policy is to create and enhance neighborhoods with greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques.

**ANALYSIS**

The 0.34 acre site is located on the east side of Baptist World Center Drive, south of the intersection of Baptist World Center Drive and Seminary Street. Alley #1056 is adjacent to the rear property line of the site. The site is currently vacant. The area to the north of the site is zoned RS5 and has been developed with one and two-family structures. The area to the south along Baptist World Center drive contains Specific Plan- Mixed Use (SP-MU) properties on both sides. There are several vacant properties in the surrounding area.

T4 NE policy areas will have higher densities and/or smaller lot sizes, with a broader range and integrated mixture of housing types, providing housing choice, than some surrounding urban neighborhoods. When considering higher intensity zoning districts, allowing for higher density residential building types placed in relation to corridors and centers adds value to neighborhoods by growing the market and demand for consumer services and the demand for transit.

The proposed zoning district is consistent with the intent of the policy to provide a residential use along a corridor. This is also consistent with the surrounding residential character of the area. Given the size of the site, no more than five units are permitted on site, to permit additional density at a neighborhood scale. The site has frontage along an arterial street, Baptist World Center Drive. The Haynes-Trinity Plan calls for a potential alley along the rear of the site. The alternative standards of the zoning district requires that vehicular access is provided from the alley, in keeping both with the supplemental policy's goal to improve connectivity and the urban standards of the policy.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	0.34	8.712 D	2 U	19	2	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	0.34	20 D	6 U	44	3	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+25	+1	+2

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed RM15-A-NS district: 1 Elementary 1 Middle 1 High

The proposed RM15-A-NS zoning is anticipated to generate three more students than the existing RS5 zoning district. Students would attend Lillard Elementary School, Joelton Middle School, and Whites-Creek High School.

**STAFF RECOMMENDATION**

Staff recommends approval.

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

**Resolution No. RS2020-157**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-077PR-001 is **approved. (8-0)**"

**20. 2020Z-078PR-001**

Council District 19 (Freddie O'Connell)

Staff Reviewer: Abbie Rickoff

A request to rezone from CS to MUL-A-NS zoning for properties located at 1300 and 1304 Jefferson Street, at the northwest corner of 14th Avenue North and Jefferson Street and located with the Jefferson Street Redevelopment District Overlay (0.34 acres), requested by Fulmer Engineering, applicant; WWCD QOZB, LLC, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from CS to MUL-A-NS.**

Zone Change

A request to rezone from Commercial Service (CS) to Mixed Use Limited-Alternative-No STRP (MUL-A-NS) zoning for properties located at 1300 and 1304 Jefferson Street, at the northwest corner of 14th Avenue North and Jefferson Street and located with the Jefferson Street Redevelopment District Overlay (0.34 acres).

**Existing Zoning**

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

Mixed Use Limited-Alternative-No STRP (MUL-A-NS) is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. The -NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property - Not-Owner Occupied uses from the district.

**NORTH 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.

Supplemental Policy Area

The site is within a supplemental T4 CM policy area (08-T4-CM-01) which applies to the portions of Jefferson Street from 26<sup>th</sup> Avenue east to 9<sup>th</sup> Avenue, where some properties do not have enough depth to accommodate development as envisioned. The SPA provides development guidance for these properties by addressing building form and site design. Where the supplemental policy is silent, guidance from the base T4 CM policy applies.

**ANALYSIS**

The site comprises 0.34 acres on two parcels and is located south of Scovel Street, at the northwest corner of 14<sup>th</sup> Avenue North and Jefferson Street. The site has direct frontage on Jefferson Street, an arterial-boulevard designated by the Major and Collector Street Plan (MCSP), and 14<sup>th</sup> Avenue North, a local street. Alley #557 forms the northern boundary of the site, providing rear access to the site. The larger parcel contains a commercial use and the smaller parcel, located to the west, is vacant. The surrounding area along Jefferson Street contains a mixture of commercial and non-residential uses, with a moderate concentration of vacant properties located between Jefferson Street and I-40, to the north.

The site is located within a larger area of T4 CM policy, which spans both sides of Jefferson Street. The T4 CM policy prioritizes higher-intensity mixed use and commercial uses along prominent corridors where additional intensity may be supported. The MCSP identifies Jefferson Street as an arterial-boulevard and a long-term need, high capacity transit corridor, where there is a focus on enhancing transportation infrastructure with improved access management. The site is serviced by an existing MTA bus route and several bus stops in proximity to the site. Alley #557, which runs along the back of the site, and 14<sup>th</sup> Avenue North, which runs along the side, allow the site to be accessed and parked away from the corridor, minimizing new conflict points.

The proposed MUL-A-NS district supports uses that are consistent with the goals of the policy to create vibrant mixed use areas with an urban, pedestrian-friendly form. Uses permitted by MUL-A-NS zoning include residential and mixed-use development, which will help to support existing and future transit services, and the Alternative district standards will provide building placement and design standards intended to achieve an urban character and enhance the pedestrian realm.

**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.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Transportation study may be required at time of development.

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.34	0.6 F	8,886 SF	564	29	61

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	0.18	1.0 F	7 U	52	4	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.08	1.0 F	3,484 SF	222	12	24

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (931)	0.08	1.0 F	3,484 SF	293	3	28

Traffic changes between maximum: CS and MUL-A-NS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+3	-10	-5

**METRO SCHOOL BOARD REPORT**

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

**STAFF RECOMMENDATION**

Staff recommends approval.

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

**Resolution No. RS2020-158**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-078PR-001 is **approved. (8-0)**"

**21. 94P-020-004**

**FEDEX (REVISION AND FINAL)**

Council District 03 (Jennifer Gamble)

Staff Reviewer: Joren Dunnavant

A request to revise a preliminary plan and for final site plan approval for property located at 3301 Knight Drive, approximately 260 feet north of Briley Parkway, zoned IWD and partially located within a Planned Unit Development Overlay District (96.22 acres), to permit a 4,040 square foot building addition and additional parking, requested by FedEx Ground Package System Inc., applicant; Caleast Nat LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

Revise a portion of the Planned Unit Development and for final site plan approval to permit a 4,040 square foot building addition and additional parking.



### Revise PUD and Final Site Plan

A request to revise a preliminary plan and for final site plan approval for property located at 3301 Knight Drive, approximately 260 feet north of Briley Parkway, zoned Industrial Warehousing/Distribution (IWD) and partially located within a Planned Unit Development Overlay District (96.22 acres), to permit a 4,040 square foot building addition and additional parking.

### **Existing Zoning**

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

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

### **BACKGROUND**

The PUD was originally approved in 1995 for 230,000 square feet of industrial use. The PUD was revised in 1998 to allow an additional 2,913 square feet of industrial use. The PUD was then again revised in 2017 to allow for an additional 2,365 square feet of industrial use.

### **PLAN DETAILS**

The 96 acre-site is located on Knight Drive, approximately 260 feet north of Briley Parkway and currently developed with 235,278 square feet of industrial use buildings. The proposed 4,040 square foot building expansion will be an expansion to an existing 3,175 square foot building. The parking addition will be approximately 78 spaces at the south-western most corner of the site. Knight Drive is identified as a collector on the Major and Collector Street Plan. A landscape plan has been included to buffer the parking areas from the remainder of the site and to provide screening between the site and the private road, Fed Ex Ground Drive. The proposed landscape plans meet the landscaping criteria of the preliminary PUD.

### **ANALYSIS**

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

G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous Zoning Code and remaining a part of the official zoning map upon the enactment of this title.

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120 (A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
  - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
  - b. The boundary of the planned unit development overlay district is not expanded;
  - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
  - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
  - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
  - f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
  - g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
  - h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
  - i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically

authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.

- j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
- m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

This request can be considered a minor modification because there is no proposed change in land use or development type beyond that permitted by approved Planned Unit Development Overlay district and the total floor area of the industrial classification of the PUD is not increasing more than ten percent beyond the total floor area last approved by council. As proposed, the plan is consistent with the Council approved plan, and meets all the criteria for being considered a minor modification.

**FIRE MARSHAL RECOMMENDATION**

**Approve**

**STORMWATER RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

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

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- MWS recommends approval, on the following condition: 1) Approval does not apply to private water and sewer line design. Plans for these must be submitted and approved through a separate review process with Metro Water Permits, before their construction may begin. 2) A minimum of 30% of capacity fees must be paid before issuance of building permits. (See Capacity fee Permit #'s T2020030515 and T202003518).

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

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

**Approve with conditions. Consent Agenda. (7-0-1)**

**Resolution No. RS2020-159**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 94P-020-004 is approved with conditions. (7-0-1)**

**CONDITIONS**

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

**22. 123-83P-001  
CANYON RIDGE, PHASE 3 (REVISION AND FINAL)**

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

A request to revise the preliminary plan and final site plan approval for property located at Edge O Lake Drive (unnumbered), at the northwest corner of Edge O Lake Drive and Pebble Creek Drive, zoned R10 and within a Planned Unit Development Overlay District (22.02 acres), to permit 124 multi-family units, requested by Land Solutions Company LLC, applicant; Starwood Properties Five LLC, owner.

**Staff Recommendation: Approve with conditions.**

**The Metropolitan Planning Commission deferred 123-83P-001 to the July 23, 2020, Planning Commission meeting. (8-0)**

**23. 2012NL-001-003  
SMOKIN THIGHS (REVISION)**

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

A request for an amendment to a Neighborhood Landmark Overlay District on property located at 611 and 609 Wedgewood Avenue, approximately 260 feet west of Bransford Avenue (0.48 acres), zoned R6 and within a Neighborhood Landmark Overlay District, to add a second story to an existing restaurant, requested by S+H Group, applicant; Carney Estates, LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST  
Amend a Neighborhood Landmark Overlay District.**

Neighborhood Landmark Overlay District

A request for an revision to a Neighborhood Landmark Overlay District (NLOD) on property located at 611 and 609 Wedgewood Avenue, approximately 260 feet west of Bransford Avenue (0.48 acres), zoned One and Two-Family Residential (R6) and within a Neighborhood Landmark Overlay District, to add a second story to an existing restaurant.

