



# **METROPOLITAN PLANNING COMMISSION**

## **MINUTES**

**July 23, 2020**  
**4:00 pm Regular Meeting**

**Meeting to be held via Teleconference**

Metro Nashville Network will broadcast the July 23rd meeting of Metro Planning Commission live on Comcast channel 3 and simulcast a livestream of the meeting on Nashville.gov. To locate the livestream, visit [www.nashville.gov](http://www.nashville.gov) and click on the "Live Streaming" link located on the left side of the screen.

### **MISSION STATEMENT**

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

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

Commissioners Absent:  
Jeff Haynes

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  
Abbie Rickoff, Planner II  
Anna Grider, Planner II  
Logan Elliott, Planner II  
Joren Dunnavant, Planner II  
Patrick Napier, Planner I  
Alex Dickerson, Legal  
Quan Poole, Legal

**Lucy Alden Kempf**

Secretary and Executive Director, Metro Planning Commission  
**Metro Planning Department of Nashville and Davidson County**  
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## 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 July 23, 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, July 21st. 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 July 23, 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 4:00 p.m.

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

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

## C: ADOPTION OF AGENDA

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

## D: APPROVAL OF JUNE 25, 2020 MINUTES

Dr. Sims joined the meeting at 4:10 p.m.

Ms. Farr moved and Mr. Lawson seconded the motion to approve the June 25, 2020 minutes. (9-0)

## E: RECOGNITION OF COUNCILMEMBERS

Councilmember Hausser spoke in favor of Item 36.

Councilmember Hagar spoke in favor of deferring Items 4, 9, and 17.

Councilmember VanReece spoke in favor of Items 19a/b.

Councilmember Toombs spoke in favor of Item 45.

Councilmember Swope spoke in favor of deferring Item 42 and in support of Item 46.

Councilmember Hancock spoke in favor of deferring Items 10 and 13.

Councilmember Porterfield spoke in favor of deferring Item 8.

Councilmember Vercher spoke in favor of deferring Items 5 and 39.

## F: ITEMS FOR DEFERRAL / WITHDRAWAL

1. **2020CP-010-001**  
GREEN HILLS – MIDTOWN COMMUNITY PLAN AMENDMENT
2. **2019SP-009-001**  
CHARLOTTE PIKE SP
3. **2020SP-030-001**  
LOFTS AT MARATHON SP
4. **2020SP-032-001**  
COVENANT COURT
5. **2015S-166-002**  
PAYNE ROAD ESTATES - SECTION 1
6. **2018S-209-001**  
W.E. SCOTT SUBDIVISION, RESUB PHASE 2

7. **2019S-086-001**  
RESUBDIVISION OF LOT 3 AND 4 ON THE PLAT SHOWING THE DIVISION OF THE JOHN B. COWDEN  
PROPERTY
8. **2019S-234-001**  
DORROLL PROPERTY SUBDIVISION
9. **2020S-041-001**  
TULIP GROVE SUBDIVISION
10. **2020S-054-001**  
408 FARRIS - FOUR LOT
11. **2020S-066-001**  
DARROW DOWNS SUBDIVISION
12. **2020S-098-001**  
PETRE PLACE RESUB LOT 2
13. **2020S-113-001**  
RESUB OF LOTS 8A AND 8B ON THE RESUB OF LOT 8 ON THE PLAN OF DIXIE PURE FOOD COMPANY'S  
SUBDIVISION

- 14. **2019HP-001-001**  
MARATHON VILLAGE
- 15. **2020Z-082PR-001**
- 16. **2020Z-083PR-001**
- 17. **2020Z-069PR-001**
- 18. **2020S-119-001**  
J.B. DAVIS SUBDIVISION
- 22. **2015SP-084-003**  
BURKITT COMMONS (AMENDMENT)
- 23. **2016SP-055-002**  
1324 2ND AVENUE (AMENDMENT)
- 25. **2020SP-031-001**  
DOGTOPIA - GREEN HILLS
- 33. **95P-025-006**  
MILLWOOD COMMONS-PHASE 1A and PORTION OF PHASE 1B (REVISION AND FINAL)
- 34. **65-76P-001**  
DOLLAR GENERAL (REVISION)
- 39. **123-83P-001**  
CANYON RIDGE, PHASE 3 (REVISION AND FINAL)
- 42. **2020Z-071PR-001**

Ms. Farr moved and Mr. Lawson seconded the motion to approve the Deferred and Withdrawn Items. (9-0)

Ms. Blackshear recused herself from Items 1, 17, and 39.

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**

- 19a. **2020CP-004-001**  
MADISON COMMUNITY PLAN AMENDMENT
- 19b. **2020Z-072PR-001**
- 20a. **2020CP-006-001**  
BELLEVUE COMMUNITY PLAN AMENDMENT
- 20b. **2020SP-017-001 (formerly 2020Z-052PR-001)**  
LAS PALMAS SP
- 21. **2020Z-010TX-001**
- 24. **2018SP-027-001**  
12558 OLD HICKORY BLVD
- 26. **2020SP-033-001**

2ND AND MONROE SP

- 27. **2020S-114-001**  
RESUB OF PARTS OF LOT NOS. 84, 85, 86 AND 87 ON THE PLAN OF KENMORE PLACE
- 28. **2020S-117-001**  
PLUS PARK - SECTION 17 RESUB OF LOT 21
- 29. **2013UD-002-024**  
MURFREESBORO PIKE UDO (GREEN PASTURES)
- 30. **2020HL-002-001**  
701 SOUTH 6<sup>th</sup> STREET
- 31. **2020Z-086PR-001**
- 32. **2020Z-087PR-001**
  
- 47. **Certification of Bonus Height Compliance within the DTC 909 Division (Gulch South) Development**
  
- 51. **Accept the Director's Report**  
Dr. Sims moved and Ms. Johnson seconded the motion to approve the Consent Agenda. (9-0)

**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 August 27, 2020 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020CP-010-001 to the August 27, 2020, Planning Commission meeting. (8-0-1)**

- 2. **2019SP-009-001**  
**CHARLOTTE PIKE SP**  
Council District 22 (Gloria Hausser)  
Staff Reviewer: Patrick Napier

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

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

**The Metropolitan Planning Commission deferred 2019SP-009-001 to the August 27, 2020, Planning Commission meeting. (9-0)**

**3. 2020SP-030-001**

**LOFTS AT MARATHON SP**

Council District 19 (Freddie O'Connell)

Staff Reviewer: Abbie Rickoff

A request to rezone from MUL-A to SP-R zoning for property located at 806 16th Avenue North, approximately 200 feet southeast of Desha Street (2.6 acres), to permit 449 multi-family residential units, requested by Catalyst Design Group, applicant; 14th Avenue North LLC, owner.

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

**The Metropolitan Planning Commission deferred 2020SP-030-001 to the August 27, 2020, Planning Commission meeting. (9-0)**

**4. 2020SP-032-001**

**COVENANT COURT**

Council District 11 (Larry Hagar)

Staff Reviewer: Jason Swaggart

A request to rezone from AR2a to SP zoning for various properties located along the northside of South Street to Hermitage Street, at the northwest corner of South Street and Hermitage Street (15.92 acres), to permit 85 multi-family residential units, requested by Dale and Associates, applicant; The GJXMI Group LLC, owner.

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

**The Metropolitan Planning Commission deferred 2020SP-032-001 to the August 27, 2020, Planning Commission meeting. (9-0)**

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

**PAYNE ROAD ESTATES - SECTION 1**

Council District 28 (Tanaka Vercher)

Staff Reviewer: Jason Swaggart

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

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

**The Metropolitan Planning Commission deferred 2015S-166-002 to the August 27, 2020, Planning Commission meeting. (9-0)**

**6. 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 August 27, 2020 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018S-209-001 to the August 27, 2020, Planning Commission meeting. (9-0)**

**7. 2019S-086-001**  
**RESUBDIVISION OF LOT 3 AND 4 ON THE PLAT SHOWING**  
**THE DIVISION OF THE JOHN B. COWDEN PROPERTY**

Council District 20 (Mary Carolyn Roberts)  
Staff Reviewer: Joren Dunnavant

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

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

**The Metropolitan Planning Commission deferred 2019S-086-001 to the August 27, 2020, Planning Commission meeting. (9-0)**

**8. 2019S-234-001**  
**DORROLL PROPERTY SUBDIVISION**

Council District 29 (Delishia Porterfield)  
Staff Reviewer: Joren Dunnavant

A request for final plat approval to create four lots on property located at 2000 Old Murfreesboro Pike, at the southeast corner of Smith Springs Road and Old Murfreesboro Pike, zoned CS and R10 and within the Murfreesboro Pike Urban Design Overlay District (9.19 acres), requested by Civil and Environmental Consultants Inc., applicant; Aimee Dorroll and Nick Dorroll, owners.

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

**The Metropolitan Planning Commission deferred 2019S-234-001 to the August 27, 2020, Planning Commission meeting. (9-0)**

**9. 2020S-041-001**  
**TULIP GROVE SUBDIVISION**

Council District 11 (Larry Hagar)  
Staff Reviewer: Amelia Lewis

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

**Staff Recommendation: Defer Indefinitely.**

**The Metropolitan Planning Commission deferred 2020S-041-001 indefinitely. (9-0)**

**10. 2020S-054-001**  
**408 FARRIS - FOUR LOT**

Council District 09 (Tonya Hancock)  
Staff Reviewer: Jason Swaggart

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

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

**The Metropolitan Planning Commission deferred 2020S-054-001 to the August 27, 2020, Planning Commission meeting. (9-0)**



- 11. 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 Indefinitely.**

**The Metropolitan Planning Commission deferred 2020S-066-001 indefinitely. (9-0)**

- 12. 2020S-098-001**  
**PETRE PLACE RESUB LOT 2**  
Council District 02 (Kyonzté Toombs)  
Staff Reviewer: Abbie Rickoff

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

**Staff Recommendation: Withdrawn.**

**The Metropolitan Planning Commission withdrew 2020S-098-001. (9-0)**

- 13. 2020S-113-001**  
**RESUB OF LOTS 8A AND 8B ON THE RESUB OF LOT 8 ON THE PLAN OF DIXIE PURE FOOD COMPANY'S SUBDIVISION**  
Council District 09 (Tonya Hancock)  
Staff Reviewer: Amelia Lewis

A request for final plat approval to create eight lots on properties located at 1011A and 1011B Snow Avenue, approximately 315 feet south of Stoney River Lane, zoned RS7.5 (2.2 acres), requested by Clint Elliott Survey, applicant; Diane Rabago, owner.

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

**The Metropolitan Planning Commission deferred 2020S-113-001 to the August 27, 2020, Planning Commission meeting. (9-0)**

- 14. 2019HP-001-001**  
BL2020-256/Freddie O'Connell  
**MARATHON VILLAGE**  
Council District 19 (Freddie O'Connell)  
Staff Reviewer: Amelia Lewis

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

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

**The Metropolitan Planning Commission deferred 2019HP-001-001 to the August 27, 2020, Planning Commission meeting. (9-0)**

**15. 2020Z-082PR-001**

Council District 10 (Zach Young)  
Staff Reviewer: Logan Elliott

A request to rezone from R10 to CS zoning for property located at 2364 Gallatin Pike, approximately 750 feet east of Riverchase Boulevard (2.93 acres), requested by Dale and Associates, applicant; Terry Flatt, owner.

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

**The Metropolitan Planning Commission deferred 2020Z-082PR-001 to the August 27, 2020, Planning Commission meeting. (9-0)**

**16. 2020Z-083PR-001**

Council District 07 (Emily Benedict)  
Staff Reviewer: Patrick Napier

A request to rezone from R6 to RM6-NS zoning for property located at 2116 Scott Avenue, approximately 144 feet north of Jeans Court (0.88 acres), requested by RSC LLC, applicant; Allen Zirker and Eleanor Zirker, owners.

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

**The Metropolitan Planning Commission deferred 2020Z-083PR-001 to the August 27, 2020, Planning Commission meeting. (9-0)**

**17. 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 August 27, 2020 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020Z-069PR-001 to the August 27, 2020, Planning Commission meeting. (8-0-1)**

**18. 2020S-119-001  
J.B. DAVIS SUBDIVISION**

Council District 21 (Brandon Taylor)  
Staff Reviewer: Joren Dunnavant

A request for final plat approval to create three lots on properties located at 2318 and 2320 Batavia Street, approximately 105 feet east of 24th Ave N, zoned RS5 (0.38 acres), requested by Clint Elliott Survey, applicant; E3 Construction Services, LLC, owner.

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

**The Metropolitan Planning Commission deferred 2020S-119-001 to the August 27, 2020, Planning Commission meeting. (9-0)**

## 19a. 2020CP-004-001

### MADISON COMMUNITY PLAN AMENDMENT

Council District 08 (Nancy VanReece)

Staff Reviewer: Anita McCaig

A request to amend the Madison Community Plan by changing from T3 Suburban Neighborhood Maintenance Policy and Conservation Policy to Transition Policy for property located at 1201 South Graycroft Avenue, at the southeast corner of West Due West Avenue and South Graycroft Avenue, zoned RS20 (1.04 acres), requested by Tune Entrekim and White PC, applicant; Traci Horst and Brent Horst, owners (see associated case 2020Z-072PR-001).

**Staff Recommendation: Approve.**

### APPLICANT REQUEST

**Amend Madison Community Plan to change the policy.**

#### Major Plan Amendment

A request to amend the Madison Community Plan by changing from T3 Suburban Neighborhood Maintenance (T3 NM) policy to Transition (TR) policy for property located at 1201 South Graycroft Avenue, at the southeast corner of West Due West Avenue and South Graycroft Avenue, zoned Single-Family Residential (RS20) (1.04 acres).

### MADISON COMMUNITY PLAN

#### **Current Policy**

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

Conservation (CO) recognizes the presence of environmentally sensitive features, such as floodways/floodplains and steep slopes. In this instance, it recognizes a stream.

#### **Proposed Policy (Note: CO policy will remain.)**

Transition (TR) is intended to enhance and create areas that can serve as transitions between higher intensity uses or major thoroughfares and lower density residential neighborhoods while providing opportunities for small scale offices and/or residential development. Housing in TR areas can include a mix of types and is especially appropriate for “missing middle” housing types with small- to medium-sized footprints.

### BACKGROUND

The study area, consisting of one property, is located at 1201 South Graycroft Avenue, at the southeast corner of the South Graycroft Avenue and W. Due West Avenue in Madison. It is part of a large area of Suburban Neighborhood Maintenance (T3 NM) policy; however, it is surrounded on two sides by a large area of District Employment Center (D EC) policy with numerous office and institutional uses.

The property is approximately one acre and currently contains a single-family house and a stream running along the front. The applicant requested this plan amendment in conjunction with Case #2020Z-072PR-001, a request to rezone from RS20 (residential single-family on 20,000 sq. ft. lots) to ON (office neighborhood) to allow the existing house to be reused as an office. Adjacent to the south is a single-family house; however, the property is already zoned ON. Across South Graycroft Avenue, is OG (office general), a more intense office zoning, and MUN (mixed use neighborhood) with medical offices and a restaurant.

### COMMUNITY PARTICIPATION

As part of the application process, the Executive Director determined the plan amendment is major, and the applicant is required to hold a community meeting. Planning staff is also reviewing a second plan amendment request nearby, and staff coordinated with the applicants and Councilmember VanReece to hold a virtual community meeting on July 9, 2020 to discuss both plan amendment requests. Notices were mailed to 179 property owners in a 1,300 foot buffer of the study areas. Councilmember VanReece also included details in her district newsletter and reported over 900 unique email addresses had opened her newsletter. Prior to filing the applications, both applicants, along with the Councilmember, had discussed their plans with adjacent neighbors and neighborhood leaders.

During the July 9<sup>th</sup> meeting, Planning staff provided an overview of the long-range planning process and the proposed amendments, and the applicants discuss their ideas. Approximately 16 people attended the meeting, including staff, the applicant teams, and the district councilmember. The meeting was available via WebEx and streamed live on Metro Nashville Network’s Facebook page. No meeting attendees asked any follow-up questions. The recording was subsequently uploaded to Metro Planning’s YouTube channel to be viewed by those who were unable to attend the live meeting. A survey to provide input was also available for meeting attendees along with subsequent viewers. At the writing of this report, staff has received four surveys supporting the amendment requests.

## **ANALYSIS OF TRANSITION POLICY**

The application of TR policy is consistent with surrounding policies currently applied to neighboring properties.

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

The Growth & Preservation Concept Map reflects Nashville's desires for growth and preservation in the future. The concept map designates the study area as "Transition or Infill," adjacent to a "Center." "Transition or Infill" areas support a variety of uses that transition in scale between residential areas and mixed use "Center" areas. The NashvilleNext planning process applied the concept map designations generally rather than at the parcel-specific level.

#### Key Finding

- Concept Map's vision for this area makes it appropriate to change the policy for the study area to TR.

### **Community Character Policy Application**

"Transition or Infill" areas are generalized on the concept map and are explained in greater detail through Community Character Policies. These policies guide zoning and development decisions.

Community Plans provide history and context for Nashville's 14 Community Planning areas, along with community-specific issues, strategies, and sketches of how different places in the community could change over time. The Madison Community Plan uses Community Character Policies that are tailored to the suburban, urban, and rural character of neighborhoods throughout its large geographic area. The Community Plan emphasizes enhancing centers and corridors to revitalize older centers and provide more services and options, while strategically locating additional housing options, such as various housing types on a prominent corridor to support businesses and transit. The transition between these higher intensity areas and the surrounding neighborhoods is anticipated to be addressed through well-designed land use transitions sensitive to adjacent residential areas. The Madison Plan area also has numerous natural features including significant floodplain areas and steep slopes that warrant preservation and, where previously disturbed, reclamation.

The T3 Suburban Transect category is the bridge between the Rural and Urban Transect areas. Development within T3 Suburban is designed to thoughtfully transition from the least dense natural and rural environment to the denser urban environments. T3 Suburban areas are moderately developed with nature strategically incorporated into site design. T3 Suburban policies frame the street with natural features or buildings and enhance connectivity between neighborhoods, civic and institutional uses, open space, and center areas.

In T3 Suburban areas, centers typically are located at the edge of several neighborhoods. Residential and mixed-use corridors link suburban neighborhoods to suburban centers and have a distinct character and function. Suburban corridors allow vehicles to move efficiently while accommodating pedestrians and cyclists. In suburban centers, buildings and the streetscape frame the corridor. In suburban neighborhoods and between suburban centers, open space frames the corridor.

The proposed TR policy is consistent with the intent of the application of this policy category. TR policy's intent is to enhance and create areas whose primary purposes are to serve as transitions between higher intensity uses or major thoroughfares and lower density residential neighborhoods. These transition areas can minimize land use conflicts while providing opportunities for small scale offices and a mixture of mainly moderate- to high-density housing types.

TR areas are generally small in geographic size and serve a limited function of providing transitions in scale, intensity, and use at locations between high intensity and low intensity policy categories or development. Each TR area usually includes multiple properties; however, it is sometimes applied to one property, such as in this case when an owner wants to use an existing house as an office.

In this location, the property is adjacent to a large area of District Employment Center (D EC) policy as well as a large single-family residential neighborhood with T3 Suburban Neighborhood Maintenance (T3 NM) policy. The property will serve as a transition between those two policy areas.

#### Key Findings

- TR's intent of providing areas that serve as transitions between higher intensity uses and lower density residential neighborhoods makes it an appropriate policy for this location.
- The subject property's location between two policy categories makes it appropriate to change to TR policy.
- It is appropriate to apply TR to just one property in this case.
- It is appropriate to apply TR policy to allow an existing house to be used as an office.

