



METROPOLITAN PLANNING COMMISSION

DRAFT AGENDA

October 22, 2020
4:00 pm Regular Meeting

Meeting to be held via Teleconference

Metro Nashville Network will broadcast the October 22nd meeting of the 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 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, Chair
Jeff Haynes
Ron Gobbell
Brian Tibbs
Dr. Pearl Sims
Mina Johnson
Councilmember Kathleen Murphy

Commissioners Absent:

Jessica Farr, Vice Chair
Lillian Blackshear
Jim Lawson

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
Joni Williams, Planning Manager I
Amelia Lewis, Planner II
Jason Swaggart, Planner II
Logan Elliott, Planner II
Joren Dunnivant, Planner II
Patrick Napier, Planner I
Alex Dickerson, 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

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 October 22, 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, October 20th. Visit <https://www.nashville.gov/Planning-Department/Meeting-Information/Virtual-Public-Comment.aspx> for the most up-to-date ways to contact the Commission.

General Planning Commission Information Provided for Reference

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

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

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

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

Writing to the Commission

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

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

E-mail: planning.commissioners@nashville.gov

Speaking to the Commission

For the October 22, 2020, meeting, we encourage comments remotely, by email 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. For Title VI inquiries, contact Human Relations at (615) 880-3370. For all employment-related

MEETING AGENDA

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.

Mr. Gobbell moved and Mr. Haynes seconded the motion to establish the meeting agenda constitutes essential business of this body and that meeting electronically is necessary to protect the health, safety, and welfare of Tennesseans in light of the COVID-10 outbreak. (7-0)

C: ADOPTION OF AGENDA

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

D: APPROVAL OF OCTOBER 08, 2020 MINUTES

Mr. Tibbs moved and Ms. Johnson seconded the motion to approve the October 8, 2020 minutes. (7-0)

E: RECOGNITION OF COUNCILMEMBERS

Councilmember Gamble spoke in favor of Item 19.

Councilmember Hurt spoke in favor of Item 16.

Councilmember Van Reece spoke in favor of Item 21 and Item 23.

Councilmember Benedict spoke in favor of Item 21 and Item 22.

Councilmember Porterfield spoke in favor of Item 6 and Item 15.

Councilmember Suara spoke in favor of Item 15.

Councilmember Hancock spoke in favor of Item 21 and Item 26.

F: ITEMS FOR DEFERRAL / WITHDRAWAL: Items 1, 2, 3, 14, 17, 24

Councilmember Murphy moved and Mr. Tibbs seconded the motion to approve the Deferred and Withdrawn Items. (7-0)

G: CONSENT AGENDA ITEMS: Items 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 27, 31

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

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

H: ITEMS TO BE CONSIDERED

1. 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 November 12, 2020, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020S-113-001 to the November 12, 2020, Planning Commission meeting. (7-0)

2. 2020S-176-001
RESUBDIVISION OF LOT 2 FINAL PLAT OF THE SWINGING BRIDGE SUBDIVISION
Council District 11 (Larry Hagar)
Staff Reviewer: Amelia Lewis

A request for final plat approval to create eight lots on property located at Swinging Bridge Road (unnumbered), at the southern corner of Hickerson Street and Swinging Bridge Road, zoned RS10 (6.51 acres), requested by CESO Inc., applicant; Cobalt Ventures LLC, owner.

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

The Metropolitan Planning Commission deferred 2020S-176-001 to the November 12, 2020, Planning Commission meeting. (7-0)

3. 2020Z-119PR-001
BL2020-479/Freddie O'Connell
Council District 19 (Freddie O'Connell)
Staff Reviewer: Logan Elliott

A request to rezone from MUN, MUN-A, MUL-A, MUG, OR20, CS and CF to MUN-NS, MUN-A-NS, MUL-A-NS, MUG-NS, OR20-NS, CS-NS, and CF-NS zoning for various properties located between Rosa L. Parks Boulevard and 2nd Avenue North, from Hume Street, south to Jefferson Street, and located within the Germantown Historic Preservation District Overlay and the Phillips - Jackson Street Redevelopment District Overlay (68.61 acres), requested by Councilmember Freddie O'Connell, applicant; various owners.

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

The Metropolitan Planning Commission deferred 2020Z-119PR-001 to the November 12, 2020, Planning Commission meeting. (7-0)

4. 2020SP-037-001
1414 3RD AVENUE NORTH
Council District 19 (Freddie O'Connell)
Staff Reviewer: Logan Elliott

A request to rezone from IR to SP zoning for property located at 1414 3rd Avenue North, approximately 100 feet north of Taylor Street (0.95 acres), to permit a mixed use development, requested by Smith Gee Studio LLC, applicant; FFN1414 LLC, owner.

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

APPLICANT REQUEST
Zone change from IR to SP.