**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.

Neighborhood Landmark Overlay District (NLOD) is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood or community.

**HISTORY**

In 2012, Metro Council approved BL2012-173, which created a Neighborhood Landmark Overlay District for property located at 609 and 611 Wedgewood Avenue. This designation recognizes the unique characteristics that a structure contributes to the community and identifies the feature as a critical component of the neighborhood context and structure. In 2014, a plan was approved to permit a full service restaurant within the existing structure on site.

**PLAN DETAILS**

The 0.48-acre site is located at 611 and 609 Wedgewood Avenue, 260 feet west of Bransford Avenue, along the south side of Wedgewood Avenue. Wedgewood Avenue is designated as arterial boulevard within the Major and Collector Street Plan. Wedgewood Avenue contains various residential and commercial uses and the surrounding land use pattern contains a diverse mixture of housing, consisting of single, two-family and multi-family housing. There are several commercial uses located nearby consisting of various light manufacturing, self-service storage, and general office uses.

The requested revision to the Neighborhood Landmark District will permit a second story for the existing structure, improvements to the current parking layout, a covered patio, and sidewalks along the frontage of the site. The addition will result in a total of 2,682 square feet for the restaurant, which represents an increase of approximately 800 square feet. The second story proposed within the site plan will limit the maximum height to 2 stories in 30 feet.

The site has two points of access to Wedgewood Avenue and both are proposed to remain with this amendment. The internal drive will contain directional striping for the internal parking area to improve circulation within the rear parking area of the site. The site plan proposes a minimum of 32 parking spaces within the rear portion of the site and relocates 5 head in parking spots located in front of the existing structure. The majority of the parking will be screened by a retaining wall along the east, west and south property lines. The parcel to the immediately to the west of this site contains a community garden.

Staff finds the proposed expansion of the existing restaurant use is compatible within this Neighborhood Landmark due to its location within an urban setting. The context of the existing use within the surrounding neighborhood, proposed retaining walls for screening, and the limited bulk of the improvements will ensure the compatibility within the neighborhood. This proposal does not negatively impact the existing structure and will provide for the continued contribution of the business as an asset to the community.

#### **FIRE MARSHAL RECOMMENDATION**

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

- Limited building details provided. Any additional fire access or fire code related issues will be addressed prior to construction permitting.

#### **PUBLIC WORKS RECOMMENDATION**

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

- Final constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions. Following approval of final plans by MPW, a recorded copy of any ROW dedications will need to be submitted to MPW for Bldg. permit approval.
- Coordinate w/ metro planning on sidewalk ordinance requirements along Wedgewood Ave. Ref. MCSP.

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

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

- Revise driveway layout to comply with Metro Zoning Code.

#### **STORMWATER RECOMMENDATION**

##### **Approve**

#### **WATER SERVICES RECOMMENDATION**

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

- A minimum of 30% of capacity fees must be paid before issuance of building permits.

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

#### **CONDITIONS**

1. Vehicular access along Wedgewood Avenue shall be limited to the two driveway connections shown on the site plan.
2. Any proposed signage must meet the standards for the CL zoning district.
3. The building permit plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

#### **Approve with conditions. Consent Agenda. (7-0-1)**

##### **Resolution No. RS2020-160**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2012NL-001-003 is **approved with conditions.**  
(7-0-1)

#### **CONDITIONS**

1. Vehicular access along Wedgewood Avenue shall be limited to the two driveway connections shown on the site plan.
2. Any proposed signage must meet the standards for the CL zoning district.
3. The building permit plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated

outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

**24. 2020DTC-038-001**  
**645 DIVISION RESIDENTIAL**

Council District 19 (Freddie O'Connell)  
Staff Reviewer: Eric Hammer

A request for an overall height modification for property located at 645 B Division Street, approximately 360 feet east of 8th Avenue South, zoned DTC (1.28 acres), to permit a 20 story building, requested by Barge Cauthen and Associates, applicant, Tim Reynolds, owner.

**Staff Recommendation: Approve with conditions or defer without all conditions.**

**APPLICANT REQUEST**

**Modification of overall height standards of the DTC, Gulch South Subdistrict, to allow twenty stories of building height where ten is permitted by right.**

DTC Overall Height Modification

A request for a modification of overall building height on property located at 645 Division Street, within the Gulch South Subdistrict of the Downtown Code (DTC).

**Existing Zoning**

Downtown Code (DTC) is the underlying base zoning and is designed for a broad range of residential and non-residential activities associated with an economically healthy, socially vibrant, and sustainable Downtown.

**PROJECT OVERVIEW**

The project proposes a 20-story mixed-use building consisting of 430 residential units, 27,050 square feet of office space, 5,650 square feet of retail space, and both underground and structured parking for a total of 364 vehicular parking spaces. The ground floor of the building is lined with active uses and pedestrian entrances.

**PLAN DETAILS**

The property is located south of the intersection of Division Street and 7<sup>th</sup> Avenue South near the Division Street Bridge. Access for the project is taken from Division Street, at an access point aligning with the intersection of Division Street and 7<sup>th</sup> Avenue South, a dead-end street. A motorcourt to the west of the site allows for drop-off and access to the parking garage. All loading and service operations will occur at the rear of the site.

**OVERALL HEIGHT MODIFICATION PROCESS**

The process for an Overall Height Modification is outlined in the DTC as follows:

1. The Executive Director of the Planning Department shall determine whether the development has made reasonable efforts to use all appropriate bonuses available in the Bonus Height Program.
2. The applicant shall hold a community meeting providing notices to all property owners within 300 feet.
3. The Planning Commission shall review the modification request and may grant additional height for exceptional design, including but not limited to unique architecture, exceptionally strong streetscape, and improvement of the project's relationship to surrounding properties.

**OVERALL HEIGHT MODIFICATION ANALYSIS**

Bonus Height Program

In the Gulch South Subdistrict, an additional six stories may be earned, up to a maximum of sixteen stories, through use of the Bonus Height Program. A Determination Letter, signed by the Executive Director of the Planning Department, is attached to this staff report and states the development has made reasonable efforts to use all appropriate bonuses available in the Bonus Height Program. Efforts include fulfilling requirements of the Public Parking, Pervious Surfaces, Upper Floor Garage Liner, and Underground Parking bonuses, as well as committing to earn LEED.

Community Meeting

The applicant held a virtual community meeting on June 1, 2020 and sent notices to properties within 300 feet. Several questions were answered and no members of the public expressed opposition. This meeting was recorded and is viewable. A letter of support was received after this meeting.

Downtown Code Design Review Committee Meeting

The Downtown Code Design Review Committee (DTC DRC) convened on June 4, 2020 and voted (with none opposed) to conceptually approve the project and approve modifications to the required 15-foot step-back. The committee also voted (with none opposed) to recommend approval to modify the overall height to 20 stories with conditions recommended by staff.

### Unique Architecture

The following architectural qualities contribute to unique design:

- Proposed materials are either custom-made or otherwise high quality.
- The treatment of the interstate-facing parking structure is enhanced well beyond the requirements of the DTC. This facade uses a green screen to effectively screen the cars within the garage.
- At the recommendation of staff, the massing of the tower has been “split” into two movements which are connected by narrow walkways with transparent glass. The intent of this is to allow light to pass through between the buildings, making the massing seem less wall-like and imposing.

### Enhanced Streetscape

- The project uses a plaza with both passive pedestrian-level amenities with outdoor seating and the potential for outdoor dining. The DTC notes this property as “open space deficient” and this green space and plaza enhances the streetscape without interfering with the off-street bicycle facilities currently on Division Street.

### Improvement of Project’s Relationship to Surrounding Properties

- Although the number of surrounding properties is somewhat limited due to the presence of the Division Street Bridge, extensive railroad rights-of-way, and fork of I-40 and I-65, the viewsheds from Fort Negley are impacted by a building at this location. The quality and durability of the materials used and the curvilinear architecture being utilized will create an improved viewshed from Fort Negley in contrast to what could be otherwise constructed within the standards and height limitations of the DTC.

### Supplemental Policy Considerations

In addition to these considerations, this property is part of a supplemental policy (09-T6-DN-GS-Division Street) that was put in place after the construction of the Division Street Bridge. Supplemental Policy is put in place within a Community Plan when areas need more specific guidance than is included in the Community Character Manual. It reads as follows:

*Properties along the Division Street Extension may be considered for high-rise building height (20 stories and taller) in exchange for public benefits provided by the development, including, but not limited to, affordable and workforce housing, the Downtown Code’s Bonus Height Program, modification processes, or rezoning to a Specific Plan. Building design should also result in a unique architecture that seeks to improve the public realm and city skyline.*

The construction of the bridge, which improved mobility throughout the Gulch South and Pietown neighborhoods, transformed this section of Division from a dead end into a major mobility corridor. This project is maximizing the DTC bonuses available to the site and proposes using the overall height modification process to achieve a height that is mentioned specifically within the supplemental policy as acceptable for this site.

### **STAFF RECOMMENDATION**

The project offers unique qualities and architectural expression in its site design, building massing, and overall aesthetic. The supplemental policy for the property also strongly supports the specific height requested and supports the proposed methods for obtaining the additional height. Several conditions are recommended to ensure that bonus height actions and critical site elements are addressed according to the standards of the DTC. Staff recommends approval with the following conditions and deferral without all conditions:

### **CONDITIONS**

1. The project shall obtain a minimum of LEED Silver certification, as described within the LEED section of the DTC.
2. All trees within the plaza open space shall be accommodated in the manner described within the DTC open space standards.
3. All bonus height actions identified in this application, including those that require a deed or restrictive covenant, shall be approved prior to building permit approval.
4. The developer shall propose an agreement for reasonable public access (e.g. hours of operation and other operational expectations) to the privately-owned, publicly accessible open space. This shall be reviewed by Metro Planning and Metro Legal prior to the issuance of building permits.