### **Transportation and Connectivity**

TR areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways, and mass transit. The proposed change to TR policy is appropriate, given the high level of existing street connectivity along these sections of W. Due West Avenue and South Graycroft Avenue, both designated as mixed use arterials in the Major & Collector Street Plan. The study area currently accesses both streets. Some sidewalks are present in the larger area, but overall the area lacks transportation options other than driving.

Key Finding

- The existing street network is adequate to support intensity/density envisioned by TR for this location.

**Relationship to Surrounding Policy**

The study area is between T3 NM, a residential policy in a low to moderately dense single-family area, and D EC, an intense mixed-use policy area. TR policy is applied to areas where there is a need to provide a transition in scale and intensity between areas of intense development or major thoroughfares and lower intensity residential neighborhoods. Conservation policy is also present with a stream and is not proposed to change.

Key Finding

- TR policy allows for an appropriate transition between the higher intensity D EC policy and the residential T3 NM policy.

**Analysis Summary**

Amending the Community Character Policy to TR is appropriate at this location. In summary, the change in policy for the study area is appropriate due to the following:

- Concept Map's vision for this area makes it appropriate to change the policy for the study area to TR.
- TR's intent of providing areas that serve as transitions between higher intensity uses and lower density residential neighborhoods makes it an appropriate policy for this location.
- The subject property's location between two policy categories makes it appropriate to change to TR policy.
- It is appropriate to apply TR to just one property in this case.
- It is appropriate to apply TR policy to allow an existing house to be used as an office.
- The existing street network is adequate to support intensity/density envisioned by TR for this location.
- TR policy allows for an appropriate transition between the higher intensity D EC policy and the residential T3 NM policy.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. Consent Agenda. (9-0)**

**Resolution No. RS2020-177**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020CP-004-001 is **approved. (9-0)**

**19b. 2020Z-072PR-001**

Council District 08 (Nancy VanReece)

Staff Reviewer: Logan Elliott

A request to rezone from RS20 to ON zoning for property located at 1201 South Graycroft Avenue, at the southeast corner of West Due West Avenue and South Graycroft Avenue (1.04 acres), requested by Tune Entrekin and White PC, applicant; Traci Horst and Brent Horst, owners (see associated case 2020CP-004-001).

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

**APPLICANT REQUEST**

**Zone change from RS20 to ON.**

Zone Change

A request to rezone from Single-Family Residential (RS20) to Office Neighborhood (ON) zoning for property located at 1201 South Graycroft Avenue, at the southeast corner of West Due West Avenue and South Graycroft Avenue (1.04 acres).

**Existing Zoning**

Single-Family Residential (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre. *RS20 would permit a maximum of 2 units.*

**Proposed Zoning**

Office Neighborhood (ON) is intended for low intensity office uses.

**MADISON COMMUNITY PLAN**

**Existing Policy**

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

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

**Proposed Policy** (Note: CO policy is to remain)

Transition (TR) is intended to enhance and create areas that can serve as transitions between higher intensity uses or major thoroughfares and lower density residential neighborhoods while providing opportunities for small scale offices and/or residential development. Housing in TR areas can include a mix of types and is especially appropriate for “missing middle” housing types with small- to medium-sized footprints.

**SITE AND CONTEXT**

The 1.04 acre site is located on the south-east quadrant of the intersection of South Graycroft Avenue and Due West Avenue. Both South Graycroft Avenue and Due West Avenue are designated as Arterial Boulevards in the Major and Collector Street Plan. The site currently has a single-family residence and is surrounded by a mixture of residential uses, office uses, and some commercial uses. Also on the site is a stream that bisects the north west corner of the property from the remainder.

**ANALYSIS**

The subject site sits at the corner of the intersection of two arterial boulevards with South Graycroft Avenue developed with office and commercial uses and West Due West Avenue developed primarily as residential adjacent to and opposite of the site. Rezoning this property to the ON district is not consistent with the existing policy, but is consistent with the intent of the Transition policy to provide small scale office opportunities on major thoroughfares. The stream that bisects the property and has the Conservation policy will remain protected with the small scale development that is permitted through the ON district.

**FIRE MARSHAL RECOMMENDATION**

Approve

**TRAFFIC AND PARKING RECOMMENDATION**

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	1.04	2.178 D	2 U	19	2	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	-	0.4 F	18,120 SF	177	22	21

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+158	+20	+19

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**METRO SCHOOL BOARD REPORT**

**Projected student generation existing RS20 district: 0 Elementary 0 Middle 0 High**  
**Projected student generation proposed ON: 0 Elementary 0 Middle 0 High**

The proposed ON zoning is not expected to generate any additional students than the existing RS20 zoning. Students would attend Chadwell Elementary School, Gra-Mar Middle School, and Maplewood High School.

**STAFF RECOMMENDATION**

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

**Approve if the associated plan amendment is approved and disapprove if the associated plan amendment is not approved. Consent Agenda. (9-0)**

**Resolution No. RS2020-178**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-072PR-001 is **approved. (9-0)**

**20a. 2020CP-006-001  
 BELLEVUE COMMUNITY PLAN AMENDMENT**

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

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

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Amend Bellevue Community Plan to change the policy.**

A request to amend the Bellevue Community Plan by changing from T3 Suburban Neighborhood Maintenance (T3 NM) policy to T3 Suburban Community Center (T3 CC) policy for a portion of properties located at 8033 and 8045 Highway 100 (2.68 acres).

**BELLEVUE COMMUNITY PLAN**

**Current Policy**

The current policies for the properties are T3 Suburban Neighborhood Maintenance (T3 NM) and Conservation (CO). The CO policy areas will remain.

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

Conservation Policy (CO) is intended to preserve environmentally sensitive land features through protection and remediation. This policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether they have already been disturbed. In this instance, sensitive features are floodway/floodplain areas associated with Trace Creek.

**Proposed Policy** (Note: CO policy will remain.)

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

surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

## **BACKGROUND**

The two-parcel study area, approximately 2.68 acres, is located along Highway 100, west of Temple Boulevard, in southwest Davidson County near the border with Williamson County. In this instance, the two properties have considerable floodplain/floodway areas, so staff compressed the study area to be the portion of the properties outside of the Conservation (CO) policy. . The properties are the only residential properties between the T3 Suburban Community Center (T3 CC) policy along Highway 100 and southwest corner of Highway 100 and Temple Blvd. Both properties contain substantial vegetation and single-family homes. The study area is zoned residential single family on minimum 40,000 sq. ft. lots (RS 40).

The study area is located adjacent to T3 CC policy, which contains a church adjacent to the property on the west, with a suburban strip commercial development on the other side of the church. To the north across Highway 100 is the Shoppes on the Harpeth shopping center, with a Publix supermarket on the eastern edge and an elementary school and preschool to the west. The elementary school is in Civic (CI) policy, while the preschool is in T3 Suburban Neighborhood Maintenance (T3 NM).

The applicant requested this plan amendment in conjunction with Case #2020SP-017-001, a request to rezone the properties from RS40 to Specific Plan (SP) zoning, to permit a 6,400 square foot restaurant at 8045 Highway 100 (1.21 acres). The adjacent property (8033 Highway 100) has no current application on file for rezoning.

Both properties are within the River-Trace Urban Design Overlay (UDO), which serves to preserve and enhance the general development pattern by providing for uniform standards such as maximum height that matches the surrounding context, signage standards that are pedestrian in scale, fence standards that do not overwhelm, and material standards that enhance and match the existing construction pattern along this portion of Highway 100.

## **COMMUNITY PARTICIPATION**

As part of the application process, the Executive Director determined the plan amendment is major and the applicant is required to hold a community meeting. Planning staff coordinated with the applicant and secured a meeting space in the Bellevue Family YMCA for a community meeting for Tuesday, March 24, 2020. As a result of the Coronavirus outbreak and quarantine, the meeting was cancelled and rescheduled as a virtual meeting on Thursday, July 9, 2020.

During the virtual meeting, Planning staff discussed the long-range planning process and the proposed amendment, and the applicant discussed their plans. Approximately 15 people participated in the meeting, including staff, the applicant team, and the district councilmember.

None of the attendees to the online meeting expressed any opinions regarding the project. The district councilmember worked with the applicant prior to the community meeting to address issues with the layout of the parking and expressed his satisfaction with the project. Meeting attendees were encouraged to review the presentation and provide feedback through a survey promoted at the end of the meeting. A link to the meeting and survey were added to the Bellevue Community Plan webpage to provide additional opportunities to provide comment. Staff also provided contact information (email address and phone number) as additional methods to learn about the plan amendment and give feedback.

## **ANALYSIS OF SUBURBAN COMMUNITY CENTER POLICY**

The expansion of T3 CC policy is consistent with surrounding policy currently applied to properties to the west and north of the site on Highway 100.

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

The Growth and Preservation Concept Map reflects Nashville's desires for growth and preservation in the future. The concept map designates this portion of Highway 100 as a "Center", with "Transition and Infill" providing a buffer and opportunities for additional uses between the Center and the "Neighborhood." All Centers are anticipated to grow, develop, and/or redevelop. Transition or Infill areas support a variety of uses that transition in scale between residential areas and mixed-use Center areas. The NashvilleNext planning process applied the concept map designations generally rather than at the parcel-specific level.

### Key Finding

- The concept map's vision for the area as a Center with Transition and Infill along a key corridor supports the extension of the T3 CC to the adjacent properties.

### **Community Character Policy Application**

"Centers", "Transition and Infill", and "Neighborhoods" are explained in greater detail through the Community Character Policies. These policies provide guidance for zoning decisions.

Community Plans provide history and context for Nashville's 14 Community Planning areas, along with community-specific issues, strategies, and sketches of how different places in the community could change over time. The



Bellevue Community Plan uses Community Character Policies that are tailored to the suburban and rural character of neighborhoods throughout its geographic area. The plan's policies encourage additional housing options in strategic locations, enhancement of mixed-use centers, as well as the preservation of green spaces and environmentally sensitive features, such as floodplains, steep slopes, and unstable soils. Bellevue has a tremendous amount of sensitive natural features that help establish its character, its recreational role, and its resiliency. As a result of the devastating May 2010 flooding, the plan encourages the preservation of all environmentally sensitive features, particularly floodplains and floodways, through the use of Conservation (CO) policy.

The T3 Suburban Transect category is the bridge between the Rural and Urban Transect areas. Development within T3 Suburban is designed to thoughtfully transition from the least dense natural and rural environment to the denser urban environments. Suburban centers play an integral role in complete neighborhoods. T3 Suburban policies encourage the evolution of suburban centers into more mixed use and commercial nodes along major corridors with the goal of creating a neighborhood or community center rather than strip commercial. T3 Suburban policies also encourage redevelopment of centers into destinations that appeal to pedestrians and cyclists (e.g. multi-modal access with less reliance on the automobile). While suburban commercial centers have traditionally served pass-through customers, the evolving suburban mixed-use centers will be accessible via auto, existing or planned transit, bike, or on foot, truly serving the surrounding neighborhoods.

The Bellevue Community Plan also provides guidance on the design of corridors and centers in Suburban areas. Centers and the corridors that pass through them should be enhanced by adding a mixture of uses, additional housing options, additional connections for pedestrians and cyclists, and additional transportation options, such as transit. The transition between these higher-intensity areas and the surrounding neighborhoods should be addressed through well-designed land use transitions sensitive to adjacent residential areas. Locations at key intersections and corridor segments are reserved for mixed use or non-residential development.

T3 CC policy should be applied to areas that are suitable for providing services that meet the daily needs of residents within a 10- to 20- minute drive, as well as services that are needed less frequently and provide a draw to the larger community. T3 CC areas are pedestrian-friendly, generally located at prominent intersections that contain mixed use, commercial, and institutional land uses, with transitional residential land uses in mixed use buildings or serving as a transition to adjoining Community Character Policies. T3 CC policy is applicable to areas where there is a concentration of land that is zoned, used, or intended to be used as commercial and mixed use, that is situated to serve a suburban community and where the center's intensification is supported by surrounding existing or planned residential development, adequate infrastructure and adequate access, such as arterial-boulevards and collector-avenues. The proposed expansion of the T3 CC policy is consistent with the intent of the application of this policy category.

The current T3 Suburban Neighborhood Maintenance (T3 NM) policy in this area is applied to portions of two properties because of their residential zoning. In prior years, residents expressed a desire to keep these properties in residential policy, but over time, that sentiment has changed. Geographically, these two properties are separated from other areas of the T3 NM policy by wide swaths of Conservation policy. The intent of T3 NM policy is to maintain the character of established neighborhoods, areas with low- to moderate-density residential development and with moderate to deep building setbacks and spacing between buildings. T3 NM policy is applied in situations where there is an expressed interest in maintaining the predominant, existing developed condition and that condition is believed to be stable and sustainable over time. The size and separation of the T3 NM policy in the study area makes it difficult to establish character and meet the intent of the policy.

#### Key Findings

- The intent of the T3 CC policy to provide daily services for residents within a 10- 20-minute drive, with additional services for a larger community, is appropriate for this area.
- The study area no longer meets the characteristics of T3 NM due to the size of area, and difficulty identifying an established neighborhood pattern.

#### **Transportation and Connectivity**

The proposed expansion of the T3 CC policy is appropriate, due to its location along Highway 100, designated an arterial boulevard in the Major & Collector Street Plan, and its proximity to the prominent intersection of Highway 100 and Temple Boulevard, which is classified as a collector avenue. The study area is close to the intersection of Old Harding Pike and Highway 100. This area is already pedestrian and bicycle friendly with the inclusion of sidewalks and bike lanes. While the surrounding area is predominately accessed by vehicle, pedestrian infrastructure provides the opportunity to park once, and access several businesses.

#### Key Findings

- Existing transportation infrastructure is adequate to support the change to T3 CC policy.
- This area is already pedestrian and bicycle friendly with the inclusion of sidewalks and bike lanes.

#### **Relationship to Surrounding Policies**

The study area is surrounded by two policy areas, with Civic Uses adjacent to the T3 Suburban Community Center:

- T3 Suburban Community Center (T3 CC) adjacent to the west and north of the study area.
- A large area of Conservation (CO) policy along Trace Creek and wooded portions of the study area.
- CO policy and Highway 100 separates the current T3 NM policy of the study area from other portions of the T3 NM policy in the larger area.
- Civic uses exist in the larger area, with Harpeth Valley Elementary to the west.

Key Finding

- The current T3 NM policy in the study area is separated from other T3 NM areas by a large swath of CO policy for Trace Creek, leading to no connection to an existing pattern of development.
- Extension of T3 CC policy to the study area does not negatively impact surrounding policy areas; it is bound by the CO policy to the south and east of the study area.

**Analysis Summary**

Amending the Community Character Policy to T3 CC is appropriate at this location. This change in policy is appropriate due to the following:

- The concept map’s vision for the area as a Center with Transition and Infill along a key corridor supports the extension of the T3 CC to the adjacent properties.
- The intent of the T3 CC policy to provide daily services for residents within a 10- 20-minute drive, with additional services for a larger community, is appropriate for this area.
- The study area no longer meets the characteristics of T3 NM due to the size of area, and difficulty identifying an established neighborhood pattern.
- Existing transportation infrastructure is adequate to support the change to T3 CC policy.
- This area is already pedestrian and bicycle friendly with the inclusion of sidewalks and bike lanes.
- The current T3 NM policy in the study area is separated from other T3 NM areas by a large swath of CO policy for Trace Creek, leading to no connection to an existing pattern of development.
- Extension of T3 CC policy to the study area does not negatively impact surrounding policy areas; it is bound by the CO policy to the south and east of the study area.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. Consent Agenda. (9-0)**

**Resolution No. RS2020-179**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020CP-006-001 is **approved. (9-0)**”

**20b. 2020SP-017-001 (formerly 2020Z-052PR-001)**

**LAS PALMAS SP**

Council District 35 (Dave Rosenberg)

Staff Reviewer: Amelia Lewis

A request to rezone from RS40 to SP zoning for property located at 8045 Highway 100, approximately 600 feet west of Temple Road and within the Highway 100 Urban Design Overlay District (1.4 acres), to permit a 6,400 square foot restaurant, requested by Dale and Associates, applicant; McMullin Family Properties LLC, owner (see associated case 2020CP-006-001).

**Staff Recommendation: Approve with conditions and disapprove without all conditions if the associated plan amendment is approved and disapprove if the associated plan amendment is not approved.**

**APPLICANT REQUEST**

**Rezone from RS40 to SP to permit a restaurant development.**

Specific Plan

A request to rezone from Single-Family Residential (RS40) to Specific Plan (SP) zoning for property located at 8045 Highway 100, approximately 600 feet west of Temple Road and within the Highway 100 Urban Design Overlay District (1.4 acres), to permit a 6,400 square foot restaurant.kpa

*This case was previously noticed as a request for rezoning to Commercial Limited (CL) under case number 2020Z-052PR-001. It has since been converted to a request for a Specific Plan (SP) under case number 2020SP-017-001.*

**Existing Zoning**

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

River-Trace (Highway 100) Design Overlay District (UDO) is intended to preserve and enhance the general development pattern along Highway 100 by creating regulations for development including maximum building height, signage standards, and fence standards. The Overlay applies to parcels located along Highway 100 between the Harpeth River and the Natchez Trace.

### **Proposed Zoning**

Specific Plan-Commercial (SP-C) 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 commercial uses.

## **BELLEVUE COMMUNITY PLAN**

### **Existing Policy**

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

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

### **Proposed Policy (Note: the CO policy is to remain)**

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

## **SITE CONTEXT AND PLAN DETAILS**

The 1.4 acre site is located on the south side of Highway 100, west of the intersection of Temple Road and Highway 100. Highway 100 is a scenic boulevard, as classified by the Major and Collector Street plan (MCSP). The properties along the north side of Highway 100 are primarily zoned CL and developed with commercial uses. The property immediately to the west is zoned CL and has been developed with a religious institution. The property immediately to the east is zoned AR2a and has been developed with a single-family residential use.

The site has been developed with a single-family structure. If the proposed SP is approved, the existing structure would be demolished. The site is also located within the River-Trace (Highway 100) UDO. This UDO regulates building materials, signage, and additional landscaping features.

### Site Plan

The plan proposes a 6,400 square foot restaurant on the eastern property line of the site. One vehicular access point is proposed from Highway 100. The proposed structure is limited to 1 story, or 30 feet in height. There is a drive aisle along the western property line which leads to additional parking at the rear of the site. There are a total of 64 parking spaces proposed. This meets the required number of spaces by Metro Zoning Code. The SP requires that all standards of the UDO will be met with the Final SP plans.

## **ANALYSIS**

The proposed specific plan is consistent with the intent of the proposed policy, T3 CC. The T3 CC policy indicates that a range of uses that provide services to the surrounding community are appropriate. Properties in these policy areas should include landscaping and enhanced connectivity. The proposed SP would establish a commercial use, a service that provides a draw to the larger community. There is a "B" landscape buffer proposed for the western property line, adjacent to an existing religious institution. A "C" landscape buffer is proposed along the eastern property line, adjacent to existing AR2a property. The lot has narrow frontage along Highway 100, but proposes to meet the MCSP standards which include a paved multi-use path. The existing CO policy will remain on the property if the associated plan amendment is approved. The CO policy on site indicates the presence of the floodplain. The SP does not propose structures in this area, only parking and stormwater facilities. Floodplain development standards will ensure protection of these areas with future development.

## **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**

**HARPETH VALLEY UTILITY DISTRICT RECOMMENDATION**

**Approve with conditions**

- Water service and sanitary sewer service are available from existing lines.
- The Developer must submit utility plans for any water and sewer improvements required to serve this development to the District for review and approval.
- The availability of service is valid for a period not to exceed one year from the date hereof. At the end of that time, if the project has not been approved and construction begun, a renewal of the availability will be required. If service is available, all applicable District regulations and fees in force at that time will be imposed.