Applicant Request

A request to rezone from Industrial Restrictive (IR) to Specific Plan-Mixed Use (SP-MU) zoning for property located at 1414 3rd Avenue North, approximately 100 feet north of Taylor Street (0.95 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 non-residential 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.

SITE CONTEXT AND PLAN DETAILS

The site is approximately one acre and is located east of 3rd Avenue, north of Taylor Street and south of Van Buren Street in Germantown. The site currently contains a single-story industrial building. 3rd Avenue is classified as an Arterial Boulevard in the Major and Collector Street Plan. The surrounding land uses are a mixture of multi-family residential, industrial, institutional, auto parking, and vacant.

Site Plan

The site plan proposes a 7-story mixed use building with one-story of below ground parking. The plan proposes for the ground floor of the building to contain a non-residential use as permitted by the MUG-A zoning district and includes a minimum and maximum square footage for this non-residential use. The building engages 3rd Avenue with the architecture of the ground floor. The plan includes a ground floor minimum floor-to-floor height of 14 feet, a build-to-zone, and glazing minimums for the ground floor to ensure that the ground floor enhances the area as a mixed use neighborhood with a pedestrian friendly environment. The plan also calls for façade building materials that reflect the quality of materials found within the traditional Germantown context. Additionally, the plan prohibits certain materials from the façade of the building such as vinyl and untreated wood.

The second floor and above are setback from the front façade of the ground floor by a minimum of 10 feet. The plan proposes to dedicate right-of-way and improve the portion of the rear alley that abuts the subject property. There are over-head power lines on 3rd Avenue that will require fire aerial apparatus access be drawn from the alley. The parking for this project is provided in below grade and above grade structured parking. Access to this structured parking is limited to the alley. The plan includes a number of design standards for the façade of the building as well.

ANALYSIS

The proposed Specific Plan proposes a mixed use building that is consistent with the intent of the Urban Mixed Use Neighborhood policy to enhance the area as a mixed use neighborhood with a high quality pedestrian environment. The project is consistent with the Major and Collector Street Plan by not providing vehicular access on an Arterial Boulevard. Also, the access being limited to the alley protects the pedestrian environment on 3rd Avenue. Additionally, the project requires a minimum of 2,000 square feet of non-residential use on the ground floor. This will further enhance the area as a mixed use neighborhood.

The Urban Mixed Use Neighborhood policy typically allows for buildings to be up to 5 stories but the policy does include factors to be considered when analyzing appropriateness of heights above 5 stories. The policy describes that buildings may be taller than 5 stories in limited instances and that the appropriate height is generally based on the building type, surrounding context, architectural elements, and location within the neighborhood. This site is east of the Germantown Historic District with a 5 story residential building sitting between the historic district and this project. Additionally, two blocks to the east is the location of the much more intense Neuhoff development that permits up to 15 stories in building height. This project would serve as a transition in building height from the lower building heights of the historic Germantown neighborhood to the higher building heights of the Neuhoff development.

The policy also describes the ability for light and air to permeate into the street and pedestrian realm as well as the width of the street as factors for considering taller building heights. 3rd Avenue is an Arterial Boulevard and therefore has a wider street section than most streets and the applicant is proposing to extend this section even further by providing on-street parking. The on-street parking will push the entire development further back and bolster the area as a mixed use neighborhood.

The architecture of the building is sensitive to the goals of the policy in the way that it step backs the majority of the building's massing above the first floor to be further from the street than what the code would typically require. These factors in combination with each other would prevent the crowding effect that the policy is guiding against. Another factor for consideration is the proximity of the site to public transportation options. The MTA has expressed interest in providing a transit shelter on site here and the applicant is willing to coordinate with the MTA on including this infrastructure with the final site plan application. Staff finds the proposed building height to be consistent with the policy in this location and given the design elements.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Your utility and grading plan (page 19) shows OHE lines along the alley. As depicted, it does not meet the minimum requirements for aerial access. The overhead utility lines provide power to 2 street lights on the subject property and will be removed before new construction begins. See sheet 19 update.
- Was an easement agreement worked out for "B" as shown on page 6? Documentation letter provided.
- Also, the development team expects to close on the property in January (by current timeline) and would record the easement and its specific coordinates with our Final SP. We would accept your approval with it being a condition of the Final SP approval to provide easement access from lot 0 2nd Ave N as shown on sheet 6.