### **Approve with conditions. Consent Agenda. (7-0-1)**

#### **Resolution No. RS2020-161**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020DTC-038-001 is **approved with conditions.** (7-0-1)

### **CONDITIONS**

1. The project shall obtain a minimum of LEED Silver certification, as described within the LEED section of the DTC.
2. All trees within the plaza open space shall be accommodated in the manner described within the DTC open space standards.

3. All bonus height actions identified in this application, including those that require a deed or restrictive covenant, shall be approved prior to building permit approval.
4. The developer shall propose an agreement for reasonable public access (e.g. hours of operation and other operational expectations) to the privately-owned, publicly accessible open space. This shall be reviewed by Metro Planning and Metro Legal prior to the issuance of building permits.

**25. 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: Approve with conditions or defer without all conditions.**

**APPLICANT REQUEST**

**Modification of overall height standards of the DTC, Lafayette Subdistrict, to allow thirty stories of building height where twelve is permitted by right.**

DTC Overall Height Modification

A request for a modification of overall building height on property located at 700, 711 and 712 Lea Avenue and 410, 500 and 512 8th Avenue South, within the Lafayette Subdistrict of the Downtown Code (DTC).

**Existing Zoning**

Downtown Code (DTC) is the underlying base zoning and is designed for a broad range of residential and non-residential activities associated with an economically healthy, socially vibrant, and sustainable Downtown.

**PROJECT OVERVIEW**

The project proposes a 30-story office building consisting of 535,000 square feet of office space, 15,000 square feet of retail space, and both underground and structured parking for a total of 1,172 vehicular parking spaces. The ground floor of the building is lined with active uses and pedestrian entrances. A privately-owned, publicly accessible open space is proposed at the Korean Veterans Boulevard Roundabout with pedestrian seating and cutting gardens.

**PLAN DETAILS**

The property is located south of the intersection of Lafayette and 8<sup>th</sup> Avenue South, directly on the Korean Veterans Roundabout. The property is also adjacent to Lea Avenue, which is recommended for closure by the Downtown Code. Access for the project is taken from several locations, including a new expanded public alley aligning with Palmer Avenue, a right-in, right out access on Lafayette, and a temporary exit onto Lea Avenue. Service and loading occur from the new expanded alley to the south of the site. A new traffic signal light is proposed at the off-set intersections of Drexel and Cannery Row. Pick-up and drop-off will occur within an internal circulation pattern.

In the future, it is anticipated that the Lea Avenue access point and (right-of-way generally) will close fully and that the expanded alley that is proposed to align with Palmer will be widened by future redevelopment to the east of this site. In the short-term, an existing north-south alley between this property and Drexel will be improved to allow better circulation.

**OVERALL HEIGHT MODIFICATION PROCESS**

The process for an Overall Height Modification is outlined in the DTC as follows:

4. The Executive Director of the Planning Department shall determine whether the development has made reasonable efforts to use all appropriate bonuses available in the Bonus Height Program.
5. The applicant shall hold a community meeting providing notices to all property owners within 300 feet.
6. The Planning Commission shall review the modification request and may grant additional height for exceptional design, including but not limited to unique architecture, exceptionally strong streetscape, and improvement of the project's relationship to surrounding properties.

**OVERALL HEIGHT MODIFICATION ANALYSIS**

Bonus Height Program

In the Lafayette Subdistrict for properties with frontage on Lafayette Street, an additional four stories may be earned, up to a maximum of sixteen stories, through use of the Bonus Height Program.

A Determination Letter, signed by the Executive Director of the Planning Department, is attached to this staff report and states the development has made reasonable efforts to use all appropriate bonuses available in the Bonus Height Program. Efforts include fulfilling requirements of the Public Parking, Open Space, Pervious Surfaces, Upper Floor Garage Liner, and Underground Parking bonuses, as well as committing to earn LEED Silver certification.

#### Community Meeting

The applicant held a virtual community meeting on May 27, 2020 and sent notices to properties within 300 feet. Several questions were answered and no members of the public expressed opposition. This meeting was recorded and is viewable. Several letters of support were received after this meeting.

#### Metropolitan Development and Housing Agency Design Review Committee Meeting

The Metropolitan Development and Housing Agency Design Review Committee (MDHA DRC) convened on June 2, 2020 and voted (with none opposed) to conceptually approve the project and approve modifications to the required 15-foot step-back, ground floor-to-floor height, and curvilinear frontage standards. As the northern portion of the property is within the Gateway Boulevard Urban Design Overlay, which is administered by MDHA, the committee also voted to grant a modification to expand the number of stories of structured parking allowed from three to six. The committee also voted (with none opposed) to recommend approval to modify the overall height to 30 stories.

#### Downtown Code Design Review Committee Meeting

The Downtown Code Design Review Committee (DTC DRC) convened on June 4, 2020 and voted (with none opposed) to conceptually approve the project and approve modifications to the required 15-foot step-back and ground floor-to-floor height. The committee also voted (with none opposed) to recommend approval to modify the overall height to 30 stories.

#### Input from Metro Departments

Metro Public Works has worked with this applicant to evaluate access and mobility needs, both adjacent to this property and within the neighborhood. A series of mobility improvements, including a traffic signal at Drexel Street and improvements to the 7<sup>th</sup> and Lafayette intersection are proposed as part of this project. A traffic study is currently under review by Metro Public Works.

#### Unique Architecture

The following architectural qualities contribute to unique design:

- The architecture of the building relates directly to the Stix public art in the center of the Korean Veterans Roundabout, providing a unique building at the terminated vista of 8<sup>th</sup> Avenue S. at the roundabout.
- Proposed materials are either custom-made or otherwise high quality.
- The landscape architecture of the publicly accessible open space at the base of the structure near the roundabout is unique and is not common within the Downtown Core. This area is noted by the Downtown Code as having an open space deficiency.

#### Enhanced Streetscape

- The project uses both retail space and publicly accessible open space to activate the sidewalk corridor. The open space includes passive and active recreational and relaxation spaces, that serve not only the tenants of this building, but also the neighborhood.
- The project fully complies with the Major and Collector Street Plan and proposes several off-site improvements, which are currently being evaluated by Metro Public Works.
- Applicant has agreed to discuss coordinating bus stop locations with WeGo Public Transit.

#### Improvement of Project's Relationship to Surrounding Properties

- Drexel Street will be signalized as part of the access reconfiguration proposed by this project in consultation with Planning and Metro Public Works.
- The intersection of 7<sup>th</sup> and Lafayette will receive mobility improvements as part of this project in consultation with Planning and Metro Public Works.

#### **STAFF RECOMMENDATION**

The project offers unique qualities and architectural expression in its site design, building massing, and overall aesthetic and staff recommends approval of the modifications requested. Staff is entertaining this overall height modification solely due to its prominent location on the Korean Veterans Boulevard Roundabout. This roundabout serves as a focal point for both the SoBro and Lafayette subdistricts and a coherent urban design strategy should address all sides of this important element. Future overall height modification requests along 8th Avenue South would not be generally appropriate without a detailed policy review of the larger neighborhood context. Staff recommends approval with the following conditions and deferral without all conditions:

#### **CONDITIONS**

1. Any street or alley closures or encroachments shall be approved by Metro Council through the mandatory referral process.



2. The applicant shall coordinate with WeGo Public Transit on existing and future transit stops on 8<sup>th</sup> Avenue South.
3. Final design of the proposed signal at Drexel and improvements to the 7<sup>th</sup> Avenue South and Lafayette intersection shall be coordinated with and approved by Metro Public Works.
4. All bonus height actions identified in this application, including those that require a deed or restrictive covenant, shall be approved prior to building permit approval.
5. The developer must propose an agreement for reasonable public access (e.g. hours of operation and other operational expectations) to the privately-owned, publicly accessible open space. This shall be reviewed by Metro Planning and Metro Legal prior to the issuance of building permits.
6. Subsequent and substantial changes to the massing of this building shall be reviewed and approved by the Planning Commission.

Mr. Hammer presented the staff recommendation of approval with conditions or deferral without all conditions.

Ms. Blackshear recused herself from this item.

Jeff Kuhnhenh with Gresham Smith spoke in favor of the application.

Kim Hawkins with Hawkins Partners spoke in favor of the application.

Shannon Hunt, 209 5<sup>th</sup> Ave S, expressed concerns with language in the staff report and requested clarification.

Doug Sloan, 6354 Torrington Dr, spoke in favor of the application.

**Mr. Haynes closed the Public Hearing.**

Mr. Tibbs spoke in favor of the application; this really engages the pedestrian and the height is appropriate. This is the right way to go.

Dr. Sims spoke in favor of this very exciting project but suggested a review of the Downtown Code.

Councilmember Murphy spoke in favor of the application; it is a very well thought out project.

Mr. Lawson spoke in favor of this unique project and is looking forward to a review of the Downtown Code.

Ms. Johnson expressed appreciation for the design and detail, especially the publicly accessible open space that is privately owned and maintained. This is a great project.

Mr. Gobbell spoke in favor of the application and expressed agreement with Dr. Sims to go back and visit the Downtown Code.

**Mr. Gobbell moved and Mr. Tibbs seconded the motion to approve with conditions. (7-0-1) Ms. Blackshear recused herself.**

**Resolution No. RS2020-162**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020DTC-031-001 is **approved with conditions. (7-0-1)**

**CONDITIONS**

1. Any street or alley closures or encroachments shall be approved by Metro Council through the mandatory referral process.
2. The applicant shall coordinate with WeGo Public Transit on existing and future transit stops on 8<sup>th</sup> Avenue South.
3. Final design of the proposed signal at Drexel and improvements to the 7<sup>th</sup> Avenue South and Lafayette intersection shall be coordinated with and approved by Metro Public Works.
4. All bonus height actions identified in this application, including those that require a deed or restrictive covenant, shall be approved prior to building permit approval.
5. The developer must propose an agreement for reasonable public access (e.g. hours of operation and other operational expectations) to the privately-owned, publicly accessible open space. This shall be reviewed by Metro Planning and Metro Legal prior to the issuance of building permits.
6. Subsequent and substantial changes to the massing of this building shall be reviewed and approved by the Planning Commission.