**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.
- SSD issue, due to heavy vegetation around site. Maintenance agreement needed for clearing vegetation to maintain sight distance for site access.
- At final SP, private hauler and vegetation clearing agreement to be submitted to public works.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	1.4	1.089 D	1 U	10	1	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (931)	1.4	-	6,400 SF	537	5	50

Traffic changes between maximum: **RS40 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+527	+4	+49

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing RS40 district: 0 Elementary 0 Middle 0 High**

**Projected student generation proposed SP-C: 0 Elementary 0 Middle 0 High**

The proposed SP zoning is not expected to generate any additional students than the existing RS zoning. Students would attend Harpeth Valley Elementary School, Belleview Middle School, and Hillwood High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions if the associated plan amendment is approved, and disapproval if the associated plan amendment is not approved.

**CONDITIONS**

- Permitted uses shall be limited to 6,400 square feet of restaurant (full-service) use.
- The Final SP Plans will meet all regulations of the River-Trace (Highway 100).
- Comply with all conditions and requirements of Metro reviewing agencies.

4. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the CL zoning district as of the date of the applicable request or application.
6. 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.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. 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 if the associated plan amendment is approved and disapprove if the associated plan amendment is not approved. Consent Agenda. (9-0)**  
**Resolution No. RS2020-180**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-017-001 is **approved. (9-0)**  
**CONDITIONS**

1. Permitted uses shall be limited to 6,400 square feet of restaurant (full-service) use.
2. The Final SP Plans will meet all regulations of the River-Trace (Highway 100).
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the CL zoning district as of the date of the applicable request or application.
6. 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.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. 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.

**21. 2020Z-010TX-001**

BL2020-334/Freddie O'Connell  
 Staff Reviewer: Harriett Jameson Brooks

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to clarify language within Chapter 17.37, Downtown Code, relating to the Bonus Height Program and transfer development rights, all of which is described herein (Proposal No. 2020Z-010TX-001)

**Staff Recommendation: Approve.**

**TEXT AMENDMENT**

**A request to amend Chapter 17.37 of the Zoning Code, the Nashville Downtown Code.**

**Existing Zoning**

Downtown Code (DTC) is intended for a broad range of residential and non-residential activities associated with an economically healthy, socially vibrant, and sustainable Downtown. The DTC district seeks the efficient use of land capitalizing on a high level of services, reduced automobile dependence with enhanced usage of mass transit, and the creation of a vibrant and safe pedestrian streetscape.

**Bonus Height Program**

The Bonus Height Program (BHP) incentivizes development that provides public benefit by allowing additional building height (beyond the entitlements granted in applicable code) in exchange for contribution to specific programs, in the amount and manner set forth.

As part of its program, the BHP encourages historic preservation by allowing significant structures or those within a Historic Overlay or Landmark District to transfer entitlements forfeited as a result of the preservation effort to a separate, receiving site.

Within the Bonus Height Standards, “additional development rights achieved through the BHP may be transferred to another site within the DTC one time to one receiving site, provided the transfer height does not exceed the Bonus Height Maximum of the receiving site.”

**PURPOSE**

The proposed amendment to Bonus Height Standards within Section IV: General Standards of Chapter 17.37, the Downtown Code, concretely defines the term ‘receiving site’- that is, a site within the DTC to which Bonus Height may be transferred—for the purpose of streamlining the uniform application of the Bonus Height Program in Downtown.

**ANALYSIS**

The proposed amendment defines the term ‘receiving site’ for the purpose of the Bonus Height Program. Previously, ‘receiving site’ was not defined within these standards.

In general, within urban development, the term *site* is project specific; and, therefore, has variable meanings dependent on the nature of the project in question. This ambiguity poses a conflict when the term is used within the DTC because the DTC must be uniform, as opposed to project specific, in its application.

As Downtown develops, parcels are aggregated for the purpose of development. Frequently, several parcels encompass a single *site*. These parcels maybe be adjacent—that is, no other parcels are in between them—and, at the same time, not geographically contiguous—as they are separated by public right-of-way, a railroad, utility easement, or water body.

This amendment clarifies the standards of the Bonus Height Program and explicitly allows for the consideration of multiple adjacent parcels as a site by stating that “‘receiving site’ means a single parcel or group of adjacent parcels with common ownership, or up to two adjacent parcels without common ownership.”

The proposed amendment has two primary functions. First, by providing a concrete definition of ‘receiving site,’ it simplifies the uniform understanding and application of the Bonus Height Program within Downtown.

Secondly, by explicitly allowing for the consideration of “multiple adjacent parcels with common ownership, or up to two adjacent parcels without common ownership” as a site, the amendment permits the flexibility needed to incentivize historic preservation efforts that may be reliant on the transfer of entitlements, and ultimately supports the goal of the DTC of enhancing public benefit and the quality of the urban fabric in Downtown Nashville.

**STAFF RECOMMENDATION**

Staff recommends approval.

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**ORDINANCE NO. BL2020-334**

**An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to clarify language within Chapter 17.37, Downtown Code, relating to the Bonus Height Program and transfer development rights, all of which is described herein (Proposal No. 2020Z-010TX-001)**

WHEREAS, The Council of The Metropolitan Government of Nashville and Davidson County adopted the Downtown Code (DTC) on February 2, 2010; and

WHEREAS, The Metropolitan Government recognizes the importance of updating, clarifying, and refining the Downtown Code (DTC) standards to encourage high quality, sustainable urban development; and

WHEREAS, The refinement of the DTC will continue to ensure a quality urban experience for the citizens, businesses, and visitors of Metropolitan Nashville and Davidson County.

WHEREAS, The refinement of the Bonus Height Program will allow for more opportunities for historic preservation within the Downtown Code.

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

Section 1. That Chapter 17.37 of the Metropolitan Code is hereby amended by replacing the text of the third bullet point under “Bonus Height Standards” on page 93 of the DTC to the following:

- “Additional development rights achieved through the BHP may be transferred one time to a receiving site within the DTC, provided the transferred height does not exceed the Bonus Height Maximum of the receiving site. For the purposes of the Bonus Height Program, ‘receiving site’ means a single parcel or group of adjacent parcels with common ownership, or up to two adjacent parcels without common ownership. By-right height may not be transferred; only bonus height received through the BHP may be transferred.”

Section 2: That Chapter 17.37 of the Metropolitan Code is hereby amended by deleting the third bullet point under the “Bonus Height Standards” on page 93 as shown in the attached revised Downtown Code document.

Section 3. Be it further enacted, that this ordinance shall take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Councilmember Freddie O’Connell

**Approve. Consent Agenda. (9-0)**

**Resolution No. RS2020-181**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-010TX-001 is **approved. (9-0)**”

**22. 2015SP-084-003**

**BURKITT COMMONS (AMENDMENT)**

Council District 31 (John Rutherford)

Staff Reviewer: Abbie Rickoff

A request to amend a Specific Plan for property located at Nolensville Pike (unnumbered) and a portion of property located at Nolensville Pike (unnumbered) at the southeast corner of Burkitt Road and Nolensville Pike, to add 1.51 acres currently zoned AR2a and within a Corridor Design Overlay District, to be zoned SP, to permit a mixed use development, requested by Smith Gee Studio, applicant; Magnolia Properties and Regent Homes, LLC, owners.

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

**The Metropolitan Planning Commission deferred 2015SP-084-003 to the August 27, 2020, Planning Commission meeting. (9-0)**

**23. 2016SP-055-002**

**1324 2ND AVENUE (AMENDMENT)**

Council District 19 (Freddie O’Connell)

Staff Reviewer: Logan Elliott

A request to amend a Specific Plan located at 1324 2nd Avenue North, at the southeast corner of 2nd Avenue North and Taylor Street, zoned SP (4.82 acres), to permit additional uses and update site plan, requested by Smith Gee Studio, applicant; Neuhoff Acquisition LLC, owner.

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

**The Metropolitan Planning Commission deferred 2016SP-055-002 to the August 27, 2020, Planning Commission meeting. (9-0)**

**24. 2018SP-027-001**

BL2020-221/Antoinette Lee

**12558 OLD HICKORY BLVD**

Council District 33 (Antoinette Lee)

Staff Reviewer: Latisha Birkeland

A request to rezone from AR2a to SP zoning for property located at 12558 Old Hickory Blvd, approximately 1,300 feet south of Murfreesboro Pike, within the Murfreesboro Pike Urban Design Overlay District (1.0 acre), to permit up to two residential units, office, retail, warehouse, and building contractor's supply, requested by Dale & Associates, applicant; Flavio Martinez and Rosalio Romirez, owners.

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

**APPLICANT REQUEST**

**Rezoned to SP to permit office, residential, retail, warehouse and building contractors supply.**

Preliminary SP

A request to rezone from Agricultural/Residential (AR2a) to Specific Plan – Mixed Use (SP-MU) zoning for property located at 12558 Old Hickory Blvd, approximately 1,300 feet south of Murfreesboro Pike, within the Murfreesboro Pike Urban Design Overlay District (1.0 acre), to permit up to two residential units, office, retail, warehouse, and building contractors supply.

**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 1 lot with 1 unit based on acreage only.*

**Proposed Zoning**

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

**HISTORY**

This proposed SP was approved on the consent agenda at the March 22, 2018, Metro Planning Commission meeting. The Council Bill was prepared and sent to Council, but was not signed. Metro Code Section 17.40.040 states that the Planning Commission recommendation shall become null and void after a period of two years, if the Council Bill isn't signed and approved by the Metro Council. Council Bill BL2020-221 was introduced at Council on March 5, 2020.

**Proposed Site Plan (Phase 2)**

recommendation period of two years has elapsed. Therefore, this proposed SP zoning application is back before the Metro Planning Commission for another recommendation to Metro Council. The proposed SP plan has not changed since the Metro Planning Commission approved the plan in 2018.

**ANTIOCH – PRIEST LAKE COMMUNITY PLAN**

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

Consistent with Policy?

The property is located within the District Industrial policy area which is intended maintain, enhance, and create Industrial Districts in appropriate locations. While the property is located in an industrial policy area, which typically would not support additional residential uses, a mixture of land uses exists today within the broader context of the property. The plan proposes two residential units, building contractors supply, retail, office, and warehouse uses. D-IN policy areas support a range of industrial and commercial uses and the proposed plan is consistent with the surrounding land uses in the area.

**PLAN DETAILS**



The site has frontage on Old Hickory Boulevard and is approximately 1,300 feet from Murfreesboro Pike. Both streets are identified as a collector and arterial by the Major and Collector Street Plan respectively. The site is approximately 1.0 acre and is currently developed with a single- family residence.

Site Plan

Phase one of the plan proposes to use a portion of the existing single-family residence as office space for the proposed tree trimming and landscaping business and establishes a second residential unit in an existing accessory building. Additionally, the plan includes a 7,200 square foot paved area, accessed from a separate drive, intended for equipment and auto storage. A landscape buffer is proposed along the northern and western property boundaries.

Phase two of the plan proposes the construction of a 4,500 square foot building intended for warehouse, office, and retail uses associated with the building contractors supply business. Additionally, Phase two proposes a 15,000 square foot outdoor storage area. Heights would be limited to a maximum of two stories in 30 feet and perimeter landscaping is proposed as part of phase two. An eight foot right of way dedication with sidewalks and planting strips consistent with the Major and Collector Street Plan is proposed as part of phase two only.

**ANALYSIS**

The plan is consistent with the land use policy as it would allow industrial and commercial uses in an area designated for industrial activity. Additionally, the proposed uses are consistent with the surrounding properties in the area.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

- Provide flow data and hydrant locations.

**STORMWATER RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- As all of our previous issues have been addressed with the latest SP revision (stamped-received 2/12/18), Approval is granted as a Preliminary SP only. The required capacity fees must be paid prior to Final Site Plan/SP approval.

**PUBLIC WORKS RECOMMENDATION**

**Approve with Conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- Indicate location of dumpster and recycling container onsite.
- Revise roadway construction note to reflect construction of 1/2 MPW standard ST-260 from the existing centerline of pavement, not center of existing ROW.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

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)	1.0	0.5 D	2 U	20	2	3

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)	1.0		4,500 S.F.	231	11	11

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

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

-	-	-		+211	+9	+8
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**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to two residential units, office, retail, warehouse, and building contractors supply.
2. The requirements for parking established in Section 17.20.030 of the Metro Zoning Ordinance shall be met for all uses with the Final SP.
3. Any new construction must meet the standards of the Murfreesboro Pike Urban Design Overlay.
4. Comply with all conditions of Public Works.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district.
6. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. 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. (9-0)**

**Resolution No. RS2020-182**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-027-001 is **approved with conditions and disapproved without all conditions. (9-0)**

**CONDITIONS**

1. Permitted uses shall be limited to two residential units, office, retail, warehouse, and building contractors supply.
2. The requirements for parking established in Section 17.20.030 of the Metro Zoning Ordinance shall be met for all uses with the Final SP.
3. Any new construction must meet the standards of the Murfreesboro Pike Urban Design Overlay.
4. Comply with all conditions of Public Works.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district.
6. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**25. 2020SP-031-001**

**DOGTOPIA - GREEN HILLS**

Council District 25 (Russ Pulley)  
Staff Reviewer: Amelia Lewis

A request to rezone from SCR to SP zoning for a portion of property located at 4004 Hillsboro Pike, approximately 345 feet south of Richard Jones Road and within the Green Hills Urban Design Overlay District (0.13 acres), to permit animal boarding facility, dog kennel and all uses permitted in SCR zoning, requested by Dale and Associates, applicant; Green Hills Court GP, owner.

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

**The Metropolitan Planning Commission deferred 2020SP-031-001 to the August 27, 2020, Planning Commission meeting. (9-0)**

**26. 2020SP-033-001**

**2ND AND MONROE SP**

Council District 19 (Freddie O'Connell)  
Staff Reviewer: Patrick Napier

A request to rezone from IR to SP zoning for properties located at 1217, 1221, 1225, 1227, 1229 and 1231 2nd Avenue North, at the southwest corner of 2nd Avenue North and Monroe Street (0.89 acres), to permit a mixed use development, requested by Centric Architecture, applicant; Yu-Tien Terry Wang, Pai-Lun Janey Wang, and Yu-Jen Spencer Wang, owners.

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

**APPLICANT REQUEST**

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

Preliminary SP

A request to rezone from Industrial Restrictive (IR) to Specific Plan (SP) zoning for properties located at 1217, 1221, 1225, 1227, 1229 and 1231 2nd Avenue North, at the southwest corner of 2nd Avenue North and Monroe Street, within the (0.89 acres), to permit a mixed use development.

**Existing Zoning**

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

**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.

**NORTH NASHVILLE COMMUNITY PLAN**

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

**PLAN DETAILS**

The approximately 0.89 acre site consists of six individual properties. The site has frontage on 2<sup>nd</sup> Avenue North and Monroe Street. There is a built alley that runs along the entire length of the western property line at the rear of the site. The area to the north of the site is zoned Industrial Restrictive and contains a commercial use. Property to the west, across the alley, is zoned Specific Plan (SP) and contains a 6 story self-service storage structure. Property to the east, across 2<sup>nd</sup> Avenue North, is zoned SP-MU and contains multi-family residential use and non-residential uses. Properties to the south are zoned Specific Plan (SP) and contain a multi-family residential use.

Site Plan

The proposed plan includes a mixed use building with a maximum of 217 multi-family residential units and 3,800 square feet of retail space. The proposed building is limited to a maximum height of seven stories within a maximum of 75 feet. Right-of-way will be dedicated to expand the existing alley along the western property line. Vehicular

access is limited to the alley; a single point of entry will be provided to an internal parking garage. No vehicular access will be provided to 2<sup>nd</sup> Avenue North or Monroe Street. Parking will be provided on-site and per Metro Zoning Code. The plan provides an 8 foot wide sidewalk and on street parking along 2<sup>nd</sup> Avenue North. Monroe Street is a local street; the sidewalk and grass strip will meet the local street standard as indicated on the site plan.

**ANALYSIS**

As proposed, the plan is consistent with the T4 Mixed Use Neighborhood policy at this location. The T4 Urban Mixed Use Neighborhood policy indicates that building heights are generally one to five stories, but may be taller in limited instances. Consideration of taller heights is based on several factors including proximity to other policy areas and the role of the building in transitioning between policies, locations along or at intersections of arterial-boulevard streets, the relationship of the height of the building to the width of the street and sidewalks, and use of step backs to mitigate increased building heights.

The site for the proposed project is at a prominent intersection of 2<sup>nd</sup> Avenue North and Monroe Street. 2<sup>nd</sup> Avenue North is designated as an arterial-boulevard street and includes MTA service. The site is on the northern side of Jefferson Street and within the T4 MU policy. On the south of Jefferson Street is the T6 Downtown Neighborhood policy. The neighboring property to the east represents one of the most intense Specific Plan sites within the Germantown Neighborhood. Titled the LC Germantown, the SP contains a maximum height of 6 stories with roof top amenity areas. The proposed form within the 2<sup>nd</sup> and Monroe SP will contain a similar height overall given the topography across the site. Additionally, the form proposed within this SP will mirror some of the façade changes and open space courtyards thereby activating the public realm with a distinct character for this portion of Germantown. The policy supports taller buildings in this location to frame the corridor along the arterial street and provide for a pedestrian friendly environment.

The proposed uses and site layout are consistent with the T4 Urban Mixed Use Neighborhood policy. Given the surrounding development pattern and the form proposed within the site plan, the proposed height is consistent with the policy and the site meets the locational criteria for additional height for a portion of the plan.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**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. (See Capacity Fee Permit No's: T2020037458 & T2020037467).

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- Final constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions.
- In general, following approval of final plans by MPW, a recorded copy of any ROW dedications and private hauler agreement for waste/recycle disposal will need to be submitted to MPW for Bldg. permit approval.
- On final SP, show ramp into ally entrance (from Monroe) as either a ST-324, -325 section.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Construct a traffic signal at the intersection of 3rd Avenue at Madison Street.
- Restripe Madison Street between 2nd Avenue and 3rd Avenue to consist of one westbound shared through/right-turn lane, one westbound left-turn lane, one eastbound left-turn lane, and one eastbound shared through/right-turn lane.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.89	0.6 F	23,261 SF	83	29	31

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)	-	-	3,800 SF	242	13	26

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)	-	-	217 U	1600	100	118

Traffic changes between maximum: **IR and SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1759	+84	+113

**METRO SCHOOL BOARD REPORT**

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

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

The proposed SP-MU zoning district could generate ten more students than what is typically generated under the existing CS zone district. Students would attend Buena Vista Elementary School, John Early Middle School, and Pearl-Cohn High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted land uses shall be limited to a maximum of 217 multi-family residential units and a maximum of 3,800 square feet of all uses permitted by the MUL-A zoning district. Short Term Rental Property (STRP) – Owner occupied and Short Term Rental Property (STRP)- Not owner occupied are prohibited.
2. Height shall be limited to a maximum of seven stories in 75 feet.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUG zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
4. 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.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. 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.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**Approve with conditions and disapprove without all conditions. Consent Agenda. (9-0)**

**Resolution No. RS2020-183**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-033-001 is **approved with conditions and disapproved without all conditions. (9-0)**

**CONDITIONS**

1. Permitted land uses shall be limited to a maximum of 217 multi-family residential units and a maximum of 3,800 square feet of all uses permitted by the MUL-A zoning district. Short Term Rental Property (STRP) – Owner occupied and Short Term Rental Property (STRP)- Not owner occupied are prohibited.
2. Height shall be limited to a maximum of seven stories in 75 feet.

3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUG zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
4. 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.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. 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.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

## 27. 2020S-114-001

### RESUB OF PARTS OF LOT NOS. 84, 85, 86 AND 87 ON THE PLAN OF KENMORE PLACE

Council District 07 (Emily Benedict)

Staff Reviewer: Abbie Rickoff

A request for final plat approval to create two lots on properties located at 1223 and 1225 Kenmore Place, approximately 350 feet east of Kenmore Court, zoned RS7.5 (2.19 acres), requested by Clint Elliott Survey, applicant; Sarah & Jason Barrett and Bill & Amanda Contreras, owners.