## 26a. 2020SP-019-001

### CROSSINGS MIXED USE DEVELOPMENT

Council District 32 (Joy Styles)

Staff Reviewer: Amelia Lewis

A request to rezone from AR2a to SP zoning for properties located at Mt. View Road (unnumbered) and Crossings Boulevard (unnumbered) and a portion of property located at Crossings Boulevard (unnumbered), approximately 200 feet east of Hickory Hollow Parkway and within a Commercial Planned Unit Development (18.88 acres), to permit a mixed use development, requested by Catalyst Design Group LLC, applicant; V2 Capital LLC and Metro Gov't, owners (see associated case 84-87P-007).

**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 Agricultural/Residential (AR2a) to Specific Plan – Mixed Use (SP-MU) zoning for properties located at Mt. View Road (unnumbered) and Crossings Boulevard (unnumbered) and a portion of property located at Crossings Boulevard (unnumbered), approximately 200 feet east of Hickory Hollow Parkway and within a Commercial Planned Unit Development (19.08 acres), to permit a mixed use development.

#### **Existing Zoning**

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

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

#### **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.

### ANTIOCH-PREST LAKE COMMUNITY PLAN

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

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.

#### **PLAN DETAILS**

The approximately 19 acre site is located north of the intersection of Old Franklin Road and Crossings Boulevard. The site is bounded by a CSX rail line to the north and Hickory Hollow Parkway to the west. To the east is a Metro owned property, a portion of which is used to provide access to the SP.

The SP site includes two existing parcels of property and a part of a parcel to the east. The first parcel, which will be referred to as the west parcel within this report, is approximately 13.52 acres located on the west side of Crossings Boulevard, which bisects the SP area north to south. The second parcel, which will be referred to as the east parcel within this report, is approximately 5 acres located on the east side of Crossings Boulevard. The part of a parcel is a strip of land south of the east parcel. This area of land serves as the vehicular drive entrance to the east parcel.

The plan proposes a mixed-use development that permits 550 multi-family residential units and 35,000 square feet of non-residential uses. The permitted uses include multi-family residential and all uses of Commercial Limited (CL) with the exception of: Alternative Financial Services, Automobile Sales, Beer and Cigarette Market, Power/Gas Substation, and Construction/Demolition Waste Processing. The proposed mix of residential units is 291 1-bedroom & studio units, 226 2-bedroom units, and 33 3-bedroom units.

A total of 15 buildings are proposed for the SP. The west parcel contains buildings A through J and a clubhouse/leasing building as shown on the site plan. Buildings A, B, and J are oriented Crossings Boulevard. The other buildings are located in the interior of the site. There are two vehicular drives proposed for the west parcel. One entrance is located midway through the site, between Buildings A and B. Buildings A and B contain live/work units which front the northern entrance drive into the west parcel. These units have individual entrances and short-term angled parking provided along the entrance drive to serve the live/work units. The SP includes standards for the proposed live work units, including limited hours, area of units, and signage. There is a second vehicular entrance at the south east corner of the west parcel. Amenities for the west parcel include a pool, a clubhouse, and the leasing office. Buildings E, F, G, and J are served by tuck under parking, where the entrance to a parking garage is provided at the rear of the building, with residential units at grade on the frontages of the building.

The east parcel contains buildings K through M and a stand alone commercial and retail building. The east parcel is accessed via a private drive aligned with the entrance on the west parcel. Building K, which permits first floor retail, fronts the proposed private drive. The commercial/retail building and Building M front Crossings Boulevard. The stand alone commercial and retail building on the east parcel is limited to 1.5 stories and 30 feet in height.

Buildings A, B, L, M, and K are limited to 4 stories. Buildings C, D, E, F, G, H, I & J are limited to 3 stories. The site plan included in this report identifies all residential uses with yellow, and non-residential areas in red. Architectural standards, including materials and glazing, are included in the plan.

In accordance with the Major and Collector Street Plan (MCSP), an eight foot wide sidewalk and six foot wide planting strip are proposed on the east side of Crossings Boulevard. The final site plan is required to meet the same MCSP conditions on the west side of Crossings Boulevard. The interior of the SP is served by five and six foot wide sidewalks throughout.

Per code, and with the anticipated uses on site, a total of 941 vehicular spaces are required. The proposed number of vehicular parking spaces is 756, which averages out to 1.4 spaces per unit.

## **ANALYSIS**

T3 CM policy is applied to prominent suburban arterial boulevard and collector-avenue corridors with adequate transportation capacity where there is an expressed interest in evolving to a balanced mixture of residential and commercial land uses along the corridor and providing opportunity for an evolving development pattern in regard to the size, scale, and density.

This SP site is unique in that it is able to address both sides of the existing corridor, Crossings Boulevard. The proposed mixed-use development, with a variety of unit types and non-residential opportunities support the goal of the policy to create a balanced mixture of residential and commercial land uses along the corridor.

The proposed height and orientation of buildings and uses is consistent with the policy. The policy states that buildings of all types are generally one to three stories tall but taller buildings may locate at major intersections along arterial-boulevard streets that are sufficiently wide to avoid the effect of a building overshadowing the street. The proposed layout shows buildings fronting Crossings Boulevard as well as frontage along the entrances to the east and west parcels. A majority of the buildings along the corridor are four stories in height, with buildings internal to the site shown as three stories.

There are three vehicular access points proposed along Crossings Boulevard. The policy guidance for access includes the limited placement of curb cuts to minimize vehicular conflict points. If possible, access into developments is aligned, as coordinated access and circulation create a corridor that functions as a whole instead of as separate building sites. As shown, two of the entrances are aligned. With the proposed alignment and limited number of curb cuts, the flow along the corridor is managed and the potential impact to the pedestrian realm is also minimized.

Currently, the site plan does not meet the standards of the MCSP nor the pedestrian goals of the policy, which would go further to enhance the pedestrian realm by providing eight foot wide sidewalks and six foot wide planting strips along both sides of the corridor. The adherence to these requirements is a condition of approval.

The CO policy on site is largely due to an existing stream buffer that runs north-south through the site. Buildings are shown out of the required stormwater buffers. The Metro Stormwater Department has reviewed the proposed plans and has recommended approval.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

- Final constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions. Following approval of final plans by MPW, a recorded copy of any ROW dedications will need to be submitted to MPW for Bldg. permit approval.
- Final construction plans and road grades shall comply with the design regulations established by the Department of Public Works. Ref. MPW street design standards and specifications(min/max grades, profiles, etc.) prior to submitting final SP plans.
- For final SP approval, coordinate w/ planning on sidewalks/grass strip requirements, per MCSP, along West side of Crossings Blvd.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Comply with TIS recommendations.
- Provide parking per metro code or submit Parking study that supports 185 parking space reduction prior to final SP approval.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	42.42	0.5 D	42 U	469	35	45

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	-	-	550 U	4118	241	270

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)	-	-	35,000 SF	2222	112	240

Traffic changes between maximum: **AR2a and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+5871	+318	+465

**METRO SCHOOL BOARD REPORT**

Projected student generation existing AR2a district: 2 Elementary 2 Middle 2 High

Projected student generation proposed SP-MU district: 60 Elementary 50 Middle 39 High

The proposed SP zoning may generate 143 more students than the existing AR2a zoning district. Students would attend Eagle View Elementary School, Antioch Middle School, and Cane Ridge High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

- Permitted uses shall be limited to a maximum 550 multi-family residential units and 35,000 square feet of non-residential uses. Non-residential uses include those permitted within the CL zoning district, with the exception of Alternative Financial Services, Automobile Sales, Beer and Cigarette Market, Power/Gas Substation, and Construction/Demolition Waste Processing, which shall be prohibited within the SP. Short term rental property – owner-occupied and short term rental property – not owner-occupied shall be prohibited.
- On the corrected copy, update sidewalks and grass strips on both sides of Crossings Boulevard to meet the minimum requirements of the Major and Collector Street Plan.
- On the corrected copy, revise Private Street to Private Drive.
- On the corrected copy, establish public access easement across the Private Drive.
- On the corrected copy, update acreage to include the part of parcel 417 included in the SP.
- Comply with all conditions and requirements of Metro reviewing agencies.
- The façade of any commercial building facing toward a public street and located within a distance of 50 feet from the street right-of-way shall provide a minimum of 20% glazing on that particular façade.
- Buildings A, B, K, L, and M are limited to 4 stories in height, buildings C, D, E, F, G, H, I, and J are limited to 3 stories in height, and stand alone commercial buildings are limited to 35 feet in height.
- The primary materials allowable for use on the commercial and residential building(s) are brick, natural or synthetic stone, architectural block, stucco, metal panels, glass storefront and masonry siding. The material palette may also include EIFS as a secondary material for no greater than 20% of any one building façade.
- Any residential building facades fronting a street shall provide a minimum of 20% glazing.
- All buildings will avoid continuous uninterrupted blank facades at a minimum, the façade plan shall be interrupted by one of the following for every twenty-five (25) feet of street frontage, open spaces, and parking areas:
  - A change in the building material
  - A horizontal undulation in the building façade
  - A porch, stoop, or balcony
- The architectural massing at buildings A and B will incorporate a roofline elevation change at the corner of Crossings Boulevard and the interior access boulevard. The heightened roofline in these areas will incorporate architectural overhands where appropriate as well as materials and façade treatments consistent with the architectural façade notes. These corner “elements” are meant to create a threshold at the development entry. The entry “elements” can be expected to be a minimum of 20’-0” wide by 20’-0” deep.
- 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.

14. 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.
15. 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 MUG-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
16. 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.
17. 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.
18. 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.
19. 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.

Items 26a and 26b were heard and discussed together.

Councilmember Styles spoke in favor of the application and noted there has been three community meetings on this.

Jeff Heinze, Catalyst Design Group, spoke in favor of the application.

Tracey Ford, EOA Architects, spoke in favor of the application.

**Mr. Haynes closed the Public Hearing.**

Mr. Gobbell spoke in favor of the application; it's a good solution for the area.

Ms. Johnson spoke in favor of the application.

Mr. Lawson spoke in favor of the application.

Councilmember Murphy spoke in favor of the application.

Dr. Sims spoke in favor of the application.

Mr. Tibbs spoke in favor of the application, appreciates the approach taken with this.

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

**Resolution No. RS2020-163**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2020SP-019-001 is **approved with conditions or disapproved without all conditions. (8-0)**

**CONDITIONS**

1. Permitted uses shall be limited to a maximum 550 multi-family residential units and 35,000 square feet of non-residential uses. Non-residential uses include those permitted within the CL zoning district, with the exception of Alternative Financial Services, Automobile Sales, Beer and Cigarette Market, Power/Gas Substation, and Construction/Demolition Waste Processing, which shall be prohibited within the SP. Short term rental property – owner-occupied and short term rental property – not owner-occupied shall be prohibited.
2. On the corrected copy, update sidewalks and grass strips on both sides of Crossings Boulevard to meet the minimum requirements of the Major and Collector Street Plan.
3. On the corrected copy, revise Private Street to Private Drive.
4. On the corrected copy, establish public access easement across the Private Drive.
5. On the corrected copy, update acreage to include the part of parcel 417 included in the SP.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. The façade of any commercial building facing toward a public street and located within a distance of 50 feet from the street right-of-way shall provide a minimum of 20% glazing on that particular façade.

8. Buildings A, B, K, L, and M are limited to 4 stories in height, buildings C, D, E, F, G, H, I, and J are limited to 3 stories in height, and stand alone commercial buildings are limited to 35 feet in height.
9. The primary materials allowable for use on the commercial and residential building(s) are brick, natural or synthetic stone, architectural block, stucco, metal panels, glass storefront and masonry siding. The material palette may also include EIFS as a secondary material for no greater than 20% of any one building façade.
10. Any residential building facades fronting a street shall provide a minimum of 20% glazing.
11. All buildings will avoid continuous uninterrupted blank facades at a minimum, the façade plan shall be interrupted by one of the following for every twenty-five (25) feet of street frontage, open spaces, and parking areas:
  - a. A change in the building material
  - b. A horizontal undulation in the building façade
  - c. A porch, stoop, or balcony
12. The architectural massing at buildings A and B will incorporate a roofline elevation change at the corner of Crossings Boulevard and the interior access boulevard. The heightened roofline in these areas will incorporate architectural overhangs where appropriate as well as materials and façade treatments consistent with the architectural façade notes. These corner “elements” are meant to create a threshold at the development entry. The entry “elements” can be expected to be a minimum of 20'-0” wide by 20'-0” deep.
13. 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.
14. 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.
15. 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 MUG-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
16. 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.
17. 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.
18. 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.
19. 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.

## 26b. 84-87P-007

### THE CROSSINGS PUD (CANCELLATION)

Council District 32 (Joy Styles)

Staff Reviewer: Amelia Lewis

A request to cancel a portion of a Commercial Planned Unit Development Overlay District for properties located at Mt. View Road (unnumbered), Crossings Boulevard (unnumbered), and a portion of property located at Crossings Boulevard (unnumbered), approximately 200 feet east of Hickory Hollow Parkway (18.88 acres), requested by Catalyst Design Group LLC, applicant; V2 Capital LLC and Metro Gov't, owners (see associated case 2020SP-019-001).

**Staff Recommendation: Approve if the associated preliminary SP is approved and disapprove if the associated preliminary SP is not approved.**

### APPLICANT REQUEST

**Cancel a portion of an existing PUD.**

#### PUD Cancellation

A request to cancel a portion of a Commercial Planned Unit Development Overlay District (PUD) for properties located at Mt. View Road (unnumbered), Crossings Boulevard (unnumbered), and a portion of property located at Crossings Boulevard (unnumbered), approximately 200 feet east of Hickory Hollow Parkway (19.08 acres).

#### **Existing Zoning**

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of Title 17. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a

framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. *The PUD controls uses on the property. This PUD permits a variety of commercial and office uses.*

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

#### **ANTIOCH-PRIEST LAKE COMMUNITY PLAN**

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

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.

#### **PUD HISTORY**

The original PUD was approved in 1984 for over a million square feet of commercial and office uses. The PUD has been revised numerous times throughout the years.

#### **PLAN DETAILS**

The 18.52 acre site is located north of the intersection of Old Franklin Road and Crossings Boulevard. The site is bounded by a CSX rail line to the north and Hickory Hollow Parkway to the west. A site plan for a mixed-use development is proposed with the associated case, 2020SP-019-001.

#### **ANALYSIS**

The originally approved PUD was intended to have a mix of office and commercial uses. The current T3 CM policy for the site calls for a mixed-use corridor design. Residential is not a permitted use within the PUD. The cancellation of the PUD would allow the corridor to develop with a mixed-use development, as called for within the policy.

#### **FIRE MARSHAL RECOMMENDATION**

**Approve**

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

**Approve**

#### **STAFF RECOMMENDATION**

Staff recommends approval if the associated preliminary SP is approved. If the associated preliminary SP is not approved, staff recommends disapproval.

Ms. Lewis presented the staff recommendation of approval if the associated preliminary SP is approved and disapproval if the associated preliminary SP is not approved.

Items 26a and 26b were heard and discussed together.

Councilmember Styles spoke in favor of the application and noted there has been three community meetings on this.

Jeff Heinze, Catalyst Design Group, spoke in favor of the application.

Tracey Ford, EOA Architects, spoke in favor of the application.

#### **Mr. Haynes closed the Public Hearing.**

Mr. Gobbell spoke in favor of the application; it's a good solution for the area.

Ms. Johnson spoke in favor of the application.

Mr. Lawson spoke in favor of the application.



Councilmember Murphy spoke in favor of the application.

Dr. Sims spoke in favor of the application.

Mr. Tibbs spoke in favor of the application, appreciates the approach taken with this.

**Mr. Gobbell moved and Mr. Tibbs seconded the motion to approve if the associated preliminary SP is approved and disapprove if the associated preliminary SP is not approved. (8-0)**

**Resolution No. RS2020-164**

"BE IT RESOLVED by The Metropolitan Planning Commission that 84-87P-007 is **approved. (8-0)**

**27. 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: Approve with conditions.**

**APPLICANT REQUEST**

**Final plat to create four single-family residential lots.**

Final Plat

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 Single-Family Residential (RS10) (0.98 acres).

**Existing Zoning**

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

**PLAT DETAILS**

The approximately one acre property is located on the east side of Farris Avenue in the Neeley's Bend area of Madison. The property currently contains one single-family home. The area immediately surrounding the property is zoned RS10 and is mostly made up of single-family homes. As proposed, all lots are approximately 10,033 square feet.

**ANALYSIS**

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 in regards to setbacks, sidewalks, etc. Staff recommends approval with conditions as the proposed subdivision meets the requirements of the Subdivision Regulations.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Approve**

## **TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

## **WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Plans for this must be submitted and approved through a separate review process with Metro Water Permits before construction may begin.
- Capacity must be reserved before issuance of building permits for new lots.
- Water provided by Madison Suburban Utility District.

## **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

## **CONDITIONS**

1. Access shall be limited to a maximum of two driveways total to serve all 4 lots. Prior to recordation, the plat must identify shared access that shall have final approval from Planning staff and the Metro Traffic Engineer. A note shall be added to the plat indicating that access is limited to two driveways.
2. Delete note 17 and replace with: Landscaping and tree density requirements per Metro Zoning Ordinance.
3. If the existing house is to remain, then add the following note to the plat: No building permits shall be issued for structures that do not comply with all requirements of the Zoning Code, except for permits for routine maintenance of the existing structure.
4. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.
5. Comply with all conditions and requirements of Metro agencies.

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

Brian McCain, applicant, spoke in favor of the application.

Gloria Stanford, Farris Ave, spoke in opposition to the application

Terry (last name unclear), 409 Farris Ave, spoke in opposition to the application.

Kenya Sharpe, 406 Farris Ave, spoke in opposition to the application due to concerns with stormwater and flooding, the potential of these to become rental property, and the concern that aesthetically they don't fit with the area.

Maxine Bradley, 410 Farris Ave, spoke in opposition to the application due to concerns with flooding, increased traffic, and safety issues.

Patricia Jones, 402 Farris Ave, spoke in opposition to the application.

The applicant explained that they will address all stormwater drainage issues.

Councilmember Hancock explained that she has heard nothing but concerns from the neighbors in this area. There have been no community meetings on this, but the neighbors would support two, not four, homes on this property, which she is in agreement with.

## **Mr. Haynes closed the Public Hearing.**

Dr. Sims suggested deferral to allow the Councilmember to have more interaction with the neighbors.

Councilmember Murphy stated that it would be reasonable to require sidewalks on these four lots.

Mr. Lawson also suggested deferral to allow more discussion. These lots are very narrow.

Ms. Johnson spoke in favor of deferral to allow the Councilmember to have more discussion with the neighbors.

Mr. Gobbell spoke in favor of deferral; the lots are very narrow.

Mr. Tibbs spoke in favor of deferral; this would completely disrupt the community.