**Staff Recommendation: Approve with conditions.**

#### APPLICANT REQUEST

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

#### Final Plat

A request for final plat approval to create two lots on properties located at 1223 and 1225 Kenmore Place, approximately 350 feet east of Kenmore Court, zoned Single-Family Residential (RS7.5) (2.19 acres).

#### Existing Zoning

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of 12 lots, based solely a minimum lot size of 7,500 square feet as required by the zoning. This calculation does not account for infrastructure, road layout, functional lot configuration, or meeting all requirements of the Metro Subdivision Regulations.*

#### Community Character Manual Policy

The site is located within the T4 Urban Neighborhood Maintenance (T4 NM) and Conservation (CO) policies. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For T4 NM, the conventional regulations in Chapter 3 are applied.

#### SITE CONTEXT AND PLAN DETAILS

The site comprises two parcels on approximately 2.19 acres and is located on the north side of Kenmore Place, east of Kenmore Court and north of McGavock Pike. The eastern parcel (082) includes a residential unit. The western parcel (081) is the larger of the two parcels and is vacant. The surrounding parcels west of parcel (081) and along Kenmore Court include smaller, previously subdivided lots. The surrounding parcels east of parcel (082), located midblock along Kenmore Place, are much larger. The lot sizes decrease moving further to the east, towards the end of the block face. A stream bisects the rear of the parcels, separating some of the properties along Kenmore Place from parcels which front Kirkland Avenue to the north.

The proposed plat would create 2 lots as follows:

- Lot 1: 79,008 square feet (1.814 acres) and 79.99 feet of frontage
- Lot 2: 16,492 square feet (0.378 acres) and 78 feet of frontage

The back portion of existing parcel 082 will be combined with existing parcel 081, resulting in proposed lot 1 becoming larger and proposed lot 2 becoming smaller than the existing parcel configurations. No changes to the existing frontage are proposed.

**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 (RS7.5) 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 five lots on either side of parcel proposed for subdivision were used in this evaluation.

Based on the surrounding parcels, the minimum required lot frontage along Kenmore Place is determined to be 63.34 feet and the minimum required lot area is approximately 24,302 square feet (0.56 acres) per lot.

Proposed Lot 1 has a frontage of 79.99 feet and is 79,008 square feet (1.814 acres), meeting the minimum frontage and area requirements. Proposed Lot 2 has a frontage of 78 feet and is 16,492 square feet (0.378 acres) and meets the minimum frontage requirement but does not meet the minimum area requirement.

Lot Frontage	Proposed Frontage	Minimum Frontage	70% Average
Lot 1	79.99 feet	50 feet	63.34 feet
Lot 2	78 feet		

Lot Size	Proposed Size	Minimum Size	70% Average
Lot 1	79,008 SF (1.81 AC)	10,197 SF (0.23 AC)	24,302 SF (0.56 AC)
Lot 2	16,492 SF (0.378 AC)		

Along Kenmore Place, there are 19 parcels included on the block face (excluding the site proposed for subdivision). There are 5 surrounding parcels west of the site and 5 surrounding parcels east of the site. All surrounding parcels are located within the T4 NM policy area, and therefore subject to compatibility requirements. The surrounding parcels to the west comprise the remaining portion of the western block face and have an average lot size of approximately 0.28 acres. The 5 surrounding parcels to the east are located mid-block and are the largest of the 19 parcels along the block face, excluding the site. The average lot size of these 5 parcels is approximately 1.32 acres. There are 9 additional parcels located directly east of the 5 surrounding eastern parcels. These 9 parcels are considerably smaller, with an average lot size of 0.28 acres, similar in size to the surrounding parcels to the west. Of the 19 total parcels located along the Kenmore Place block face, the average lot size is 0.55 acres, excluding the site. Fourteen of these parcels have an average lot size of 0.28 acres.

Proposed lot 1 (current parcel 081) will become the second largest property along the north side of Kenmore Place, with the added area proposed from the rear of current parcel 082. Although this results in proposed lot 2 (current parcel 082) becoming smaller than its existing configuration, the resulting configuration and lot depth is similar to most of the existing parcels along Kenmore Place, with the exception of the 5 surrounding parcels to the east that are more than twice as deep as the 14 remaining parcels along the block face. The lot frontage, which is not proposed to change for either of the proposed lots, exceeds minimum frontage requirements and is consistent with the established character of surrounding parcels. In sum, staff finds the proposed lots to be consistent with the character of the surrounding block face. The frontage for both lots will not change as a result of the subdivision, and lot 2 will be similarly sized to most of the lots along Kenmore Place.

Geographic, Topographic, and Environmental Factors

Staff has found no relevant geographic, topographic, or environmental features on this site.

Other Relevant Information

Staff has found no other relevant information to consider.

**FIRE MARSHAL RECOMMENDATION**

**Approve**

**STORMWATER RECOMMENDATION**  
Approve

**PUBLIC WORKS RECOMMENDATION**  
Approve

**TRAFFIC AND PARKING RECOMMENDATION**  
Approve

**WATER SERVICES RECOMMENDATION**  
Approve

**STAFF RECOMMENDATION**  
Staff recommends approval with conditions.

**CONDITIONS**

1. On the corrected copy, modify the parcel numbers on the face of the lots: Parcel (081) for Lot 1 and Parcel (082) for Lot 2.

**Approve with conditions. Consent Agenda. (9-0)**

**Resolution No. RS2020-184**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020S-114-001 is **approved with conditions.**  
**(9-0)**

**CONDITIONS**

1. On the corrected copy, modify the parcel numbers on the face of the lots: Parcel (081) for Lot 1 and Parcel (082) for Lot 2.

**28. 2020S-117-001**  
**PLUS PARK - SECTION 17 RESUB OF LOT 21**

Council District 16 (Ginny Welsch)

Staff Reviewer: Abbie Rickoff

A request for final plat approval to create three lots on property located at 319 Plus Park Blvd, approximately 475 feet southwest of Pavilion Boulevard, zoned CS (3.29 acres), requested by Clint Elliott Survey, applicant; J2K Builders, LLC, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

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

Final Plat

A request for final plat approval to create three lots on property located at 319 Plus Park Blvd, approximately 475 feet southwest of Pavilion Boulevard, zoned Commercial Service (CS) (3.29 acres).

**Existing Zoning**

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

**Community Character Manual Policy**

The site is located within the District Employment Center (D EC) policy. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For D EC, there are no specific regulations beyond the general requirements of Chapter 3.

**SITE CONTEXT AND PLAN DETAILS**

The site comprises 3.286 acres and is located on the west side of Plus Park Boulevard, east of I-24 and southwest of Murfreesboro Pike. The property contains an office use with surface parking areas and an existing billboard, which will all be retained on the lots proposed for subdivision. Surrounding properties along the west side of Plus Park Boulevard contain primarily office uses, with multi-family and commercial uses located closer towards Murfreesboro Pike.

The proposed plat would create 3 lots. Proposed lots 1 and 2 are located at the front of the site and contain lot sizes of 2.15 acres and 1.06 acres, respectively. Proposed lot 1 is located to the west of lot 2 and contains a portion of the



existing parking area. Proposed Lot 2, the easternmost lot, contains the existing office building with vehicular access to Plus Park Boulevard provided near the southeastern corner. Proposed lot 3, which comprises 0.075 acres and forms the area around the existing billboard, is located near the interstate at the back of the site. Access easements will be established with this plat to provide access from Plus Park Boulevard to the parking areas and billboard.

**ANALYSIS**

The land use policy for the subject property is District Employment Center (D EC), which is not subject to the infill subdivision requirements in Section 3-5 of the Subdivision Regulations.

Zoning Code

Proposed lots meet the minimum standards of the CS zoning district.

other lots Street Frontage for all

The proposed lots have frontage on a public street and/or are accessed from the street via a proposed access easement across an adjacent lot where joint access provides better access management.

All review agencies have recommended approval.

**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**

**PUBLIC WORKS RECOMMENDATION**

**Approve**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- MWS recommends approval, on the following condition: 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. Capacity must be reserved before issuance of building permits. (Capacity Permit Nos, T2020033343 & T2020033346).

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. Consent Agenda. (9-0)**

**Resolution No. RS2020-185**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020S-118-001 is **approved. (8-0)**”

**29. 2013UD-002-024**

**MURFREESBORO PIKE UDO (GREEN PASTURES)**

Council District 33 (Antoinette Lee)

Staff Reviewer: Elwyn Gonzalez

A request for a Modification to the Murfreesboro Pike Urban Design Overlay front setback and the perimeter fencing requirements for property located at 4027 Murfreesboro Pike, zoned AR2A and IR (6.54 acres), to permit a 203-foot front setback for a temporary modular building where a maximum of 80-feet is permitted, a 302-foot front setback for the existing structure where a maximum of 80-feet is permitted, and usage of a chain link fence; requested by Fulmer Lucas, applicant; Green Pastures Landscape Company, owner.

**Staff Recommendation: Approve all three modifications with conditions.**

**APPLICANT REQUEST**

## **A request for a modification to the Murfreesboro Pike Urban Design Overlay District standards**

### Modification

A request for a Modification to the Murfreesboro Pike Urban Design Overlay (UDO) front setback and the perimeter fencing requirements for property located at 4027 Murfreesboro Pike, zoned Agricultural/Residential (AR2A) and Industrial Restrictive (IR) (6.54 acres), to permit a 203-foot front setback for a temporary modular building where a maximum of 80-feet is permitted, a 302-foot front setback for the existing structure where a maximum of 80-feet is permitted, and usage of a chain link fence.

### **Existing Zoning**

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

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.

Murfreesboro Pike Urban Design Overlay (UDO) is intended to foster suburban development that is pedestrian friendly while still accommodating for the market needs of suburban development. This UDO focuses on broad design standards while emphasizing best practices for quality suburban design.

### **MODIFICATION REQUEST DETAILS**

The following modifications to the front setback and perimeter fencing standards of the Murfreesboro Pike UDO are being requested by the applicant:

#### **1) Front Setback (Modular Building)**

UDO Requirement: A minimum of 0-feet and maximum of 80-feet, as indicated in the dashed thick black line in the site plan graphic.

Modification Request: Up to 123-feet of additional front setback along the Murfreesboro Pike frontage shown in a thick black line in the site plan graphic.

#### **2) Front Setback (Existing Building)**

UDO Requirement: A minimum of 0-feet and maximum of 80-feet, as indicated in the dashed thick black line in the site plan graphic.

Modification Request: Up to 222-feet of additional front setback along the Murfreesboro Pike frontage shown in a thick black line in the site plan graphic.

#### **3) Perimeter Fencing**

UDO Requirement: Fences and walls within the front setback and in front of buildings on side property lines facing public streets shall be constructed of wood, brick, masonry, vinyl, ornamental iron or aluminum, or similar materials. Chain-link shall not be permitted within the front setback or between buildings and the street.

Modification Request: Permit usage of chain-link fence along front setback. Applicant proposes expanding the perimeter landscape strip from required 10-feet to 20-feet along the Murfreesboro Pike frontage screening the fence as shown in the outlined oval in the site plan graphic.

### **ANALYSIS**

- 1. Front Setback (Modular Building).** The Modification request consists of an additional 123-feet (for a total of 203-feet) to the maximum front setback from Murfreesboro Pike, where a maximum of 80-feet is allowed. The applicant proposes to locate a 3,000 square foot modular building to be used temporarily for the office component of the proposed landscape design business as the existing main structure is renovated. Given the temporary nature of the modular structure, proposed to be occupied by employees of the business for a period of 24-months or less, the setback would exceed the 80-foot requirement established by the UDO for a short period of time. The proposed plan enables the business to begin operating on the site earlier and provides the opportunity to enhance an existing structure for future adaptive reuse.
- 2. Front Setback (Existing Building).** The Modification request consists of an additional 222-feet (for a total of 302-feet) to the maximum front setback from Murfreesboro Pike, where a maximum of 80-feet is allowed. This setback is related to the distance of the existing metal structure which has remained on the site since 1993, prior to the creation of the Murfreesboro Pike UDO. The presence of a larger setback is not out of character for the surrounding building form given that it is related to an existing building within an industrial zoning district. While a reduced setback to meet the 80-foot requirement helps achieves activation of the street, repurposing the existing structure for a new landscaping business helps ensure that construction remain affordable while also meeting Metro's goals of providing a sustainable built environment which reduces the amount of construction materials and hauling to the site.

3. **Perimeter Fencing.** The third modification request consists of permitting the installation of a chain-link fence along the frontage of the site, approximately 10-feet from the edge of property. The applicant proposes to exceed the 10' perimeter landscaping strip to a total of 20' along Murfreesboro Pike to further provide screening of the fence and business activity. Furthermore, as the proposed development is related to lawncare services, the applicant has proposed to utilize plantings and vegetation as a means to further enhance the natural aesthetics of the Murfreesboro Pike corridor. Given the nature of the landscaping business which is permitted by-right per the existing zoning and the need to secure equipment, fencing along the perimeter of the property is of utmost importance as it relates to the success of the proposed business.

The modification requests are considered in keeping with the goals of the UDO and the Antioch-Priest Lake Community Plan to provide a walkable and pedestrian friendly site, while establishing quality suburban design that supports suburban development. The site plan proposal also provides high-quality landscaping beyond the standard requirement to buffer the site and proposed perimeter fencing.

#### **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 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.
- Prior to final approval, coordinate with Metro planning on sidewalk requirements along Murfreesboro Pike frontage.
- Comply with MPW traffic comments.

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

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

- Prior to construction permit approval, conduct an access study to determine whether a right turn lane and/or taper should be provided on Murfreesboro Pike at Proposed Driveway. Construction Documents shall reflect the recommendations of the access study and right turn lane design, if determined to be needed and as approved by the Metro Traffic Engineer.
- Provide adequate distance from both driveway gates to Murfreesboro Pike travel lanes to provide adequate truck queueing/storage from travel lanes when gates are closed.

#### **STORMWATER RECOMMENDATION**

##### **Approve**

#### **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. Capacity must be paid before issuance of building permits.

#### **STAFF RECOMMENDATION**

Staff recommends approval of all three modifications with conditions.

#### **CONDITIONS**

1. The modification decision in no way confers a site plan approval for the project. The applicant must apply for a final site plan approval, submitting the required application and all required drawings, for review through the development review process with all pertinent agencies. This is not a site plan approval.
2. The 3,000 square foot modular building to be located within 203-feet of Murfreesboro Pike is to be utilized in a temporary fashion for office use pending completion of the restoration of the main existing metal building. Use of the modular building beyond a period of 24-months following issuance of the Use and Occupancy Permit for the modular building shall require an additional UDO Modification approval by the Metro Planning Commission.

#### **Approve all three modifications with conditions. Consent Agenda. (9-0)**

##### **Resolution No. RS2020-186**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013UD-002-024 is **approved with conditions.**  
(9-0)

#### **CONDITIONS**

1. The modification decision in no way confers a site plan approval for the project. The applicant must apply for a final site plan approval, submitting the required application and all required drawings, for review through the development review process with all pertinent agencies. This is not a site plan approval.
2. The 3,000 square foot modular building to be located within 203-feet of Murfreesboro Pike is to be utilized in a temporary fashion for office use pending completion of the restoration of the main existing metal building. Use of the modular building beyond a period of 24-months following issuance of the Use and Occupancy Permit for the modular building shall require an additional UDO Modification approval by the Metro Planning Commission.

### 30. 2020HL-002-001

#### 701 SOUTH 6<sup>th</sup> STREET

Council District 06 (Brett Withers)

Staff Reviewer: Joren Dunnavant

A request to apply a Historic Preservation Overlay District on a portion of property located at 701 South 6th Street, approximately 390 feet southeast of Sylvan Street, zoned SP and within the Cayce Redevelopment District Overlay (0.58 acres), requested by M.D.H.A., applicant and 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 a portion of property located at 701 South 6th Street, approximately 390 feet southeast of Sylvan Street, zoned Specific Plan (SP) and within the Cayce Redevelopment District Overlay (0.58 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.

##### **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.

##### **EAST NASHVILLE COMMUNITY PLAN**

Open Space (OS) is intended to preserve and enhance existing open space in the T2 Rural, T3 Suburban, T4 Urban, T5 Center, and T6 Downtown Transect areas. The OS Policy is intended to preserve and enhance existing open space in the T2 Rural, T3 Suburban, T4 Urban, T5 Center, and T6 Downtown Transect areas. OS policy includes public parks and may also include private land held in conservation easements by land trusts and private groups or individuals.

##### **REQUEST DETAILS**

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

The James A. Cayce Administration Service Building, also known as the Gerald F. Nicely Building, is significant under National Register criteria A and C for its role in the development of Nashville's public housing and for its architectural design. The building was completed in 1943 after being approved by the United States Housing Authority (USHA) in 1941. The building was constructed to serve as the offices of the Nashville Housing Authority (NHA) which was the city agency responsible for administering the local and federal public housing programs. The NHA oversaw the completion of the adjacent Cayce Place public housing project as well as the city's other major public and elderly housing projects in the mid-20<sup>th</sup> century. The agency was renamed the Metropolitan Development and Housing Agency (MDHA) in 1972 and the building continues to be occupied by MDHA. The building was designed in the Neo-Classical Revival style by the Nashville architectural firm of Marr and Holman. It features a two-story main block with a Doric portico and flanking one-story wings. The building underwent a limited expansion in 1989 and in 2005 the windows and doors were replaced, and the portico rebuilt. Although using different materials, this renovation was designed to match the original as closely as possible and the building retains integrity of its overall plan, site, setting, location, workmanship, feeling and association.

**Analysis and Findings:** The property was listed in the National Register of Historic Places on December 13, 2019, and therefore meets standard 5 of section 17.36.120.

**METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On June 17, 2020, the Metro Historic Zoning Commission reviewed the request and recommended 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 meets standard 5 of section 17.36.120.

**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 encourages the protection and preservation of historic features. Staff recommends approval of the Historic Landmark Overlay District.

**Approve. Consent Agenda. (9-0)**

**Resolution No. RS2020-187**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020HL-002-001 is **approved. (9-0)**”

**31. 2020Z-086PR-001**

Council District 17 (Colby Sledge)

Staff Reviewer: Amelia Lewis

A request to rezone from CS to MUL-A-NS zoning for property located at 1621 Ensley Boulevard, at the northwest corner of Ensley Boulevard and 4th Avenue South (1.67 acres), requested by Thomas and Hutton, applicant; Cumberland Advisory Group 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 property located at 1621 Ensley Boulevard, at the northwest corner of Ensley Boulevard and 4th Avenue South (1.67 acres).

**Existing Zoning**

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

**Proposed Zoning**

Mixed Use Limited-Alternative (MUL-A-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.*

**SOUTH NASHVILLE COMMUNITY PLAN**

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

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

**Supplemental Policy**

The site is located within the Wedgewood Houston Chestnut Hill Small Area Plan. The intent of this plan is to addresses land use, transportation, and community design at the neighborhood scale. The site is located within subdistrict 4d.

**ANALYSIS**

The 1.67 acre site is located at the convergence of 4<sup>th</sup> Avenue South, Ensley Boulevard, and Nolensville Pike, forming a triangular shape parcel. The lot has frontage along 4<sup>th</sup> Avenue South and Ensley Boulevard. The parcels to

the north are zoned Industrial Warehouse District (IWD). To the west, along 4<sup>th</sup> Avenue South, the parcels are zoned CS and several Specific Plan (SP) districts. The 12 acre parcel directly to the east is zoned SP to permit 130 multi-family residential units.