Councilmember Murphy spoke in favor of a deferral as this is not harmonious to the area; there could be other options here for

**Councilmember Murphy moved and Mr. Lawson seconded the motion to defer to the July 23, 2020 Planning Commission meeting. (8-0)**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020S-054-001 is **Deferred to the July 23, 2020, Planning Commission meeting. (8-0)**

**28. 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 four 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: Approve with conditions.**

**APPLICANT REQUEST**

**Request for final plat approval to create four lots.**

Final Plat

A request for final plat approval to create four lots on property located at Westchester Drive (unnumbered), approximately 700 feet west of Dickerson Pike, zoned Single-Family Residential (RS20) (6.7 acres).

**Existing Zoning**

Single-Family Residential (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre. *Based on acreage alone, RS20 would permit a maximum of 14 lots. The application of the Subdivision Regulations results in fewer lots.*

**Community Character Manual Policy**

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

**PLAN DETAILS**

The site is located on the south side of Westchester Drive, east of the intersection of Oxbow Drive and Westchester Drive. The surrounding properties are zoned RS20 and have been developed with single-family structures. The lot to the west has been developed with a religious institution. The proposal is to create four lots. The four proposed lots have the following area and frontage along Westchester Drive:

- Lot 1: 44,428 square feet (1.02 acres) and 88.0 feet of frontage.
- Lot 2: 47,579 square feet (1.09 acres) and 88.0 feet of frontage.
- Lot 3: 50,187 square feet (1.15 acres) and 88.0 feet of frontage.
- Lot 4: 147,097 square feet (3.38 acres) and 88.1 feet of frontage.

**ANALYSIS**

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

Zoning Code

Each proposed lot meets the minimum standards of the Single-Family Residential (RS20) zoning district.

Street Frontage

Each proposed lot has frontage on a public street.

Compatibility

Section 3-5.2 of the Subdivision Regulations outlines criteria for determining compatibility for property located in Neighborhood Maintenance policy areas. “Surrounding parcels” is defined as the five parcels oriented to the same block face on either side of the parcel proposed for subdivision, or to the end of the same block face, whichever is less. The three RS20 lots to the east and the five RS20 lots to the west, with the exception of the adjacent church lot, were used in this evaluation.

Based on the surrounding parcels, the minimum lot frontage along Westchester Drive was determined to be 73 feet and the minimum lot area would be 0.73 acres per lot. All of the proposed lots meet the requirements for frontage and area.

The four proposed lots are Critical Lots, as defined by the Subdivision Regulations, due to the presence of the floodplain. As required for critical lots in subdivisions, the finished floor elevations are provided for each lot.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Approve**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve 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**

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. A revised plat shall be provided to planning prior to recordation.
2. The revised plat shall update note 7 to include the four parcel numbers: 86-89.
3. The revised plat shall correct the Councilmember's name to Jennifer Gamble.

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

The applicant spoke in favor of the application.

Elise Hudson, 4605 Whites Creek Pike, expressed concerns that some issues with stormwater still haven't been addressed.

Lisa Johnson, 1134 Tuckahoe Dr, spoke in opposition due to stormwater and flooding concerns; this needs further discussion.

The applicant noted that they have deferred once before; they would prefer to move forward at this time.

**Mr. Haynes closed the Public Hearing.**

Steve Mishu, Metro Storm Water, explained that almost all the development will occur outside of the floodplain. Every house here will be built 4' above the 100 year floodplain minimum.

Councilmember Murphy expressed concerns with Lot 4; it is a very strange shaped lot.

Ms. Johnson spoke in opposition; she is not comfortable approving at this time.

Mr. Gobbell spoke in favor of the staff recommendation.

Mr. Tibbs spoke in favor of staff recommendation.

Dr. Sims spoke in favor of staff recommendation if we can add a setback condition.

Councilmember Murphy again expressed concerns with the Lot 4 layout and explained she would feel more comfortable with additional information.

Mr. Tibbs moved and Mr. Lawson seconded the motion to approve with conditions. (5-1-2) Dr. Sims voted against since the setback condition for compatibility was not added. Ms. Johnson and Councilmember Murphy abstained.

**Resolution No. RS2020-166**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020S-103-001 is **approved with conditions.** (5-1-2)

- 29. 2020S-041-001**  
**TULIP GROVE SUBDIVISION**  
Council District 11 (Larry Hagar)  
Staff Reviewer: Amelia Lewis

A request for concept plan approval to create 18 single-family lots and 5 two-family 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: Approve with conditions including a variance to the maximum length of a permanent dead-end and disapprove without all conditions.**

**The Metropolitan Planning Commission deferred 2020S-041-001 to the July 23, 2020, Planning Commission meeting. (8-0)**

- 30. 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: Reopen the public hearing. Disapprove.**

**APPLICANT REQUEST**  
**Zone change from SP and R40 to MUN-A.**

Zone Change

A request to rezone from Specific Plan (SP) and One and Two-Family Residential (R40) to Mixed Use Neighborhood – Alternative (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).

**Existing Zoning**

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

One and Two-Family Residential (R40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25 percent duplex lots. *R40 would permit a maximum of 42 residential lots with ten duplex lots for a total of 52 residential units.*

**Proposed Zoning**

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

**JOELTON COMMUNITY PLAN**

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains,

rare or special plant or animal habitats, wetlands, and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

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

### **ANALYSIS**

The application pertains to six properties totaling approximately 53 acres. The area lies south of the I-24 east bound off ramp and east bound entrance ramp and along a portion of Old Clarksville Pike to the south. Eaton's Creek Road is the closest street to the west and White's Creek Pike is to the east. The Joelton Community Center shares the eastern property line with part of the area requested to be rezoned. The site is mostly vacant but includes two single-family homes along Old Clarksville Pike. Approximately 15 acres is zoned SP. The SP was approved in 2018 for one residential unit, four lodging units and a wedding venue.

A public hearing was held on February 13, 2020. The staff recommendation was to approve. The Commission debated the appropriateness and timing of the proposed MUN-A zoning district. The Commission was concerned with the size of the area proposed to be rezoned and the amount of new development that it would permit in a predominately rural area that has inadequate infrastructure. The Commission deferred the request and asked that the councilmember continue working with the community. The Commission also asked for planning staff to take a closer look at the ramifications of applying MUN-A.

After further analysis as directed by the Commission, staff has concluded that the proposed MUN-A zoning district is not appropriate at this location at this time. The T2 NC policy may support MUN-A, but location is also a very important factor in determining appropriateness. The area proposed to be rezoned is accessed by rural two-lane roads and is adjacent to low density residential development. MUN-A is not appropriate due to the size of the area requested for rezoning and the scale of development that MUN-A would permit. Also, the Whites Creek Pike corridor is within the same T2 NC policy area. The corridor is zoned for commercial and includes various commercial uses. The corridor is underutilized and the existing commercial zoning districts along the corridor would permit additional development that could serve the community. Until the Whites Creek Pike commercial corridor is intensified and utilized to its potential, it is not appropriate to add additional commercial zoning districts that could direct development away from the underutilized corridor.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

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

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **Approve with conditions**

- A traffic study may be required at the time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.16	-	1 U	10	1	1

Maximum Uses in Existing Zoning District: **R40**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (220)	38.32	1.089 D	52 U	580	40	50

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	26.61	0.6 F	695 U	5214	301	332

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	13.31	0.6 F	347,870 SF	22080	1107	2380

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (931)	13.30	0.6 F	347,608 SF	29144	254	2712

Traffic changes between maximum: **SP, R40 and MUN-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+56182	+1659	+5384

**METRO SCHOOL BOARD REPORT**

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

**STAFF RECOMMENDATION**

Staff recommends disapproval.

Mr. Swaggart presented the staff recommendation of disapproval.

Councilmember Hall requested deferral of this Item, as well as Items 31a, 31b, 32a, and 32b.

Jim Midgett spoke in opposition to Items 30-32b and requested to keep the rural character of the area. There is not adequate infrastructure to handle this rezoning.

Mr. Skipworth, 4917 Rawlings Rd, spoke in opposition to Items 30-32b.

Donnie Skipworth, 4917 Rawlings Road, spoke in opposition to Items 30-32b.

Mark James, 2911 Morgan Rd, spoke in opposition to Items 30-32b.

**Mr. Haynes closed the Public Hearing.**

Mr. Gobbell stated that an SP would probably be more appropriate for this.

Ms. Blackshear spoke in favor of staff recommendation as this seems inappropriate for the area.

Mr. Tibbs spoke in favor of staff recommendation due to inadequate infrastructure; the area is not ready for this yet.

Dr. Sims spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation; this just isn't ready yet.

Mr. Lawson spoke in favor of staff recommendation due to inadequate infrastructure.

Ms. Johnson spoke in favor of staff recommendation due to inadequate infrastructure; the community has been very consistent in their opposition.

**Ms. Johnson moved and Mr. Lawson seconded the motion to disapprove. (8-0)**

**Resolution No. RS2020-167**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-007PR-001 is **disapproved. (8-0)**

**31a. 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: Disapprove.**

**APPLICANT REQUEST**

**Zone change from CS and RM20 to MUN-A.**

Zone Change

A request to rezone from Commercial Services (CS) and Multi-Family Residential (RM20) to Mixed Use Neighborhood-Alternative (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).

**Existing Zoning**

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

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre.

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.

### **Proposed Zoning**

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

### **JOELTON COMMUNITY PLAN**

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

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

### **ANALYSIS**

Staff's original recommendation was to approve. At the February 13, 2020, Planning Commission meeting, the Commission deferred this application with four other requests in the immediate area. The Commission held a public hearing for one of the applications, 2020Z-007PR-001, prior to its deferral. The Commission was concerned with the scale of new development that would be permitted by the combined request. The Commission asked that the councilmember continue working with the community. The Commission also asked for planning staff to take a closer look at the ramifications of applying MUN-A.