The intent of the T4 MU policy is to maintain, enhance, and create urban, mixed use neighborhoods with a diverse mix of moderate-to-high density residential, commercial, office, and light industrial land use. The CO policy is on the site as a result of floodplain on the eastern portion of the site. All required stormwater and floodplain development regulations will be required with any future development.

The guidance for Subdistrict 4d indicates the properties will likely develop with a mix of commercial and light industrial uses, with the potential for higher density residential, mixed-use and live-work uses along 4<sup>th</sup> Avenue South/Nolensville Pike.

The requested rezoning to MUL-A-NS meets the intent of the T4 MU zoning district and the small area plan to establish a mix of uses on the site. Additional considerations for zoning changes include the site's relation to centers and corridors, size of the site, environmental conditions, and surrounding character areas. The site is at a prominent convergence of three major corridors and given the size of the site, is likely able to support a mixed-use development. The area to the east of the site is T4 MU before it transitions to Urban Neighborhood Evolving (T4 NE), which is a residential policy to create and enhance urban neighborhoods. The requested MUL-A-NS permits a variety of uses compatible with the mix of the two adjacent policies.

**FIRE 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**

- Transportation analysis may be required at time of redevelopment.

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	1.67	0.6 F	43,647 SF	2771	139	299

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)	0.83	1.0 F	36 U	232	19	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
Retail (814)	0.82	1.0 F	35,719 SF	2268	114	245

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)	0.82	1.0 F	35,719 SF	2995	27	279

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
-	-	-	-	+2724	+21	+249

**METRO SCHOOL BOARD REPORT**

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

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. Consent Agenda. 9-0**

**Resolution No. RS2020-188**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-086PR-001 is **approved. (9-0)**”

**32. 2020Z-087PR-001**

Council District 05 (Sean Parker)

Staff Reviewer: Amelia Lewis

A request to rezone from SP to R6-A zoning for properties located at 900, 902, 904, 906, 908, 910, 912, 914, and 916 N 6th Street, at the northwest corner of Cleveland Street and N 6th Street, (1.75 acres), requested by RSC LLC, applicant; Cleveland Park Development LLC and Cleveland Street Missionary Baptist Church TRS., owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

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

Zone Change

A request to rezone from Specific Plan-Residential (SP-R) to One and Two-Family Residential Alternative (R6-A) zoning for properties located at 900, 902, 904, 906, 908, 910, 912, 914, and 916 N 6th Street, at the northwest corner of Cleveland Street and N 6th Street, (1.75 acres).

**Existing Zoning**

Specific Plan – Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan, Cleveland McFerrin Park SP, permits Detached Accessory Dwelling Units (DADUs) in addition to all uses of RS5.*

**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. *Based on the existing lot configuration, if rezoned to R6 and each lot is found to be duplex eligible by Codes, a total of 18 units (2 per lot) would be permitted.*

**EAST NASHVILLE COMMUNITY PLAN**

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

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

**ANALYSIS**

The requested area for rezoning, also referred to as the site, is composed of nine lots, for a total acreage of 1.75 acres. The site is located at the northwest corner of N 6<sup>th</sup> Street and Cleveland Street. The existing lots have frontage along N 6<sup>th</sup> Street and the southernmost lot has frontage along both Cleveland Street and N 6<sup>th</sup> Street. Alley 334 forms the western property line of the existing lots. All lots are currently vacant.

On the east side of N 6<sup>th</sup> Street, opposite the site, is an existing church and Cleveland Park. The properties to the north, east, and southwest across Cleveland Street are within the same SP as the rezoning site. The existing SP permits all uses of the Residential Single-Family zoning district (RS5) and DADUs. The properties at the southeast corner of N 6<sup>th</sup> Street and Cleveland Street are zoned Residential Multi-Family (RM20).

The goals of both policies on the site, T4 NE and T4 NM, are intended to create and enhance urban neighborhoods compatible with surrounding properties. The SP permits DADUs to be established on lots with existing single-family residential units, for a total of two units per lot. The requested zoning district would also permit two units per lot. Two-family lots would be in keeping with the existing residential development pattern of the area. The alternative standards of the zoning district require additional development standards to create an urban form on the lots.

**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: **SP**

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)	1.75	-	24 U	176	12	14

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (220)	1.75	7.26 D	15 U	110	7	9

\*Based on two-family lots

Traffic changes between maximum: **SP 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 U	-66	-5	-5

**METRO SCHOOL BOARD REPORT**

Projected student generation existing SP 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 anticipated to generate any additional students than the existing RS5 zoning district. Students would attend Ida B. Wells Elementary School, Jere Baxter Middle School, and Maplewood High School.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. Consent Agenda. (9-0)**

**Resolution No. RS2020-189**



**33. 95P-025-006**

**MILLWOOD COMMONS - PHASE 1A AND PORTION OF PHASE 1B  
(REVISION AND FINAL)**

Council District 31 (John Rutherford)  
Staff Reviewer: Abbie Rickoff

A request to revise the preliminary plan and for final site plan approval for a portion of a Planned Unit Development Overlay District for property located at 1430 Bell Road, approximately 175 feet northeast of Harris Hills Lane, and a portion of property located at 900 Brittany Park Drive, zoned RS7.5 (16.79 acres), to permit additional parking, requested by Catalyst Design Group, applicant; Whetstone Partners I, LLC, and Whetstone Partners II, LLC, owners.

**Staff Recommendation: Approve with conditions.**

**The Metropolitan Planning Commission deferred 95P-025-006 to the August 27, 2020, Planning Commission meeting. (9-0)**

**34. 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, (3 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 August 27, 2020 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 65-76P-001 to the August 27, 2020, Planning Commission meeting. (9-0)**

**35a. 2020CP-005-001**

**EAST NASHVILLE COMMUNITY PLAN AMENDMENT**

Council District 05 (Sean Parker)  
Staff Reviewer: Anna Grider

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

**Staff Recommendation: Approve T4 Urban Community Center along with a Supplemental Policy.**

**APPLICANT REQUEST**

**Amend East Nashville Community Plan to change the policy.**

Major Plan Amendment

A request to amend the East Nashville Community Plan by amending the Community Character Policy from T4 Urban Neighborhood Evolving (T4 NE) to T5 Center Mixed Use Neighborhood (T5 MU) on property located at 515 and 516 Foster Street, at the eastern terminus of Foster Street, zoned Industrial Restrictive (IR) and Multi-family Residential (RM20) and partially within a Planned Unit Development Overlay District (approximately 9.51 acres).

**EAST NASHVILLE COMMUNITY PLAN**

**Current Policy**

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.

**Requested Policy**

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.

**Recommended Policy**

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

**SPA 05-T4-CC-01 — Nashville Pottery and Pipe Works Property**

The Supplemental Policy is additional guidance for development and preservation that builds on the policy guidance for T4 CC. The applicant is requesting additional height in certain locations in order to preserve and repurpose some of the existing Nashville Pottery and Pipe Works buildings.

**BACKGROUND**

The community plan amendment was requested in conjunction with zone change application 2020SP-021-001, a request to change the zoning from Industrial Restrictive (IR) and Multi-Family Residential (RM20) to Specific Plan – Mixed Use (SP-MU) zoning to permit a mix of uses on 9.51 acres at 515 and 516 Foster Street. A request for cancellation of a portion of a Planned Unit Development (2003P-015-003) is also associated with this case. As part of the application process, the Executive Director determined the plan amendment is major with a required community meeting.

The plan amendment area is located close to Downtown in East Nashville. The site is bordered by a CSX rail line on the western edge and Ellington Parkway on the eastern edge. These features have historically isolated the site from the surrounding area. A pedestrian bridge spans the parkway and borders the northern edge of the site. Nashville Pottery and Pipe Works was established on the site in the 1890s and the rail line was used to accept clay and coal to power two kilns, and to ship finished products. Douglass Park is located on the other side of Ellington Parkway, and McFerrin Park is located across the railroad to the northwest. McFerrin Park neighborhood and MDHA's Sam Levy Homes are located to the west of the site.

The applicant has applied for SP zoning to permit a mix of uses. Commercial uses are not supported by the existing T4 NE policy. As a result, the applicant has proposed a policy change to T5 Center Mixed Use Neighborhood (T5 MU), which is intended to create high-intensity urban mixed-use neighborhoods. Based on community feedback, staff recommends approval of T4 Urban Community Center (T4 CC) policy and a Supplemental Policy in place of the requested T5 MU. The community input is explained in greater detail in the Community Participation section of this report.

**COMMUNITY PARTICIPATION**

The applicant team held or attended several community meetings prior to, and following, the required Planning-led community meeting. Those meetings occurred on the following dates:

- November 1, 2018
- March 7, 2019
- February 13, 2020
- July 2, 2020

On May 26, 2020 a Planning-led virtual community meeting was held to discuss the applicant's plan amendment and zoning requests. Approximately 25 people attended, including Councilmember Sean Parker, the applicant and development team, and staff from the Planning Department. Many of the attendees were residents of the McFerrin Park neighborhood which is adjacent to the subject site. The meeting was available via WebEx and streamed live on Metro Nashville Network's Facebook page. The recording was subsequently uploaded to Metro Planning's YouTube channel to be viewed by those who were unable to attend the live meeting.

Planning staff spoke and answered questions regarding the plan amendment request. The applicant presented plans and renderings for the Specific Plan rezoning. Following these presentations questions from attendees were taken. The questions centered on two main themes: concerns about the impact of additional traffic through the McFerrin Park neighborhood and concerns about the intensity of development allowed by the requested T5 MU policy.

Immediately following the meeting, a survey was sent by Planning staff to those who attended in order to better gauge the level of support or opposition for the plan amendment. Of the 6 responses received, there was general support for the proposal. However, concerns about traffic through the neighborhood and the overall intensity of T5 MU policy were reiterated.

After receiving this feedback, the applicant deferred the plan amendment and rezoning applications to make revisions and continue conversations with Planning staff, Metro Public Works, Councilmember Parker, and the community.

Staff is recommending T4 CC policy and a Supplemental Policy allowing for punctuations in height, in place of the requested T5 MU policy. Staff has drafted the Supplemental Policy language which was shared with the applicant, Councilmember, and community for input. Minor edits were made to the language based on input from the applicant.

#### **ANALYSIS OF T4 URBAN COMMUNITY CENTER POLICY**

While the applicant submitted a request to amend the policy for the subject properties to T5 MU, staff recommends consideration and approval of T4 CC along with a Supplemental Policy. This recommendation is a result of extensive conversations with the applicant team and the community; therefore, this analysis focuses on the application of T4 CC policy instead of T5 MU.

The proposed amendment area is a suitable location for T4 CC policy for the following reasons:

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

The plan amendment area is located within a "Neighborhood" area on the Growth & Preservation Concept Map. While these are primarily residential areas, they also include smaller civic and employment areas and small neighborhood centers. In addition, they include areas used and zoned for uses that may be incompatible with surrounding uses and that should transition to more compatible uses over time. In this case, the current zoning of IR and the distinctive industrial buildings currently occupying the site are unusual within the surrounding Neighborhood area.

The plan amendment area is located less than a quarter mile from two "Tier One Centers" on the Concept Map. Tier One Centers are intended to be pedestrian-friendly areas with frequent transit service that contain a dense mix of homes, shops, jobs, and parks. Infill development is encouraged along transit and multimodal corridors in between and immediately around activity and employment centers such as the Tier One Centers. The *NashvilleNext* planning process applied the concept map designations generally rather than at the parcel-specific level.

The neighborhoods around the plan amendment request are compact and walkable with a generally gridded street pattern, short blocks, and a range of housing types from single-family to apartments. This diversity of housing types, typical of many East Nashville neighborhoods, provides housing to people at many different phases of life and at a variety of price points. Providing additional housing in strategic locations, such as the housing proposed at this site, is a key element supported by *NashvilleNext*.

#### Key Findings

- The plan amendment area is identified as a Neighborhood on the Growth & Preservation Concept Map but is appropriate for T4 CC policy because of its proximity to Centers and its current zoning.
- Providing additional housing at strategic locations is a key element of *NashvilleNext*.
- Reuses architecturally interesting buildings.

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

Community Plans provide history and context for Nashville's 14 Community Planning areas, along with community-specific issues, strategies, and sketches of how different places in the community could change over time. The East Nashville Community Plan uses Community Character Policies that are tailored to the urban and suburban character of neighborhoods throughout its area. The Community Plan emphasizes enhancing centers and corridors to revitalize older centers and provide more services and options, while strategically locating additional housing options, such as various housing types, on a prominent corridor to support businesses and transit. In addition to areas that provide a variety of housing types, East Nashville includes numerous walkable neighborhood centers. Higher intensity areas should transition thoughtfully to adjacent residential areas.

The T4 Urban Transect category includes the historic, inner-ring neighborhoods as well as new neighborhoods intended to be developed in a more intense, urban fashion. Complete urban communities feature an integrated mixture of housing within walking distance of commercial and neighborhood-scaled open space. They feature highly connected street systems with sidewalks, bikeways, and facilities for mass transit, providing many transportation options.

Residents in urban neighborhoods are generally within a five- to ten-minute walk of neighborhood-scaled commercial and mixed-use centers. Urban centers are often mixed use, accommodating commercial and residential land uses.

Mixed use buildings with residential or office on upper floors and commercial uses on the ground floor promote active uses at the pedestrian level, adding to the bustling atmosphere of the neighborhood.

T4 CC policy is applied to areas that serve an urban community and where the center's intensification is supported by surrounding existing or planned residential development and adequate infrastructure. A mix of building types is expected in T4 CC areas with preference given to vertically mixed-use buildings. These buildings use land efficiently and contribute to the vitality and function of the center by providing combined opportunities to live, work, and shop and by supporting both consumer business viability and the feasibility of public investments such as sidewalks and transit. Commercial, office, institutional, and transitional residential buildings are also found within T4 CC areas.

#### Key Findings

- Applying a higher intensity policy within the T4 Urban Transect is appropriate at this densely populated location in the urban core.
- The intent of T4 CC policy to encourage the provision of additional homes, new businesses, and employment opportunities to support residents, businesses, and transit is appropriate for this area.

#### **Transportation and Connectivity**

The subject property is in the densely populated urban core of Nashville, approximately half a mile from Downtown and a quarter mile from an interchange with I-24. The three main corridors that traverse East Nashville, Dickerson Pike, Main Street/Gallatin Pike and Ellington Parkway, are all within a quarter mile of the site. Ellington Parkway, which hugs the east side of the site, is a heavily trafficked highway. Dickerson and Gallatin Pikes are both classified as arterial boulevards on the Major & Collector Street Plan and as immediate need, high capacity transit corridors in *NashvilleNext*. High capacity transit corridors represent a framework of more intense housing and commercial areas along major roadways with more frequent transit service. The immediate need priority means the street is slated for near-term improvements to transit service.

WeGo currently provides bus service along Dickerson Pike, Main Street/Gallatin Pike, Meridian Street, and Ellington Parkway. A future greenway connection is planned along Ellington Parkway. A robust sidewalk network exists on both sides of Ellington Parkway, and a shared bikeway is in place along Spring Street heading northwards along Dickerson Pike. A pedestrian bridge spans Ellington Parkway at this location providing pedestrian connectivity between McFerrin Park and Douglass Park.

#### Key Finding

- The existing and planned transportation infrastructure surrounding this location make it an accessible multimodal site and suitable for T4 CC policy.

#### **Addressing Appropriate Intensity**

Typical building heights in T4 CC policy areas are up to five stories. Taller buildings are found along streets that are sufficiently wide to avoid the effect of a building overshadowing the street. The appropriate height is based on the building type, location, architectural elements, and surrounding context. In this context, punctuations of heights greater than five stories may be appropriate given the site's adjacency to Ellington Parkway, proximity to Downtown, proximity to two high capacity transit corridors, and the adjacent T5 MU policy to the south. Both the Parkway and the Park provide a buffer from the site to the east. The CSX railroad along the west side of the site separates the McFerrin Park neighborhood from the site.

The Community Character Manual states that the potential impacts of proposed developments on historic sites should be carefully considered and appropriate measures should be applied that mitigate any adverse impacts. Development on or near such sites should make efforts to balance new development with the existing character, scale, massing, and orientation of those historical features. While the Nashville Pottery and Pipe Works property is not designated as historically significant, it does contain architecturally interesting industrial buildings. Some of these buildings are proposed to be preserved in the associated Specific Plan rezoning request. As such, consideration of taller heights is also based on how the buildings respond to the unique locational characteristics and context of the area.

While T4 CC policy provides broad guidance on building and site design to reflect the setting in which the development is located, the proposed Supplemental Policy provides greater detail on how and where additional height may be appropriate on the subject site.

#### **Recommended Supplemental Policy**

##### [SPA 05-T4-CC-01 — Nashville Pottery and Pipe Works Property](#)

East Nashville's T4 Urban Community Center (T4 CC) Supplemental Policy Area (SPA) 05-T4-CC-01 applies to properties bounded by Ellington Parkway and the CSX railroad in East Nashville. These properties were once home to Nashville Pottery and Pipe Works. In this Supplemental Policy Area - SPA (shown in Figure 1), the following policies apply. Where the Supplemental Policy is silent, the guidance of the T4 CC policy applies.

Within this SPA, additional height may be allowed at certain locations, subject to:

- the development's ability to retain and incorporate any historically or architecturally interesting buildings that may be present,
- improvements to connections to the site through the McFerrin Park neighborhood and across the railroad, including neighborhood traffic calming, and
- improvements to the experience for pedestrians crossing Ellington Parkway between McFerrin Park and Frederick Douglass Park (subject to funding approval and work to be performed by TDOT).

To accomplish these objectives and the overall design objective of creating a vibrant, mixed use area, additional heights, beyond heights normally found in T4 CC policy, may be permitted.

A diversity of uses and mixture of building heights may be provided within this area in line with T4 CC policy. In a limited area, additional height may be appropriate up to 12 stories. The overall intensity of the site should be consistent with T4 CC policy. In this SPA, increased height is allowable based on:

- adaptive reuse of architecturally or historically interesting industrial buildings,
- proximity to the Downtown and Main Street Tier One Centers,
- proximity to two Immediate Need segments of High Capacity Transit Corridors along Dickerson Pike and Main Street, and
- adjacency to a future urban greenway (the future Ellington Connector).

Additionally, the following Design Principles should guide site design:

#### *Design Principles – Building Form and Site Design*

Development should utilize high quality urban design, including building design, with a focus on the pedestrian realm and the views of the site from the primary vantage points of the McFerrin Park neighborhood and Ellington Parkway.

Careful attention should be paid to the design details and massing of taller buildings, such as setbacks, placement of doors and windows, stoops and porches, screening of parking garages, and the location of parking garage entrances to manage increased traffic and demand for parking. This includes providing appropriate transitions from the McFerrin Park residential neighborhood and its built environment, to avoid the effects of taller buildings overshadowing the neighborhood. Transitions may include the use of setbacks from the residential neighborhood, the location of greatest height closest to Ellington Parkway, and the use of the existing grade to lower the impact of the height on McFerrin Park.

To create an interactive, walkable environment, development should provide safe and comfortable open spaces, landscaped areas, sidewalks, plazas, courtyards, and biking facilities. To further enhance the pedestrian realm, buildings located along the pedestrian bridge, along the future Ellington Connector Greenway, and facing the neighborhood should be articulated. These important elements should be incorporated into the development, to generate vibrancy and to provide bike and pedestrian access to the site. The use of blank walls or imposing buildings, which negatively affect both the pedestrian environment and the views of the site from the McFerrin Park neighborhood and Ellington Parkway, should be avoided.

Due to the visibility of prominent buildings from both the McFerrin Park neighborhood and Ellington Parkway, buildings should address both views. This should include four-sided architecture and the screening of parking garages.

Buildings of additional height within the development must not negatively impact the pedestrian experience. Elements such as sidewalks and the streetscape should be in scale with the massing of buildings exceeding the usual five stories (i.e. wider sidewalks for taller buildings) found in T4 CC areas.

#### *Design Principle – Connectivity*

Due to the accessibility constraints of this site and the potential impacts of additional traffic through the McFerrin Park neighborhood, special attention should be paid to connectivity and enhancements to accessibility. This may include:

- addition of an above grade railroad crossing at Marina Street,
- improvements to the existing Foster Street at-grade railroad crossing including signage, striping, and sidewalks,
- addition of a trailhead at the base of the pedestrian bridge for the future Ellington Connector Urban Greenway,
- exploration of opportunities for improving connections across Ellington Parkway, for example, through improvements to the pedestrian bridge (subject to funding approval and work to be performed by TDOT), and
- provision of offsite improvements to be agreed with Metro Public Works – which may include neighborhood traffic calming, addition of sidewalks, crosswalks, and bus stop improvements.

#### *Zoning*

Rezoning requests within this SPA should utilize the Specific Plan (SP) zoning district with an overall intensity of Mixed Use General – Alternative (MUG-A) zoning. For example, utilizing the FAR and ISR of MUG-A zoning.

### **Analysis Summary**

Amending the Community Character Policy from T4 NE to T4 CC with a Supplemental Policy is appropriate at this location. In summary, the change in policy for the study area is appropriate due to the following:

- The plan amendment area is identified as a Neighborhood on the Growth & Preservation Concept Map but is appropriate for T4 CC policy because of its proximity to Centers and its current zoning.
- Addresses a key element of *NashvilleNext* by providing additional housing at strategic locations.
- Reuses architecturally interesting buildings.
- Applies a higher intensity policy within the T4 Urban Transect that is appropriate at this densely populated location in the urban core.
- The intent of T4 CC policy to encourage the provision of additional rooftops, new businesses, and employment opportunities to support residents, businesses and transit is appropriate for this area.
- The existing and planned transportation infrastructure surrounding this location make it an accessible multimodal site and suitable for T4 CC policy.

### **STAFF RECOMMENDATION**

Staff recommends approval of T4 Urban Community Center (T4 CC) policy along with a Supplemental Policy.

Ms. Grider presented the staff recommendation of approval of T4 Urban Community Center along with a Supplemental Policy.

Items 35a, 35b, and 35c were heard and discussed together.

Bill Barkley, applicant, spoke in favor of the application and noted they are actively working on traffic calming solutions.

Adam (last name unclear), 322 Wilburn St, spoke in favor of 35a but expressed confusion around 35c.

(Name and address unclear) spoke in favor of the application.

Councilmember Parker spoke in favor of the application, thanked staff for their hard work, and expressed appreciation to the neighbors for their involvement.

### **Chairman Adkins closed the Public Hearing.**

Ms. Farr spoke in favor of the application; this is a productive use of a unique property.

Ms. Blackshear spoke in favor of the application.

Mr. Gobbell spoke in favor of the application.

Ms. Johnson spoke in favor of the application. It is a very well thought out plan.

Mr. Lawson spoke in favor of the application.

Councilmember Murphy would like to add a condition where the developer is providing more of the cost/infrastructure of the greenway that is on their property.

Dr. Sims spoke in favor of the application but would like to ensure we keep this building historically and architecturally interesting.

Mr. Tibbs spoke in favor of the application.

Mr. Poole, Legal, stated that a condition regarding the greenway might be better taken up at the council level.

Councilmember Parker agreed to continue to work with the Parks Development as well as the developer.

**Councilmember Murphy moved and Mr. Tibbs seconded the motion to approve T4 Urban Community Center along with a Supplemental Policy. (9-0)**

### **Resolution No. RS2020-190**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2020CP-005-001 is approved. (9-0)**

**35b. 2020SP-021-001  
FOSTER STREET SP**

Council District 05 (Sean Parker)

Staff Reviewer: Logan Elliott

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

**Staff Recommendation: Approve the SP with conditions and disapprove without all conditions if the associated plan amendment is approved and disapprove if the associated plan amendment is not approved.**

**APPLICANT REQUEST**

**Zone change from IR to SP and cancel a portion of an existing Planned Unit Development Overlay District.**

Specific Plan

A request to rezone from Industrial Restrictive (IR) to Specific Plan (SP) zoning for properties located at 515 and 516 Foster Street, at the eastern terminus of Foster street and partially located with a Planned Unit Development Overlay District, to permit a mixed use development (9.51 acres).

Cancel PUD

A request to cancel a portion of a Planned Unit Development Overlay District for property located at 515 Foster Street, at the eastern terminus of Marina Street and along Ellington Parkway, zoned IR (7.12 acres).

**Existing Zoning**

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

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 Mr. Elliott presented the staff recommendation of approval of the SP with conditions and disapproval without all conditions if the associated plan amendment is approve and disapproval if the associated plan amendment is not approved. 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.

This PUD is an older "Res-E" residential PUD. The Res-E PUDs were adopted in the early 1970s to recognize existing public housing developments that were put in place prior to comprehensive zoning. There was never a master PUD plan adopted for any Res-E PUD.

**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.

**EAST NASHVILLE COMMUNITY PLAN**

**Existing Policy**

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.

**Proposed Policy**

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

#### **Proposed Supplemental Policy**

This property is within the Foster Street Supplemental Policy area. This supplemental policy aims to provide further guidance on appropriate land uses, building forms, transportation objectives, and other aspects of potential development to better ensure the development is appropriate and sensitive to the neighborhood.

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

The site is approximately 9.51 acres and sits at the terminus of Foster Street in East Nashville. The site is bounded by Ellington Parkway to the east and the CSX railway to the west. The site currently contains a one-story industrial building and the site is accessed via Foster Street. The area surrounding the site contains a mixture of different residential housing types. A pedestrian bridge that is owned and maintained by the Tennessee Department of Transportation passes through the site and connects Marina Street and Frederick Douglas Park to the east of Ellington Parkway.

#### Site Plan

The plan proposes a mixed use development with up to 490 multi-family units, 125 hotel rooms, 123,000 square feet of office space, and 62,000 square feet of mixed use commercial space. The permitted uses for this project are identified on the plans. The plan proposes to refurbish the majority of the existing warehouse, construct a 7-story hotel over the existing warehouse structure, construct two mixed use buildings up to 12 stories, and construct a one-story mixed use building. The plan proposes to add an access point to the site with an above grade rail crossing at the north end of the site, connecting to Marina Street through adjacent MDHA property. This crossing is proposed to be private and the project does not propose any additional public streets beyond those that currently exist. The plan also proposes right-of-way for a trailhead intended to serve a future Metro Parks greenway planned to run adjacent to the CSX railway.

The project is broken down into four phases:

Phase 1 includes the refurbishing the majority of existing warehouse on site, relocating a small portion of the warehouse to allow for an internal private driveway, the construction of an 8-story hotel, and the creation of a public plaza space. All of the internal private drives are constructed during this phase, including the additional access point to Marina Street.

Phase 2 includes a podium style residential building that may rise up to 11 stories with 6 stories of residential and 5 stories of parking. This building will be integrated into the portion of the existing warehouse that is to remain north of the proposed private driveway. This portion of the warehouse is proposed to be refurbished for an office use. The applicant has indicated on the plans that all above ground structured parking will be screened and has provided precedent imagery for how the garage will be screened. This building will be accessed via the above grade crossing from Marina Street and from a private drive adjacent to Ellington Parkway.

Phase 3 includes a podium style mixed use building that may rise up to 12 stories with 7 stories of residential and with 5 floors of parking. The portion of the building that fronts onto Foster Street is proposed to be office or retail use. This building is accessed via Foster Street.

Phase 4 covers the northern most portion of the site and includes a single-story 4,000 square foot mixed use building with stormwater facilities occupying most of the site.

The applicant is also proposing a number of off-site improvements that were primarily generated through the Traffic Impact Study process. This includes a new traffic light, nearby existing roadway improvements, local bus stop improvements, and other public off-site improvements. Additionally, the applicant is proposing to contribute to the traffic calming application that was submitted to the Public Works department through the Traffic Calming program. This application for traffic calming measures in the McFerrin Park neighborhood was submitted separately from this SP application; however, through conversations with the community, the council member for this district, Public Works, and Planning; the applicant has agreed to work with the community to identify appropriate traffic calming measures and has agreed to install the identified traffic calming measures.

#### **ANALYSIS**

The proposed mixed use development is consistent with the proposed Urban Community Center Policy and with the Foster Street Supplemental Policy. The mixture of commercial, office, and residential uses will enhance the area as a community center. The plan also includes a public plaza with an entertainment stage that will enhance the area with



community amenities. The proposed building heights exceed building heights normally permitted in Urban Community Center Policy areas; however, the Foster Street Supplemental Policy identifies that through the reuse of historically or architecturally interesting buildings, additional height may be appropriate for new buildings as long as the overall massing of building on the site is consistent with the massing normally permitted in an Urban Community Center Policy area. The existing industrial building on site has an interesting history stemming back to the 1800's and the applicant is proposing to preserve and repurpose the majority of the building. Staff finds the plan to be consistent with the building height guidance in the Foster Street Supplemental Policy.

The plans also include a design standard for the podium buildings to ensure that the facades of the building are articulated on all four sides which is important due to the prominent nature of the site with its proximity to Ellington Parkway and Downtown as well as the proposed buildings' visibility from the McFerrin Neighborhood. The proposed parking structures have screening standards included in the plans as well. The overall intensity of the development is consistent with the Foster Street Supplemental Policy with a floor-area-ratio of 2.0.

The proposed above grade crossing of the CSX railway at Marina Street will enhance the connectivity of the site and is consistent with the Urban Community Center Policy and the Foster Street Supplemental Policy.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Preliminary SP only. Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/SP approval, (see Permit #'s T2020009410 and T2020009414).

**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.
- Any signed agreement with TDOT and/or RR authority on encroachment for bridge over ROW needs to be submitted to MPW for final SP approval.
- For final SP approval, show a turn-around at the terminus of Foster St.
- Show Private drive signage where applicable.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

The following transportation improvements shall be constructed with the proposed development:

- Restripe the westbound approach of the intersection of Dickerson Pike at Grace Street to include one shared through / left-turn lane and one right-turn lane.
- Construct a traffic signal at the intersection of Dickerson Pike at Meridian Street with fiber interconnection to existing traffic signal at Spring Street at Dickerson Pike, including pedestrian signal infrastructure. Traffic signal may not be warranted with Phase 1, but will be required by full build-out. A signal warrant and updated capacity analysis memo shall be submitted with each phase of development until the traffic signal is installed.
- Coordinate with Metro Public Works, Metro Planning, and WeGo to restripe Meridian Street from Dickerson Pike to Foster Street to include one travel lane in each direction, a center turn lane, on-street parking, and buffered bicycle lanes.
- Coordinate with WeGo for bus stop improvements on Meridian Street at Lischey Place and Meridian Street at Berry Street.
- Pedestrian access shall be provided for both access points, northern access point by either proposed vehicular bridge or existing pedestrian bridge.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	9.51	0.6 F	248,553 SF	439	56	58

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)	-	-	490 U	3664	216	243

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	-	-	125 U	985	58	68

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)	-	-	123,000 SF	1298	143	139

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)	-	-	62,000 SF	3936	198	425

Traffic changes between maximum: **IR and SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+9444	+559	+817

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed SP-MU district: 69 Elementary 54 Middle 49 High

The proposed SP zoning is expected to generate 172 more students than the existing MUI-A zoning. Students would attend Ida B. Wells Elementary School, Jere Baxton Middle School, and Maplewood High School.

**STAFF RECOMMENDATION**

Staff recommends that the SP be approved with conditions and disapproved without all conditions if the associated plan amendment is approved and that the SP be disapproved if the associated plan amendment is not approved.

Staff recommends that the PUD cancellation be approved if the associated zone change is approved and disapproved if the associated zone change is not approved.

**CONDITIONS**

1. Permitted uses shall be limited to 490 multi-family units, 125 hotel rooms, 123,000 square feet of office space, and 62,000 square feet of mixed use commercial space. The permitted commercial and office uses for this project are identified on the plans. Short term rental property – owner occupied and short term rental property – not owner occupied shall be prohibited.
2. Applicant shall work to engage the surrounding neighborhood and District 5 Council Member to identify and install appropriate traffic calming measures in the area bounded by Cleveland Street, Dickerson Pike, Ellington Parkway, and Spring Street. The cost to the applicant to install the traffic calming measures shall not exceed \$60,000. The traffic calming measures shall be identified and reviewed by Public Works prior to the building permit process. Public Works may alter the final design of the traffic calming measures.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.

5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A zoning district as of the date of the applicable request or application.
6. 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.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. 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.

Items 35a, 35b, and 35c were heard and discussed together.

Bill Barkley, applicant, spoke in favor of the application and noted they are actively working on traffic calming solutions.

Adam (last name unclear), 322 Wilburn St, spoke in favor of 35a but expressed confusion around 35c.

(Name and address unclear) spoke in favor of the application.

Councilmember Parker spoke in favor of the application, thanked staff for their hard work, and expressed appreciation to the neighbors for their involvement.

**Chairman Adkins closed the Public Hearing.**

Ms. Farr spoke in favor of the application; this is a productive use of a unique property.

Ms. Blackshear spoke in favor of the application.

Mr. Gobbell spoke in favor of the application.

Ms. Johnson spoke in favor of the application. It is a very well thought out plan.

Mr. Lawson spoke in favor of the application.

Councilmember Murphy would like to add a condition where the developer is providing more of the cost/infrastructure of the greenway that is on their property.

Dr. Sims spoke in favor of the application but would like to ensure we keep this building historically and architecturally interesting.

Mr. Tibbs spoke in favor of the application.

Mr. Poole, Legal, stated that a condition regarding the greenway might be better taken up at the council level.

Councilmember Parker agreed to continue to work with the Parks Development as well as the developer.

**Councilmember Murphy moved Mr. Lawson seconded the motion to approve the SP with conditions and disapprove without all conditions including an additional conditions as follows: The Commission urges Council to adopt a conditions that, prior to final site plan approval, the applicant shall coordinate with Metro Greenways and the District Councilmember, to identify the planned greenway on the project site and identify opportunities for construction. (9-0).**

**Resolution No. RS2020-191**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-021-001 is approved the SP with conditions and disapprove without all conditions (9-0)  
CONDITIONS**

1. Permitted uses shall be limited to 490 multi-family units, 125 hotel rooms, 123,000 square feet of office space, and 62,000 square feet of mixed use commercial space. The permitted commercial and office uses for this project are identified on the plans. Short term rental property – owner occupied and short term rental property – not owner occupied shall be prohibited.
2. The Commission urges Council to adopt a conditions that, prior to final site plan approval, the applicant shall coordinate with Metro Greenways and the District Councilmember, to identify the planned greenway on the project site and identify opportunities for construction.
3. Applicant shall work to engage the surrounding neighborhood and District 5 Council Member to identify and install appropriate traffic calming measures in the area bounded by Cleveland Street, Dickerson Pike, Ellington Parkway, and Spring Street. The cost to the applicant to install the traffic calming measures shall not exceed \$60,000. The traffic calming measures shall be identified and reviewed by Public Works prior to the building permit process. Public Works may alter the final design of the traffic calming measures.
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 MUG-A zoning district as of the date of the applicable request or application.
7. 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.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

### 35c. 2003P-015-003

#### PUD (CANCELLATION)

Council District 05 (Sean Parker)

Staff Reviewer: Logan Elliott

A request to cancel a portion of a Planned Unit Development Overlay District for property located at 515 Foster Street, at the eastern terminus of Marina Street and along Ellington Parkway, zoned IR (7.12 acres), requested by Barge Cauthen and Associates, applicant; Foster Street Partners LLC, owner.

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

#### APPLICANT REQUEST

**Zone change from IR to SP and cancel a portion of an existing Planned Unit Development Overlay District.**

##### Specific Plan

A request to rezone from Industrial Restrictive (IR) to Specific Plan (SP) zoning for properties located at 515 and 516 Foster Street, at the eastern terminus of Foster street and partially located with a Planned Unit Development Overlay District, to permit a mixed use development (9.51 acres).

##### Cancel PUD

A request to cancel a portion of a Planned Unit Development Overlay District for property located at 515 Foster Street, at the eastern terminus of Marina Street and along Ellington Parkway, zoned IR (7.12 acres).

##### **Existing Zoning**

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

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.

This PUD is an older “Res-E” residential PUD. The Res-E PUDs were adopted in the early 1970s to recognize existing public housing developments that were put in place prior to comprehensive zoning. There was never a master PUD plan adopted for any Res-E PUD.

### **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.

## **EAST NASHVILLE COMMUNITY PLAN**

### **Existing Policy**

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.

### **Proposed Policy**

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

### **Proposed Supplemental Policy**

This property is within the Foster Street Supplemental Policy area. This supplemental policy aims to provide further guidance on appropriate land uses, building forms, transportation objectives, and other aspects of potential development to better ensure the development is appropriate and sensitive to the neighborhood.

## **SITE CONTEXT AND PLAN DETAILS**

The site is approximately 9.51 acres and sits at the terminus of Foster Street in East Nashville. The site is bounded by Ellington Parkway to the east and the CSX railway to the west. The site currently contains a one-story industrial building and the site is accessed via Foster Street. The area surrounding the site contains a mixture of different residential housing types. A pedestrian bridge that is owned and maintained by the Tennessee Department of Transportation passes through the site and connects Marina Street and Frederick Douglas Park to the east of Ellington Parkway.

### Site Plan

The plan proposes a mixed use development with up to 490 multi-family units, 125 hotel rooms, 123,000 square feet of office space, and 62,000 square feet of mixed use commercial space. The permitted uses for this project are identified on the plans. The plan proposes to refurbish the majority of the existing warehouse, construct a 7-story hotel over the existing warehouse structure, construct two mixed use buildings up to 12 stories, and construct a one-story mixed use building. The plan proposes to add an access point to the site with an above grade rail crossing at the north end of the site, connecting to Marina Street through adjacent MDHA property. This crossing is proposed to be private and the project does not propose any additional public streets beyond those that currently exist. The plan also proposes right-of-way for a trailhead intended to serve a future Metro Parks greenway planned to run adjacent to the CSX railway.

The project is broken down into four phases:

Phase 1 includes the refurbishing the majority of existing warehouse on site, relocating a small portion of the warehouse to allow for an internal private driveway, the construction of an 8-story hotel, and the creation of a public

plaza space. All of the internal private drives are constructed during this phase, including the additional access point to Marina Street.

Phase 2 includes a podium style residential building that may rise up to 11 stories with 6 stories of residential and 5 stories of parking. This building will be integrated into the portion of the existing warehouse that is to remain north of the proposed private driveway. This portion of the warehouse is proposed to be refurbished for an office use. The applicant has indicated on the plans that all above ground structured parking will be screened and has provided precedent imagery for how the garage will be screened. This building will be accessed via the above grade crossing from Marina Street and from a private drive adjacent to Ellington Parkway.

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Phase 4 covers the northern most portion of the site and includes a single-story 4,000 square foot mixed use building with stormwater facilities occupying most of the site.

The applicant is also proposing a number of off-site improvements that were primarily generated through the Traffic Impact Study process. This includes a new traffic light, nearby existing roadway improvements, local bus stop improvements, and other public off-site improvements. Additionally, the applicant is proposing to contribute to the traffic calming application that was submitted to the Public Works department through the Traffic Calming program. This application for traffic calming measures in the McFerrin Park neighborhood was submitted separately from this SP application; however, through conversations with the community, the council member for this district, Public Works, and Planning; the applicant has agreed to work with the community to identify appropriate traffic calming measures and has agreed to install the identified traffic calming measures.