After further analysis, staff finds that the proposed MUN-A zoning district and the associated PUD cancellation are not appropriate. The existing CS zoning district and PUD overlay provide for the appropriate level of development at the subject location. The site is adjacent to the Whites Creek Pike commercial corridor. The corridor is underutilized and until the corridor is intensified and utilized to its potential, additional commercial intensity is not necessary.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

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

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **Approve with conditions**

- A traffic study may be required at the time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	20.82	0.6 F	23,125 SF	34538	1731	3722

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	11.06	0.6 F	289 U	2144	131	152

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	5.53	0.6 F	288,280 SF	18298	917	1972

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (931)	5.53	0.6 F	288,280 SF	24170	211	2249

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+9883	-484	+636

**METRO SCHOOL BOARD REPORT**

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

**STAFF RECOMMENDATION**

Staff recommends disapproval. Staff also recommends that the public hearing be reopened.

Mr. Swaggart presented the staff recommendation of disapproval.

Items 31a and 31b were heard and discussed together.

Mr. Skipworth, 4917 Rawlings Rd, spoke in opposition Jim Midgett spoke in opposition to Items 30-32b and requested to keep the rural character of the area. There is not adequate infrastructure to handle this rezoning.

to Items 30-32b.

Donnie Skipworth, 4917 Rawlings Road, spoke in opposition to Items 30-32b.

Mark James, 2911 Morgan Rd, spoke in opposition to Items 30-32b.

Councilmember Hall noted that nothing has changed since the Planning Department recommended approval.

**Mr. Haynes closed the Public Hearing.**

Ms. Johnson spoke in favor of staff recommendation.

Mr. Gobbell spoke in favor of staff recommendation.

Ms. Blackshear spoke in favor of staff recommendation.

Mr. Tibbs spoke in favor of staff recommendation.

Dr. Sims spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation.

**Mr. Lawson moved and Mr. Tibbs seconded the motion to disapprove. (8-0)**

**Resolution No. RS2020-168**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-008PR-001 is **disapproved. (8-0)**

**31b. 61-77P-004**

BL2020-140/Jonathan Hall

**GIFFORD COMMERCIAL PUD (CANCELLATION)**

Council District 01 (Jonathan Hall)

Staff Reviewer: Jason Swaggart

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

**Staff Recommendation: Disapprove.**

**APPLICANT REQUEST**

**Cancel PUD.**

PUD Cancellation

A request to cancel a Planned Unit Development Overlay District (PUD) 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 Commercial Services (CS) and Multi-Family Residential (RM20), (22.12 acres).

**Existing Zoning**

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

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre.

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.

**ANALYSIS**

The PUD overlay permits a variety of uses that are permitted by the CS and RM20 base zoning districts. Uses in the current PUD include a campground, motel, restaurant and various commercial uses. The PUD was originally approved in 1977 and has been revised several times in the past. In 2016, Council approved an amendment to allow a boarding house on one property in the PUD. The property was also rezoned to RM20, which was required for the boarding house use.

Staff is recommending disapproval of this PUD cancelation and the associated zone change. The original recommendation was to approve the cancelation and the zone change. The current recommendation is based on the revised recommendation for the associated zone change.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

#### **STORMWATER RECOMMENDATION**

**Approve**

#### **PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- Comply with MPW traffic engineer comments.

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

**Approve with conditions**

- If Fire department requires a secondary access road, an access study may be required.

#### **WATER SERVICES RECOMMENDATION**

**Approve**

#### **STAFF RECOMMENDATION**

Staff recommends disapproval.

Mr. Swaggart presented the staff recommendation of disapproval.

Items 31a and 31b were heard and discussed together.

Jim Midgett spoke in opposition to Items 30-32b and requested to keep the rural character of the area. There is not adequate infrastructure to handle this rezoning.

Mr. Skipworth, 4917 Rawlings Rd, spoke in opposition to Items 30-32b.

Donnie Skipworth, 4917 Rawlings Road, spoke in opposition to Items 30-32b.

Mark James, 2911 Morgan Rd, spoke in opposition to Items 30-32b.

Councilmember Hall noted that nothing has changed since the Planning Department recommended approval.

#### **Mr. Haynes closed the Public Hearing.**

Ms. Johnson spoke in favor of staff recommendation.

Mr. Gobbell spoke in favor of staff recommendation.

Ms. Blackshear spoke in favor of staff recommendation.

Mr. Tibbs spoke in favor of staff recommendation.

Dr. Sims spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation.

**Mr. Tibbs moved and Mr. Johnson seconded the motion to disapprove. (8-0)**

**Resolution No. RS2020-169**

"BE IT RESOLVED by The Metropolitan Planning Commission that 61-77P-004 is **disapproved. (8-0)**

**32a. 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: Disapprove.**

**APPLICANT REQUEST**

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

Zone Change

A request to rezone from Shopping Center Community (SCC) to Mixed Use Neighborhood-Alternative (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).

**Existing Zoning**

Shopping Center Community (SCC) is intended for moderate intensity retail, office, restaurant, and consumer service uses for a wide market area.

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.

**Proposed Zoning**

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

**JOELTON COMMUNITY PLAN**

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

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

**ANALYSIS**

The existing PUD was originally approved by the Planning Commission in 1998, and subsequently adopted by Metro Council the same year. The approved PUD permits general retail and restaurant uses with a maximum floor area of 204,800 square feet. The PUD applies to only a portion of the property. The portion outside of the PUD boundary is zoned RS40. No development has occurred under the PUD.

Staff's original recommendation was to approve. At the February 13, 2020, Planning Commission meeting, the Commission deferred this application with four other requests in the immediate area. The Commission held a public hearing for one of the applications, 2020Z-007PR-001, prior to its deferral. The Commission was concerned with the scale of new development that would be permitted by the combined request. The Commission asked that the councilmember continue working with the community. The Commission also asked for planning staff to take a closer look at the ramifications of applying MUN-A.

After further analysis, staff finds that the proposed MUN-A zoning district and the associated PUD cancelation are not appropriate. While the T2 NC policy may support MUN-A, the location is not appropriate. Given that the subject site can only be accessed by two lane rural roads and is surrounded by low density residential development, the existing SCC zoning district and PUD are not appropriate. Allowing for additional intensity would also not be appropriate. The Whites Creek Pike corridor is within the same T2 NC policy area. The corridor is zoned for commercial and includes various commercial uses. The corridor is underutilized and the existing commercial zoning districts along the corridor would permit additional development that could serve the community. Until the Whites Creek Pike commercial corridor is intensified and utilized to its potential, it is not appropriate to add additional commercial zoning districts that could direct development away from the underutilized corridor.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- A traffic study may be required at the time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Are/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	25.95	-	204,800 SF	35873	1798	3866

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	12.98	0.6 F	339 U	2522	153	176

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	6.49	0.6 F	169,622 SF	10766	540	1161

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (931)	6.48	0.6 F	169,361 SF	14200	124	1322

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-8385	-981	-1207

**METRO SCHOOL BOARD REPORT**

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

**STAFF RECOMMENDATION**

Staff recommends disapproval.

Mr. Swaggart presented the staff recommendation of disapproval.

Items 32a and 32b were heard and discussed together.

Jim Midgett spoke in opposition to Items 30-32b and requested to keep the rural character of the area. There is not adequate infrastructure to handle this rezoning.

Mr. Skipworth, 4917 Rawlings Rd, spoke in opposition to Items 30-32b.

Donnie Skipworth, 4917 Rawlings Road, spoke in opposition to Items 30-32b.

Mark James, 2911 Morgan Rd, spoke in opposition to Items 30-32b.

**Mr. Haynes closed the Public Hearing.**

**Mr. Tibbs moved and Ms. Johnson seconded the motion to disapprove. (8-0)**

**Resolution No. RS2020-170**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-009PR-001 is **disapproved. (8-0)**

**32b. 88P-029-001**

BL2020-133/Jonathan Hall

**JOELTON COMMERCIAL PUD (CANCELLATION)**

Council District 01 (Jonathan Hall)

Staff Reviewer: Jason Swaggart

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

**Staff Recommendation: Disapprove.**

**APPLICANT REQUEST**

**Cancel PUD.**

### PUD Cancellation

A request to cancel a Commercial Planned Unit Development Overlay District for a portion of property located at 7174 Whites Creek Pike, approximately 580 feet east of Eatons Creek Road, zoned Shopping Center Community (SCC), (25.95 acres).

### **Existing Zoning**

Shopping Center Community (SCC) is intended for moderate intensity retail, office, restaurant, and consumer service uses for a wide market area.

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.

### **ANALYSIS**

The existing PUD was originally approved by the Planning Commission in 1998, and subsequently adopted by Metro Council the same year. The approved PUD permits general retail and restaurant uses with a maximum floor area of 204,800 square feet. The PUD applies to only a portion of the property. The portion outside of the PUD boundary is zoned RS40. No development has occurred under the PUD.

Staff is recommending disapproval of this PUD cancellation and the associated zone change. The original recommendation was to approve the cancellation and the zone change. The current recommendation is based on the revised recommendation for the associated zone change.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

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

### **STORMWATER RECOMMENDATION**

#### **Approve**

### **PUBLIC WORKS RECOMMENDATION**

#### **Approve**

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **Approve**

### **WATER SERVICES RECOMMENDATION**



**Approve**

**STAFF RECOMMENDATION**

Staff recommends disapproval.

Mr. Swaggart presented the staff recommendation of disapproval.

Items 32a and 32b were heard and discussed together.

Jim Midgett spoke in opposition to Items 30-32b and requested to keep the rural character of the area. There is not adequate infrastructure to handle this rezoning.

Mr. Skipworth, 4917 Rawlings Rd, spoke in opposition to Items 30-32b.

Donnie Skipworth, 4917 Rawlings Road, spoke in opposition to Items 30-32b.

Mark James, 2911 Morgan Rd, spoke in opposition to Items 30-32b.

**Mr. Haynes closed the Public Hearing.**

**Mr. Tibbs moved and Mr. Lawson seconded the motion to disapprove. (8-0)**

**Ms. Blackshear and Mr. Tibbs left the meeting at 8:55 p.m.**

**Resolution No. RS2020-171**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 88P-029-001 is disapproved. (8-0)**

**33. 2001UD-002-011**

**1601 BROADWAY**

Council District 19 (Freddie O'Connell)

Staff Reviewer: Harriett Brooks

A request for a modification to the Music Row Urban Design Overlay District for properties located at 1601, 1605, and 1607 Broadway, at the southwest corner of 16th Avenue South and Broadway, zoned CF (0.77 acres), to permit a maximum building height of 316 feet, requested by Smith Gee Studio, applicant; Adams Cousins, Inc. and Harold Edward Jackson II ET AL, and Wentworth Caldwell, Jr. ET AL, owners.

**Staff Recommendation: Approve with conditions the request to modify height.**

**APPLICANT REQUEST**

**Modification of the height standard of the Music Row Urban Design Overlay.**

UDO Major Modification

A request for a modification to the Music Row Urban Design Overlay District for properties located at 1601, 1605, and 1607 Broadway, at the southwest corner of 16<sup>th</sup> Avenue South and Broadway, zoned Core Frame (CF) (0.77 acres), to permit a maximum building height of 316 feet.

**Existing Zoning**

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

Music Row Urban Design Overlay (UDO) implements economic and design recommendations as a result of the 1997 *Music Row Planning and Design Study* commissioned by the Metro Government. The UDO is intended to address the changing character of the area, physically enhance the area, and reposition it within the local real estate market. The design goals of the UDO are as follows:

- Reinforce a scale and form of development that emphasizes sensitivity to the pedestrian environment;
- Reinforce a scale and form of development that balances the needs of pedestrians with the benefits provided by automobile traffic;
- Accommodate the area's parking needs, while still maintaining a pedestrian-oriented urban environment;
- Provide for the strategic placement of public spaces in relationship to building masses, streetscapes, and landscaping features;
- Encourage active ground floor uses to animate the street, such as restaurants, shops, and services;
- Include the adaptive use and sensitive rehabilitation of existing buildings;

- Protect and enhance the economic viability of the area, as well as diversity of uses and activities.

**Existing Policy**

Music Row Vision Plan identifies the significance of and pressures facing Music Row, including the following:

- loss of notable character
- challenges to preservation;
- increasing land values;
- outdated office space;
- intrusion of multi-family;
- and prohibitive zoning for third-places.

The plan contains a broad range of recommendations and action steps to ensure that Music Row continues to be a vital hub of music business and innovation, and a unique creative cluster in the city.

**PLAN DETAILS**

The project proposes an approximately 27-story mixed-use tower consisting of residential units above structured parking with office and commercial uses along the lower levels. The building occupies a corner lot at the intersection of Broadway and 16<sup>th</sup> Avenue North. Vehicular access is from the alley and one right-in access point is located along Broadway. Service loading is also proposed along the alleyway. Two pedestrian entrances are located along Broadway and one pedestrian entrance is located along 16<sup>th</sup> Avenue North.

**ANALYSIS**

The applicant is seeking a modification to the height standard of the Music Row Urban Design Overlay (UDO). The overlay regulates height by stating that buildings with frontage on Broadway shall not exceed 150 feet at the build-to line. Meanwhile, the underlying base zoning district, Core Frame, requires a 1.5 vertical to 1 horizontal sky exposure plane to occur at a point after the maximum 150 feet height at the build-to line. The resulting effect of the sky-exposure plane is a tower form pushed away from the street, toward the interior property line, and is not related to any urban design objective. (see diagram below).

In lieu of a tower element located to the rear of the site, the applicant seeks to allow height permitted by the base zoning district to occur toward the front of the site, which aligns with the intent of the Core Subdistrict of the Music Row Urban Design Overlay. The resulting form of the building reinforces a prominent intersection and frames the street to create a distinguishable gateway building.

The property falls within the Core Subdistrict of the Music Row UDO, which encourages large scale development at this location. Due to the prominence of this location and the wide width of Broadway in this area, the UDO states that large scale development is appropriate.

In addition, the proposed project is located within the Music Row Vision Plan’s Center Character Area, intended “to promote growth with high-rise development containing a mixture of uses and commercial activity. The area offers a high-energy urban experience, with towers activated by engaging and inviting ground-floor retail”. This sub-district provides “the greatest flexibility in land use, building height, and intensity, more so than any other area within the Music Row boundary.”

Given that Core Frame zoning district does not accomplish urban design objectives of either the Music Row Urban Design Overlay or the Music Row Vision Plan, and the proposed design offers to generate a form in keeping with the intent of the Core Subdistrict, staff agrees the requested modification accomplishes the goals and objectives of the Music Row Urban Design Overlay.

**Analysis Summary:**

The proposed design is consistent with the UDO regulations including Build-to Line, Height at the Build-to-Line, Massing, Facades, Materials, Canopies/Awnings and Access & Parking. The requested modification—relief from the sky exposure plane--does not seek additional entitlements in terms of volume or square footage, but, rather, a re-arrangement of them.

The modification is merited because the proposed design is a more appropriate fit for the prominent West End/Broadway split; creates a distinctive threshold to Music Row; and results in a better pedestrian experience through a more engaging urban mass, form, and height, than what is outlined by the applicable code.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet. Where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.

- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- Multi-family residential developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height for 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- The maximum grade for fire apparatus access road 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 only. Public water & sewer construction plans must be submitted and approved prior to Final approval. These approved construction plans must match the Final Site Plan. The required capacity fees must also be paid prior to Final Site Plan approval.

#### **PUBLIC WORKS RECOMMENDATION**

##### **Approve with Conditions**

- Comply with MPW traffic comments for concept plan approval.

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

##### **Approve with Conditions**

- Coordinate with Metro Public Works Traffic Division to install fiber optic cable along West End Avenue and Broadway to interconnect the traffic signal at West End Avenue / Broadway at 16th Avenue, West End Avenue at 17th Avenue, and Broadway at 17th Avenue.
- Valet operations shall be prohibited along lay-by lane on Broadway.
- Vehicular access on Broadway shall consist of a right-turn in only. No exiting shall be permitted onto Broadway. Access shall be designed in a way to discourage a westbound left-turn movement into the site from Broadway.
- Alley 236 shall be widened along development frontage to 16th Avenue to a minimum of 20' to allow for at least one-10' travel lane in each direction.

#### **STAFF RECOMMENDATION**

Staff recommends approval, based upon the following reasons, of the request to modify the height standard, with conditions.

##### **Reasons are the following:**

The requested Overall Height Modification is merited because the proposed design:

1. provides a more appropriate fit for this site than applicable zoning without sacrificing the intended character or quality of urban design;
2. creates an appropriate transition to Music Row from the Broadway corridor;
3. facilitates an active, pedestrian oriented streetscape, per the Music Row UDO;
4. helps to implement the Music Row Vision Plan by relegating pressure for multi-family development to the periphery of the character area, supporting music related uses, and providing contemporary office space and third-spaces for creative collaboration.

#### **CONDITIONS**

1. The development proposal must demonstrate compliance with all unmodified standards of the Music Row Urban Design Overlay upon final site plan application submittal.
2. Final site plan shall comply with the requirements and recommendations of Public Works and Traffic Impact Study.
3. The applicant shall design a driveway that does not allow left turns onto Broadway. The Planning and Public Works departments must review and approve final design.

Ms. Brooks presented the staff recommendation of approval with conditions the request to modify height.

Mr. Haynes recused himself from this Item.

Shawn Henry, 315 Deaderick St, spoke in favor of the application.

Scott Morton, 1005 N 14<sup>th</sup> St, spoke in favor of the application.

**Councilmember Murphy closed the Public Hearing.**

Ms. Johnson spoke in favor of staff recommendation.

Mr. Gobbell spoke in favor of staff recommendation.

Dr. Sims spoke in favor of staff recommendation.

Mr. Lawson spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation.

**Ms. Johnson moved to approve with conditions the request to modify height. (5-0-1) Mr. Haynes abstained.**

**Resolution No. RS2020-172**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2001UD-002-011 is **approved with conditions. (5-0-1)**

**CONDITIONS**

1. The development proposal must demonstrate compliance with all unmodified standards of the Music Row Urban Design Overlay upon final site plan application submittal.
2. Final site plan shall comply with the requirements and recommendations of Public Works and Traffic Impact Study.
3. The applicant shall design a driveway that does not allow left turns onto Broadway. The Planning and Public Works departments must review and approve final design.

**I: OTHER BUSINESS**

34. Certification of Bonus Height Compliance within the DTC: 1221 Broadway (One22One) Development

**Resolution No. RS2020-173**

"BE IT RESOLVED by The Metropolitan Planning Commission that Certification of Bonus Height Compliance within the DTC 121 Broadway (One22One) Development is **approved. (8-0)**

35. Certification of Bonus Height Compliance within the DTC: 1222 Demonbreun (13<sup>th</sup> & Demonbreun) Development

**Resolution No. RS2020-174**

"BE IT RESOLVED by The Metropolitan Planning Commission that Certification of Bonus Height Compliance within the DTC 1222 Demonbreun (13<sup>th</sup> & Demonbreun) Development is **approved. (8-0)**

36. Employee Contract Renewal for Patrick Napier

**Resolution No. RS2020-175**

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

37. Historic Zoning Commission Report

38. Board of Parks and Recreation Report

39. Executive Committee Report

40. Accept the Director's Report

**Resolution No. RS2020-176**

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

41. Legislative Update

**J: MPC CALENDAR OF UPCOMING EVENTS**

**July 23, 2020**

MPC Meeting

4 pm, 2601 Bransford Avenue, Metro Board of Education Administration Building

**K: ADJOURNMENT**

The meeting adjourned at 9:21 p.m.