### **ANALYSIS**

The proposed mixed use development is consistent with the proposed Urban Community Center Policy and with the Foster Street Supplemental Policy. The mixture of commercial, office, and residential uses will enhance the area as a community center. The plan also includes a public plaza with an entertainment stage that will enhance the area with community amenities. The proposed building heights exceed building heights normally permitted in Urban Community Center Policy areas; however, the Foster Street Supplemental Policy identifies that through the reuse of historically or architecturally interesting buildings, additional height may be appropriate for new buildings as long as the overall massing of building on the site is consistent with the massing normally permitted in an Urban Community Center Policy area. The existing industrial building on site has an interesting history stemming back to the 1800's and the applicant is proposing to preserve and repurpose the majority of the building. Staff finds the plan to be consistent with the building height guidance in the Foster Street Supplemental Policy.

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The proposed above grade crossing of the CSX railway at Marina Street will enhance the connectivity of the site and is consistent with the Urban Community Center Policy and the Foster Street Supplemental Policy.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

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

### **STORMWATER RECOMMENDATION**

#### **Approve**

### **WATER SERVICES RECOMMENDATION**

#### **Approve with conditions**

- Approved as a Preliminary SP only. Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/SP approval, (see Permit #'s T2020009410 and T2020009414).

### **PUBLIC WORKS RECOMMENDATION**

#### **Approve with conditions**

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- Any signed agreement with TDOT and/or RR authority on encroachment for bridge over ROW needs to be submitted to MPW for final SP approval.
- For final SP approval, show a turn-around at the terminus of Foster St.
- Show Private drive signage where applicable.

**TRAFFIC AND PARKING RECOMMENDATION**

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The following transportation improvements shall be constructed with the proposed development:

- Restripe the westbound approach of the intersection of Dickerson Pike at Grace Street to include one shared through / left-turn lane and one right-turn lane.
- Construct a traffic signal at the intersection of Dickerson Pike at Meridian Street with fiber interconnection to existing traffic signal at Spring Street at Dickerson Pike, including pedestrian signal infrastructure. Traffic signal may not be warranted with Phase 1, but will be required by full build-out. A signal warrant and updated capacity analysis memo shall be submitted with each phase of development until the traffic signal is installed.
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Maximum Uses in Existing Zoning District: **IR**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	9.51	0.6 F	248,553 SF	439	56	58

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)	-	-	490 U	3664	216	243

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	-	-	125 U	985	58	68

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)	-	-	123,000 SF	1298	143	139

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)	-	-	62,000 SF	3936	198	425

Traffic changes between maximum: **IR and SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+9444	+559	+817

**METRO SCHOOL BOARD REPORT**

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

**Projected student generation proposed SP-MU district: 69 Elementary 54 Middle 49 High**

The proposed SP zoning is expected to generate 172 more students than the existing MUI-A zoning. Students would attend Ida B. Wells Elementary School, Jere Baxton Middle School, and Maplewood High School.

**STAFF RECOMMENDATION**

Staff recommends that the SP be approved with conditions and disapproved without all conditions if the associated plan amendment is approved and that the SP be disapproved if the associated plan amendment is not approved.

Staff recommends that the PUD cancellation be approved if the associated zone change is approved and disapproved if the associated zone change is not approved.

**CONDITIONS**

1. Permitted uses shall be limited to 490 multi-family units, 125 hotel rooms, 123,000 square feet of office space, and 62,000 square feet of mixed use commercial space. The permitted commercial and office uses for this project are identified on the plans. Short term rental property – owner occupied and short term rental property – not owner occupied shall be prohibited.
2. Applicant shall work to engage the surrounding neighborhood and District 5 Council Member to identify and install appropriate traffic calming measures in the area bounded by Cleveland Street, Dickerson Pike, Ellington Parkway, and Spring Street. The cost to the applicant to install the traffic calming measures shall not exceed \$60,000. The traffic calming measures shall be identified and reviewed by Public Works prior to the building permit process. Public Works may alter the final design of the traffic calming measures.
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5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A zoning district as of the date of the applicable request or application.
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7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
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9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Mr. Elliott presented the staff recommendation of approval of the PUD cancellation if the associated zone change is approved and disapproval if the associated zone change is not approved.

Items 35a, 35b, and 35c were heard and discussed together.

Bill Barkley, applicant, spoke in favor of the application and noted they are actively working on traffic calming solutions.

Adam (last name unclear), 322 Wilburn St, spoke in favor of 35a but expressed confusion around 35c.

(Name and address unclear) spoke in favor of the application.

Councilmember Parker spoke in favor of the application, thanked staff for their hard work, and expressed appreciation to the neighbors for their involvement.

**Chairman Adkins closed the Public Hearing.**

Ms. Farr spoke in favor of the application; this is a productive use of a unique property.

Ms. Blackshear spoke in favor of the application.

Mr. Gobbell spoke in favor of the application.



Ms. Johnson spoke in favor of the application. It is a very well thought out plan.

Mr. Lawson spoke in favor of the application.

Councilmember Murphy would like to add a condition where the developer is providing more of the cost/infrastructure of the greenway that is on their property.

Dr. Sims spoke in favor of the application but would like to ensure we keep this building historically and architecturally interesting.

Mr. Tibbs spoke in favor of the application.

Mr. Poole, Legal, stated that a condition regarding the greenway might be better taken up at the council level.

Councilmember Parker agreed to continue to work with the Parks Development as well as the developer.

**Mr. Tibbs moved and Ms. Farr seconded the motion to approve the PUD cancellation if the associated zone change is approved and disapprove if the associated zone change is not approved. (9-0)**

**Resolution No. RS2020-192**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2003P-015-003 is **approved. (9-0)**”

**36. 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: Approve with conditions and disapprove without all conditions.**

**APPLICANT REQUEST**

**Zone change from R15 to SP-R zoning**

Preliminary SP

A request to rezone from One and Two-Family Residential (R15) to Specific Plan-Residential (SP-R) zoning on property located at 7335 Old Charlotte Pike, approximately 700 feet west of Charlotte Pike, (2.21 acres), to permit a maximum of 28 multi-family residential units.

**Existing Zoning**

One and Two-Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots. *R15 would permit a maximum of 6 lots with 1 duplex lot for a total of 7 units.*

**Proposed Zoning**

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

**BELLEVUE COMMUNITY PLAN**

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

**PLAN DETAILS**

The site is located 700 feet west of Charlotte Pike on the south side of Old Charlotte Pike. The site is approximately 2.21 acres in size. The plan proposes a maximum of 28 multi-family residential units. The site plan proposes surface parking for all units and sidewalks are provided along interior drives. The plan meets the parking requirements per the Metro Zoning Code and sidewalks will be provided along Old Charlotte Pike consistent with the MCSP. This plan includes a connection to an adjacent SP to the south which was previously approved by the Planning Commission.

**ANALYSIS**

The proposed site plan is consistent with the T3 Neighborhood Evolving Policy in this location. The development proposes to connect with the SP to the south, which meets the intent of the policy. This development would create additional housing diversity within the area and provides a new pedestrian network along Old Charlotte Pike.

**FIRE DEPARTMENT RECOMMENDATION**

**Approve with conditions**

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

**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.
- For final SP approval, submit cross access agreement (deed book, page) with South parcel.
- Private hauler will be required for waste/recycle disposal for site.

**STORMWATER RECOMMENDATION**

**Approve with conditions**

- Provide the FEMA Note to plans – change date to 4/5/2017 under standard SP notes (C0.0).  
- Show Bearing Information – NAD 83.

**WATER SERVICES RECOMMENDATION**

- Harpeth Valley Utility District

**HARPETH VALLEY UTILITY DISTRICT**

**Approve with conditions**

- Approved as a preliminary only. All construction must shall be in accordance with the District’s specifications.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approved**

Maximum Uses in Existing Zoning District: **R15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	2.21	2.9 D	7 U	91	10	8

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	2.21		28 U	205	13	16

Traffic changes between maximum: **R15 and SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+21 U	+114	+3	+8

**SCHOOL BOARD REPORT**

**Projected student generation existing R15 district: 0 Elementary 0 Middle 0 High  
Projected student generation proposed SP-R district: 1 Elementary 1 Middle 0 High**

The proposed SP-R zoning district will generate 2 additional students than what would be generated under the existing R15 zoning. Students would attend Gower Elementary School, H.G. Hill Middle School, and Hillwood High School. H.G.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted land uses shall be limited to a maximum of 28 residential multi-family units. Short term rental properties- owner occupied and short-term rental properties- not-owner occupied shall be prohibited.
2. All internal sidewalks shall be dimensioned to a minimum width of 5 feet.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15 zoning district as of the date of the applicable request or application.
4. 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.
5. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

Adam Sager, 516 Heather Place, spoke in favor of the application and noted there has been no opposition at community meetings. Feedback has been positive.

Rick Murphy, 7630 Charlotte Pike, spoke in opposition to the application due to very high density.

**Chairman Adkins closed the Public Hearing.**

Mr. Tibbs spoke in favor of the application.

Dr. Sims spoke in favor of the application.

Mr. Lawson spoke in favor of the application.

Ms. Johnson spoke in favor of the application.

Mr. Gobbell spoke in favor of the application.

**Ms. Blackshear moved and Mr. Tibbs seconded the motion to approve with conditions and disapprove without all conditions. (9-0)**

**Resolution No. RS2020-193**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-023-001 is approved with conditions and disapproved without all conditions. (9-0)**

**CONDITIONS**

1. Permitted land uses shall be limited to a maximum of 28 residential multi-family units. Short term rental properties- owner occupied and short-term rental properties- not-owner occupied shall be prohibited.
2. All internal sidewalks shall be dimensioned to a minimum width of 5 feet.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15 zoning district as of the date of the applicable request or application.

4. 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.
5. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**37. 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.**

**APPLICANT REQUEST**

**Apply a Residential Accessory Structure Overlay District and Amend Title 17.**

Zone Change and Text Amendment

A request to apply a Residential Accessory Structure (RAS) 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 Single-Family Residential (RS30) (343.38 acres), and a request to amend Section 17.36.610 of the Metro Zoning Code related to the application for a Residential Accessory Structure Overlay District.

Please note: the ordinance includes a minor change to the text of the recently adopted Residential Accessory Structure overlay which is described in the analysis section.

**Existing Zoning**

Single Family Residential (RS30) requires a minimum 30,000 square foot lot and is intended for single-family dwellings at a density of 1.23 dwelling units per acre.

**Proposed Zoning**

Single Family Residential (RS30) requires a minimum 30,000 square foot lot and is intended for single-family dwellings at a density of 1.23 dwelling units per acre.

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

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

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

**Residential Accessory Structure Overlay**

The Residential Accessory Structure Overlay district provides appropriate design standards within residential areas necessary to maintain and reinforce an established form or character for accessory structures. The design standards established through the Contextual Overlay include specific standards regarding location, building height, gross floor area, and materials. The design standards are established within the overlay and cannot be modified. When the overlay is applied the parcels within the Overlay must be contiguous.

#### **RESIDENTIAL ACCESSORY STRUCTURE OVERLAY STANDARDS**

- A. Number. A maximum of two accessory structures may be constructed on a lot.
- B. Location. Accessory structures shall not be erected in any required setback and must be located to the rear of the principle structure.
- C. Size. The combined gross floor area of all accessory structures on a lot shall be no more than 30% of the total gross floor area of the principal structure or 1,200 square feet, whichever is less.
- D. Height. Accessory structures shall not exceed one story or sixteen feet in height, whichever is less. The top elevation of an accessory structure shall not exceed the top elevation of the principal structure.
- E. Materials. Accessory structures greater than 150 square feet in gross floor area must be constructed in a like manner to the principal building in terms of roof style and building materials. Metal, plastic, vinyl, and concrete masonry units are prohibited as primary siding materials for accessory structures greater than 150 square feet in gross floor area except where the material is the primary material on the principal structure.

#### **Analysis**

The proposed overlay is located within a T3 Suburban Neighborhood Maintenance policy area which is intended to maintain the general character of the established Development pattern. There is a consistent housing type regarding bulk and massing that currently exists in the neighborhood. The Overlay would help to preserve the general character of the existing neighborhood with specific standards for new accessory structure construction that are directly related to the existing residential structures in the area. As proposed the Overlay is consistent with the policy. The standards required for accessory structures will continue to maintain the existing character within the neighborhood.

A text amendment is proposed for the Residential Accessory Structure Overlay within the application requirements. The text amendment which established the RAS Overlay required parcels to be contiguous and include an entire block. The amendment removes the requirement for an entire block face to be included within an application. Parcels will be required to be contiguous when an application is submitted for review. Staff finds that this is an appropriate amendment as specific neighborhoods may want to apply an overlay and often times neighborhoods do not include full block faces.

#### **STAFF RECOMMENDATION**

Staff recommends approval as the establishment of a Residential Accessory Structure Overlay for contiguous parcels is consistent with the policy for the area. Staff also recommends approval of the amendments to Title 17.

Mr. Napier presented the staff recommendation to approve amendments to Title 17 and approve the overlay.

Councilmember Hagar, applicant, spoke in favor of the application.

Richard Hardaway spoke in opposition because the restrictions are too harsh.

Lorette (last name unclear), 113 Chery Branch Lane, spoke in favor of the application.

Chuck Brown spoke in opposition to the application; it is unenforceable and unnecessary.

(Name and address unclear) spoke in favor of the application as it is not very restrictive.

(Name unclear), 206 Rising Sun Lane, spoke in favor of the application.

Annette, 318 Rising Sun Lane, spoke in favor of the application.

David Van Buren, Rolling Mill Road, spoke in favor of the application.

Jennifer Davis spoke in opposition to the application as it is too restrictive.

(Name unclear), 305 Brandywine Dr, spoke in favor of the application.

CJ Jones, 302 Rising Sun Rd, spoke in opposition to the application as it is too restrictive.

Councilmember Hagar asked the commission to approve the overlay and stressed this is for detached accessory units only. Variances can be requested through BZA.

**Chairman Adkins closed the Public Hearing.**

Ms. Blackshear spoke in favor of the application and stated it does make sense for the accessory unit have some type of conformity with the house on the lot.

Ms. Farr spoke in favor of the application as there is the opportunity to request a variance through BZA.

Mr. Gobbell spoke in agreement with Ms. Farr and in support of staff recommendation.

Ms. Johnson expressed concern with materials and design, but generally is in support of staff recommendation.

Mr. Lawson expressed uncertainty about this item.

Councilmember Murphy spoke in favor of the application and explained that this overlay is a better option than an SP. Councilmember Hagar has done his due diligence.

Dr. Sims spoke in favor of the application.

Mr. Tibbs spoke in favor of the application, especially since there is always the option to request a variance at BZA.

**Councilmember Murphy moved and Ms. Farr seconded the motion to approve amendments to Title 17 and approve the overlay. (8-1) Mr. Lawson voted against.**

Ms. Blackshear left the meeting at 7:40 p.m.

**Resolution No. RS2020-194**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2020RAS-001-001 is approved amendments to Title 17 and approve the overlay. (8-1)**

**38. 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 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.**

**APPLICANT REQUEST**

**Create 13 cluster lots.**

Concept Plan

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 Single-Family Residential (RS20) (7.21 acres).

**Existing Zoning**

Single-Family Residential (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre. *RS20 would permit a maximum of 15 units, based solely a minimum lot size of 20,000 square feet as required by the zoning. This calculation does not account for infrastructure, road layout, functional lot configuration, or meeting all requirements of the Metro Subdivision Regulations.*

**Community Character Manual Policy**

The site is within the T3 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 found in Chapter 3 are utilized.

**SITE CONTEXT AND PLAN DETAILS**

This proposal is for subdivision development under existing zoning entitlements. No rezoning is proposed with this application.

The site is located on the south side of Lakeshore Drive, east of Old Hickory Boulevard and south of Old Hickory Lake. The property contains 7.21 acres and includes a residential unit, which is proposed to be demolished. An

adjacent property located between the northwestern corner of the site and Lakeshore Drive (parcel 033), which is not included in the proposed subdivision, contains a single-family residence. The site is adjacent to two existing subdivisions: Brandywine Place, to the south, and Brandywine Farms, to the east. Rising Sun Lane, an existing road located in the Brandywine Farms subdivision, terminates at the site's southeastern corner.

#### Site Plan

The plan proposes a cluster lot subdivision with 13 single-family lots. Lots 1 through 10 are accessed from a proposed public road that extends from Lakeshore Drive towards the middle of the site, before looping around a common open space in the center. Lots 1 through 10 are clustered down to a minimum lot size of 10,000 square feet, with lot sizes ranging from approximately 10,000 square feet to 16,000 square feet, and are oriented around the new loop road. The proposed road includes on-street parking spaces internal to the loop, where the central open space is located. A second open space is proposed at the front of the subdivision, south of the new road, adjacent to Lakeshore Drive.

Lots 11, 12, and 13 will be accessed from Rising Sun Lane, the existing street in Brandywine Farms which is proposed to form a cul-de-sac at the southeastern corner. Lots 11, 12, and 13 will each contain minimum land areas of 20,000 square feet, consistent with the minimum lot size of the site's RS20 zoning district, rather than clustering down to smaller lot sizes. Although cul-de-sacs are generally discouraged, the existing network in Brandywine Farms includes an interconnected street system that broadly disperses traffic with multiple access points to Shute Lane and one connection to Old Hickory Boulevard, where meaningful connections have been established and a cul-de-sac may be appropriate.

Five-foot wide sidewalks and four-foot wide planting strips will be provided along the proposed road and along the Rising Sun Lane cul-de-sac, per the local street standard. A proposed private sidewalk, located in common open space and within a public access easement, will connect the two public sidewalks for enhanced pedestrian connectivity.

In cluster lot subdivisions, a minimum of 15 percent of each phase of development shall be open space. Approximately 1.61 acres (22.3%) of the site is proposed as open space, including two common open spaces, landscape buffers, and areas for stormwater detention. A standard "C" buffer is provided along all perimeter cluster lots in accordance with the cluster lot provisions.

#### **ANALYSIS**

In order to provide for flexibility of design, the creation of common open space, and the preservation of natural features, the Metro Zoning Code permits the development of cluster lot subdivisions in Single-Family (RS) and One and Two-Family (R) zoning districts. To permit creative design necessary to meet the premise of the cluster lot option, residential lots are allowed to contain less land area than what is normally required by the base zoning district when certain standards are met. The cluster lot option does not allow more density than what would be allowed under the existing RS20 zoning district, but it does allow the minimum lot area for single-family lots to be reduced down to a minimum of two smaller base zone districts (RS20 to RS10, in this case). As proposed, lots 1 through 10 have been clustered down to a minimum lot size of 10,000 square feet. Lots 11, 12, and 13 are each proposed to meet the minimum lot area of the existing RS20 zoning district (minimum lot size of 20,000 square feet). Approximately 22.3% of the site has been set aside as open space, exceeding the 15% minimum requirement, and buffers are provided around all perimeter cluster lots in accordance with the cluster lot provisions. As proposed, the plan meets all requirements of the Subdivision Regulations and the Zoning Code for the cluster lot option.

#### **FIRE MARSHAL RECOMMENDATION**

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

- Roadway 20-23' width. Building height limited to 30'. 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**

#### **PUBLIC WORKS RECOMMENDATION**

##### **Approve**

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

##### **Approve**

#### **WATER SERVICES RECOMMENDATION**

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

- Approved as a Concept Plan only, All Water and Sanitary Sewer related fees or assessments, including capacity must be confirmed paid prior to building permits approval.

### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

### **CONDITIONS**

1. Construction plans for all vehicular and pedestrian infrastructure to be approved with final site plan. Pedestrian infrastructure may need to shift based on construction plans.
2. The final site plan shall include buffer yards consistent with the provisions of the Cluster Lot Option, Section 17.12.090 of the Metro Zoning Code.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. The final site plan/building permit 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.
6. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

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

Duane Cuthbertson spoke in favor of the application.

(Name unclear), 109 Rising Sun Court, spoke in favor of the application.

Lorette (last name unclear), 113 Cherry Branch Lane, spoke in favor of the application.

(Name unclear), 206 Rising Sun Lane, spoke in favor of the application.

The developer spoke in favor of the application.

Councilmember Hagar spoke in favor of the application.

### **Chairman Adkins closed the Public Hearing.**

Dr. Sims expressed excitement for this project and spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of the application.

Mr. Lawson spoke in favor of the application.

Ms. Johnson spoke in favor of the application.

Mr. Gobbell spoke in favor of the application.

Ms. Farr spoke in favor of staff recommendation.

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

### **Resolution No. RS2020-195**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2020S-110-001 is **approved with conditions. (8-0)**



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

**The Metropolitan Planning Commission deferred 123-83P-001 to the August 27, 2020, Planning Commission meeting. (9-0)**

**40. 308-84P-001**  
**ROBIN HOOD CONDOMINIUMS PHASE 2 (CANCELLATION)**

Council District 09 (Tonya Hancock)  
Staff Reviewer: Jason Swaggart

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

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**  
**Cancel PUD.**

PUD Cancellation

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

**Existing Zoning**

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

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

**MADISON COMMUNITY PLAN**

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

**ANALYSIS**

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

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

Staff finds that the PUD cancellation will not conflict with the T3 NE land use policy as the underlying RM15 zoning district is consistent with the policy given its location.

**FIRE MARSHAL RECOMMENDATION**  
Approve

**PUBLIC WORKS RECOMMENDATION**  
Approve

**TRAFFIC & PARKING RECOMMENDATION**  
Approve

**STAFF RECOMMENDATION**  
Staff recommends approval.

Mr. Swaggart presented the staff recommendation of approval.

Councilmember Hancock spoke in favor of the application and noted that a community meeting was held with the developer.

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

**Resolution No. RS2020-196**

"BE IT RESOLVED by The Metropolitan Planning Commission that 308-84P-001 is **approved. (8-0)**

**41. 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: Disapprove.**

**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 720 Lena Street, approximately 80 feet south of Booker Street (0.14 acres).

**Existing Zoning**

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

One and Two-Family Residential-Alternative (R6-A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *R6 would permit a maximum of one duplex for a total of two residential units, based on the acreage only. However, the Codes Department has made a final determination that this site is not duplex eligible.*

**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.

**BACKGROUND**

At the May 28, 2020, Planning Commission meeting, the MPC deferred case 2020Z-027PR-001, after a public hearing was held, following Staff's recommendation of approval, as staff found the rezone request to be consistent with the land use policy. The deferral was requested to allow the applicant sufficient time to consult with Codes to make final determination on whether the site qualified for a two-family use (duplex), and to have further conversations with the Councilmember about the request. Staff has received confirmation that the site is not duplex eligible and would not qualify for a two-family use, should the rezone request be approved. As the R6-A zoning district would not offer any additional entitlements beyond the existing RS5 zoning, staff has updated our recommendation to disapproval.

**ANALYSIS**

The site comprises 0.14 acres and is located on the east side of Lena Street, south of Booker Street and east of 28<sup>th</sup> Avenue North. The property contains a residential unit and is served by Alley #938 at the rear of the site. The surrounding area south of Booker Street includes mixed one and two-family residential units and vacant properties, with non-residential uses concentrated near the intersection of 28<sup>th</sup> Ave. N. and Clifton Avenue (south).

While the R6-A zoning district is generally supported by the T4 NE policy in an urban neighborhood, such as this site, staff does not support this request to rezone to R6-A, which permits one and two-family residential uses, given that the site will not qualify for any additional entitlements, even if rezoned.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	0.14	8.712 D	1 U	10	1	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (220)	0.14	7.26 D	2 U	15	1	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1 U	+5	0	+1

**METRO SCHOOL BOARD REPORT**

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

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

The proposed R6-A zoning district would generate no more students than what is typically generated under the existing RS5 zoning district. Students would attend Park Avenue Elementary School, McKissack Middle School, and Pearl Cohn High School.

**STAFF RECOMMENDATION**

Staff recommends disapproval.

Ms. Rickoff presented the staff recommendation of disapproval.

Ben Jordan spoke in favor of the application and requested approval.

**Chairman Adkins closed the Public Hearing.**

Ms. Farr stated that it is very critical to set the right pattern for redevelopment in this area.

Mr. Gobbell understands both sides but is inclined to support staff recommendation.

Ms. Johnson spoke in favor of staff recommendation.

Mr. Lawson spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation.

Dr. Sims spoke in favor of staff recommendation.

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

**Resolution No. RS2020-197**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-027PR-001 is disapproved. (8-0)**

**42. 2020Z-071PR-001**

Council District 04 (Robert Swope)

Staff Reviewer: Logan Elliott

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

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

**The Metropolitan Planning Commission deferred 2020Z-071PR-001 to the August 27, 2020, Planning Commission meeting. (9-0)**

**43. 2020S-126-001**

**3905 IVY DRIVE**

Council District 07 (Emily Benedict)

Staff Reviewer: Logan Elliott

A request for concept plan approval to create eight lots and open space for property located at 3905 Ivy Drive, approximately 415 feet west of Moss Rose Drive, zoned RS10 (3.37 acres), requested by Dale and Associates, applicant; Hayden Lane LLC, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Concept plan approval to create 8 cluster lots.**

Concept Plan

A request for concept plan approval to create eight lots and open space for property located at 3905 Ivy Drive, approximately 415 feet west of Moss Rose Drive, zoned Single-Family Residential (RS10) (3.37 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 14 lots, based solely on a minimum lot size of 10,000 square feet as required by the zoning. This calculation does not account for infrastructure, road layout, functional lot configuration, or meeting all requirements of the Metro Subdivision Regulations.*

### **Community Character Manual Policy**

The site is within the Urban Neighborhood Maintenance (T4 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 found in Chapter 3 are utilized.

### **PLAN DETAILS**

The 3.37 acre site is located south and west of Ivy Drive in East Nashville. The site currently contains a single-family house. The plan proposes 8 single-family residential cluster lots with one lot fronting onto Ivy Drive and the remaining 7 lots fronting onto a newly proposed permanent dead end street. The lots are proposed to be a minimum of 5,000 square feet with the lot that fronts onto Ivy Drive being approximately a half-acre. The plan provides area for stormwater management facilities and the required landscape buffers.

### **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 lot subdivisions require common open space areas and permit lots to have smaller lot areas 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 proposed concept plan provides the required open space and is not required to provide for recreational facilities within the open space because the plan proposes less than 25 lots.

This concept plan includes 8 cluster lots under the RS5 zoning, two reductions from the underlying RS10 zoning. In cluster lot subdivisions, a minimum of 15% of the development must be set aside as open space. This development includes 0.98 acres of common open space which is 29% of the site gross acreage.

Section 3-5.2 of the Subdivision Regulations establishes criteria for reviewing infill subdivisions and for determining their compatibility in Neighborhood Maintenance policies. Infill lots that front onto an existing street are required to meet dimensional standards determined by the surrounding lots on the existing street. An analysis of the surrounding lots yields the following standards that any proposed infill lots that front onto the existing Ivy Drive must meet. Lot 1 is the only proposed lot that falls under this review

Minimum lot area: 22,892 square feet  
Minimum lot frontage: 76 feet

Proposed Lot 1, which is 23,000 square feet in size and has 76 feet of frontage, meets the 22,892 square foot minimum area and 76 foot minimum frontage requirements. The remainder of the lots front onto a newly proposed street and are not subject to these compatibility standards.

### **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. On-street parking is not allowed.

### **PUBLIC WORKS RECOMMENDATION**

#### **Approve**

### **STORMWATER RECOMMENDATION**

#### **Approve**

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **Approve**

### **WATER SERVICES RECOMMENDATION**

#### **Approve with conditions**

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

**STAFF RECOMMENDATION**

Staff recommends approval.

Mr. Elliott presented the staff recommendation of approval.

Michael Garrigan, 516 Heather Pl, spoke in favor of the application.

Robert, 3905 Ivy Dr, spoke in favor of the application.

Robert Goodwin spoke in opposition as it doesn't fit with the character of the neighborhood.

Marshall Albritton spoke in opposition to the application.

Jeff Miller, 4216 Brush Hill Rd, spoke in opposition to the application.

Billy Rice, 3915 Ivy Dr, spoke in opposition to the application.

William Smith, 3815 Moss Rose Dr, spoke in opposition to the application.

James Haggerty, Riverwood Drive, spoke in opposition to the application.

Robbie Hunsinger, Ivy Dr, spoke in opposition to the application.

Maggie (last name unclear) spoke in opposition to the application.

Matt Burgis, 2906 Shadow Lane, spoke in opposition to the application.

Jackie Rodgers, 3816 Moss Rose Dr, spoke in opposition to the application.

Wayne Hudson, 3907 Ivy Dr, spoke in opposition to the application.

Laura Yankee, 3931 Ivy Dr, spoke in opposition to the application.

Carissa, 4023 Ivy Dr, spoke in opposition to the application.

Kent Hughes, 3909 Ivy Dr, spoke in opposition to the application.

Daniel, 2403 Claypool St, spoke in opposition to the application.

Heather Rose, 3819 Moss Rose Dr, spoke in opposition to the application.

Sylvia, 3920 Ivy Dr, spoke in opposition to the application.

Brian Owings, 3920 Ivy Dr, spoke in opposition to the application.

John Reed, 3819 Moss Rose Dr, spoke in opposition to the application.

**Chairman Adkins closed the Public Hearing.**

Mr. Gobbell noted this does appear to meet the subdivision regulations but does have some concerns with the grading and retaining walls.

Ms. Johnson spoke in opposition to staff recommendation.

Mr. Lawson spoke in support of staff recommendation as it meets the subdivision regulations.

Councilmember Murphy spoke in support of staff recommendation as it meets the subdivision regulations.

Mr. Tibbs spoke in support of staff recommendation as it meets the subdivision regulations.

Ms. Farr moved and Mr. Lawson seconded the motion to approve. (6-2) Ms. Johnson and Dr. Sims voted against.

**Resolution No. RS2020-198**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020S-126-001 is **approved. (6-2)**

**44. 2020COD-001-001**

BL2020-362/Emily Benedict  
Council District 07 (Emily Benedict)  
Staff Reviewer: Joren Dunnavant

A request to apply a Contextual Overlay District to properties located at various addresses on either side of Corder Drive, the western portion of Dugger Drive and the connecting northern portion of Rosecliff Drive, at the northwest corner of Rosecliff Drive and Dugger Drive, zoned R10 (5.27 acres), requested by Councilmember Emily Benedict, applicant; various owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**  
**Establish a Contextual Overlay District.**

Contextual Overlay District

A request to apply a Contextual Overlay District to properties located at various addresses on either side of Corder Drive, the western portion of Dugger Drive and the connecting northern portion of Rosecliff Drive, at the northwest corner of Rosecliff Drive and Dugger Drive, zoned One and Two-Family Residential (R10) (5.27 acres).

**Existing Zoning**

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots.

**Proposed Zoning**

Contextual Overlay District (COD) provides appropriate design standards in a residential area. It can maintain and protect neighborhood form or character. A Contextual Overlay must apply throughout the residential portion of a complete block face and cannot be applied in an adopted historic overlay district.

**EAST NASHVILLE COMMUNITY PLAN**

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

**CONTEXTUAL OVERLAY STANDARDS**

These standards are established in the zoning code and cannot be modified.

- Base zoning remains

Generally – Includes appropriate design standards necessary to maintain and reinforce established form or character of residential development in an area.

- Setback
  - Minimum required setback shall be average of the setback of the 2 developed lots abutting each side of the lot
  - Example – abutting lots have setbacks of 50 feet, 55 feet, 40 feet, and 42 feet; average 47 feet, required minimum
- Height
  - Maximum height, including foundation, shall not be greater than 35 feet or 125% of the structures on the two lots abutting each side, whichever is less

- If 125% of the average is less than 27 feet, a maximum height of 1.5 stories in 27 feet is allowed
- Example – average is 24 feet; max allowed height is 30 feet
  - Coverage
- Maximum coverage shall be 150% of the average of the coverage of the two abutting lots on each side
- Does not include detached garages or accessory buildings
- Example – average coverage of abutting lots is 2,100 square feet; max coverage of 3,150 allowed
  - Access, Garages, Parking
- If there is an alley, access shall be from the alley
- On corner lots, access shall be within 30 feet of rear property line
- Driveways are limited to 1 per public street frontage
- Parking, driveways, and all other impervious surfaces in the required setback shall not exceed 12 feet in width
- The front of any detached garage shall be located behind the rear of the primary structure
- The garage door of any attached garage shall face the side or rear property line.

**Analysis**

The proposed overlay is located within a T3 Suburban Neighborhood Maintenance policy area which is intended to maintain the general character of the established development pattern. There is a consistent housing type regarding bulk and massing that currently exists in the neighborhood. The Overlay would help to preserve the general character of the existing neighborhood with specific standards for bulk, massing, access, garages, and parking. As proposed the Overlay is consistent with the policy. The standards required will continue to maintain the existing character within the neighborhood.

**STAFF RECOMMENDATION**

Staff recommends approval.

Mr. Dunnivant presented the staff recommendation of approval.

Councilmember Benedict sent a letter requesting approval.

Gordon Scott, 1405 Corder Dr, spoke in favor of the application.

**Chairman Adkins closed the Public Hearing.**

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.

Ms. Johnson spoke in favor of the application.

Mr. Gobbell spoke in favor of the application.

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

**Resolution No. RS2020-199**

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

**45. 2020Z-079PR-001**

Council District 21 (Brandon Taylor)

Staff Reviewer: Jason Swaggart

A request to rezone from R6 to CS zoning for property located at 1924 9th Avenue North, approximately 90 feet south of Clay Street (0.19 acres), requested by Fulmer Lucas, applicant; Clay Street Commons LLC, owner.

**Staff Recommendation: Disapprove.**

**APPLICANT REQUEST**

**Zone change from R6 to CS.**

Zone Change



A request to rezone from One and Two-Family Residential (R6) to Commercial Services (CS) zoning for property located at 1924 9th Avenue North, approximately 90 feet south of Clay Street (0.19 acres).

**Existing Zoning**

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

**Proposed Zoning**

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

**NORTH NASHVILLE COMMUNITY PLAN**

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

**ANALYSIS**

Staff recommends disapproval. The proposed zoning district permits commercial uses which are not supported by the residential policy.

**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**

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

**METRO SCHOOL BOARD REPORT**

The proposed CS zoning district does not permit residential at this location and would not generate any additional students.

**STAFF RECOMMENDATION**

Staff recommends disapproval.

Mr. Swaggart presented the staff recommendation of disapproval.

Jay Fulmer spoke in favor of the application.

Steve Armistead spoke in favor of the application.

Name and address unclear, spoke in favor of the application.

Elliott Perry, 9<sup>th</sup> Ave N., is not speaking for or against, just looking to find out more information about the project.

Councilmember Taylor spoke in favor of the application and asked for approval.

**Chairman Adkins closed the Public Hearing.**

Ms. Johnson spoke in favor of staff recommendation of disapproval.

Mr. Gobbell spoke in favor of staff recommendation of disapproval.

Ms. Farr stated that she understands the rationale behind doing this and lining everything up.

Mr. Tibbs spoke in favor of staff recommendation of disapproval.

Dr. Sims stated that it is a very incompatible zoning change and is not in favor.

Councilmember Murphy spoke in favor of staff recommendation of disapproval due to lack of information.

Mr. Lawson spoke in favor of staff recommendation of disapproval.

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

**Resolution No. RS2020-200**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020COD-001-001 is **disapproved. (8-0)**”

**46. 2020Z-080PR-001**

BL2020-376/Robert Swope

Council District 04 (Robert Swope); 26 (Courtney Johnston)

Staff Reviewer: Jason Swaggart

A request to rezone from R15, R20, and R40 to RS15, RS20 and RS40 zoning for various properties located along Broadwell Drive, Woodhurst Drive, Bradfield Court, Bradfield Drive, Granberry Heights Drive, Heather Lane, Heather Springs, Hill Road, Hill Road Circle, San Marcos Drive, Thalman Drive and Wakefield Drive (126.33 acres), requested by Councilmember Robert Swope, applicant; various owners.

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

**APPLICANT REQUEST**

**Rezoning from R15, R20 and R40 to RS15, RS20 and RS40.**

Zone Change

A request to rezone from One and Two-Family Residential (R15, R20, and R40) to Single-Family Residential (RS15, RS20 and RS40) zoning for various properties located along Broadwell Drive, Woodhurst Drive, Bradfield Court, Bradfield Drive, Granberry Heights Drive, Heather Lane, Heather Springs, Hill Road, Hill Road Circle, San Marcos Drive, Thalman Drive and Wakefield Drive (126.33 acres).

**Existing Zoning**

One and Two-Family Residential Districts (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots.

One and Two-Family Residential Districts (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots

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.

### **Proposed Zoning**

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

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.

Single-Family Residential (RS40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of 0.93 dwelling units per acre.

### **SOUTHEAST 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.

Civic (CI) is intended to serve two purposes. The primary intent of CI is to preserve and enhance publicly owned civic properties so that they can continue to serve public purposes over time, even if the specific purpose changes. This recognizes that locating sites for new public facilities will become more difficult as available sites become scarcer and more costly. The secondary intent of CI is to guide rezoning of sites for which it is ultimately determined that conveying the property in question to the private sector is in the best interest of the public.

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

### **ANALYSIS**

The proposed RS15, RS20 and RS40 zoning districts would limit development to only single-family uses. According to land records the area requested to be rezoned consist of all single-family homes. While records indicate that all lots are currently single-family, permits for two-family units have been issued on two properties within the boundary. Since these two properties already have permits issued for two-family uses, staff recommends that they be removed from the request so that they do not become nonconforming. Staff also recommends that four other lots be removed from the request. The four lots are zoned R15. They are corner lots that are double the size of the minimum lot requirement and are appropriate locations for two-family homes.

The T3 NM policy is intended to preserve the general character of residential areas. Since the existing development pattern consists primarily of single-family, the proposed single-family zonings will maintain the overall development pattern. The removal of certain lots from the request would provide for another housing option without changing the overall character of the area. Since the proposed single-family zoning districts are consistent with the policies, staff recommends approval with a substitute removes several lots be from the request so that they will remain within one and two-family zoning. The Councilman also requested that an additional lot be removed and this is reflected in the recommended substitute ordinance.

### **Substitute Ordinance No. 2020-376**

Staff recommends approval with a substitute to remove the following parcels from the downzoning:

### **STAFF RECOMMENDATION**

Staff recommends approval of the substitute ordinance.

Mr. Swaggart presented the staff recommendation of approval with a substitute ordinance.

Councilmember Swope requested approval at the beginning of the meeting.

Charlotte Smith, 5516 Soloman Dr, spoke in favor of the application.

Victoria Ross, 701 Heather Springs, spoke in favor of the application.

Name unclear spoke in favor of the application.

Susan Martin, 512 Woodhurst Dr, spoke in favor of the application.

**Chairman Adkins closed the Public Hearing.**

**Councilmember Murphy moved and Mr. Lawson seconded the motion to approve a substitute ordinance.(8-0)**

**Resolution No. RS2020-201**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-080PR-001 is approved with substitute ordinance. (8-0)**

## I: OTHER BUSINESS

47. Certification of Bonus Height Compliance within the DTC 909 Division (Gulch South) 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)**

48. Historic Zoning Commission Report
49. Board of Parks and Recreation Report
50. Executive Committee Report
51. 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)**

52. Legislative Update

## J: MPC CALENDAR OF UPCOMING EVENTS

**August 27, 2020**

MPC Meeting

4 pm, via remote teleconference

**September 10, 2020**

MPC Meeting

4 pm, location to be determined

## K: ADJOURNMENT

The meeting adjourned at 12:18 a.m.