STORMWATER RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

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

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions. Call out any ramps, roadway sections, sidewalks, etc. per MPW standards and details.
- Call out if existing dumpsters are too remain in alley (from Taylor), coordinate with metro fire on alley width min. for access.
- Call out MPW brick paver detail ST-500 for sidewalk.
- Waste/recycle private hauler will be required for site, note on plans. Label loading/unloading for site off alley.
- Show road section detail for frontage side along 3rd Ave (include curb, gutter pan) -Coordinate prior w/ MPW roads if needed.
- If plans are proposing additional truck turning/maneuvering into parcels (74 and 75-Axis Church Inc) off alley, a cross access agreement will be required with this property owner as well.
- Note: Mandatory Referral is required, if proposed underground parking bay encroaches into dedicated ROW.
- Coordinate with WeGo on dims and specs for bus shelter at Taylor and 3rd Ave. Show vetted layout on final site plan.
- Comply w/ MPW traffic comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Install crosswalks on all four approaches and reconstruct curb ramps (where applicable to meet ADA standards) on all four quadrants at the intersection of 3rd Avenue at Taylor Street. See TIS for additional specific improvements to this intersection.
- Coordinate with WeGo to construct bus stop improvements for the inbound stop at the intersection of 3rd Avenue at Taylor Street which may include curb extensions/ bulb-out and removal of some on-street parking. See TIS for additional specific improvements to this intersection.
- Apply to the Traffic and Parking Commission for on-street parking/ pedestrian/curb loading requests.
- Developer shall contribute \$50,000 towards off-site transportation improvements within the vicinity of the project site. The financial contribution may be used by MPW towards future intersection traffic control projects, sidewalk projects, or bikeway projects.

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)	0.95	0.6 F	24,829 SF	44	5	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	0.95	-	103 U	738	50	61

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.95	-	10,000 SF	635	32	69

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1329	+77	+125

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed SP-MU district: 2 Elementary 2 Middle 1 High

The proposed SP-MU zoning is expected to generate 5 more students than the existing IR zoning. 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 uses shall be limited to a maximum of 103 multi-family residential unit and a maximum of 10,000 square feet of non-residential use as permitted by the MUG-A zoning district Short term rental properties – owner occupied and short term rental properties – not owner occupied are prohibited.
2. There shall be a minimum of 2,000 square feet of non-residential uses included on the ground floor.
3. The applicant will continue to coordinate with MTA on the installation of a new improved transit shelter and crosswalks for the site to increase the mobility of transit rider on the corridor.
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. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

Resolution No. RS2020-247

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-037-001 is **approved with conditions and disapproved without all conditions. (7-0)**

CONDITIONS

1. Permitted uses shall be limited to a maximum of 103 multi-family residential unit and a maximum of 10,000 square feet of non-residential use as permitted by the MUG-A zoning district Short term rental properties – owner occupied and short term rental properties – not owner occupied are prohibited.
2. There shall be a minimum of 2,000 square feet of non-residential uses included on the ground floor.
3. The applicant will continue to coordinate with MTA on the installation of a new improved transit shelter and crosswalks for the site to increase the mobility of transit rider on the corridor.
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. 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. 2020SP-044-001

WEST TRINITY

Council District 02 (Kyonzté Toombs)
Staff Reviewer: Logan Elliott

A request to rezone from RS7.5 and R6 to SP zoning for properties located at 819 W Trinity Lane, W Trinity Lane (unnumbered), and Brownlo Street (unnumbered), at the north west corner of W Trinity Lane and Brownlo Street (12.14 acres), to permit 312 multi-family residential units, requested by Kimley-Horn, applicant; REI615 LLC, and Pablo Martin Maldonado, owners.

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

APPLICANT REQUEST

Zone change from RS7.5 and R6 to SP.

A request to rezone from Single-Family Residential (RS7.5) and One and Two-Family Residential (R6) to Specific Plan-Residential (SP-R) zoning for properties located at 819 W Trinity Lane, W Trinity Lane (unnumbered), and Brownlo Street (unnumbered), at the north west corner of W Trinity Lane and Brownlo Street (12.14 acres), to permit 312 multi-family residential units.

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-A would permit a maximum of 51 units.*

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 10 lots with 2 duplex lots for a total of 12 units.*

Proposed Zoning

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

BORDEAUX - WHITES CREEK - HAYNES TRINITY COMMUNITY PLAN

T4 Urban Residential Corridor (T4 RC) is intended to maintain, enhance and create urban residential corridors. T4 RC areas are located along prominent arterial-boulevard or collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive and comfortable access and travel for all users. T4 RC areas provide high access management and are served by moderately connected street networks, sidewalks, and existing or planned mass transit.

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.

Supplemental Policy

This site is located within the Haynes Trinity Small Area Plan area of the Bordeaux-Whites Creek-Haynes Trinity Community Plan area. The intent of the supplemental policy is to create and enhance neighborhoods with greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques. The policy calls for improvement of the existing street, sidewalk, bikeway, and stormwater infrastructure to T4 Urban Transect standards through new private-sector development.

SITE CONTEXT AND PLAN DETAILS

The site is approximately 12 acres and sits north of West Trinity Lane in the Haynes-Trinity area north of the Cumberland River. The site is currently vacant and has frontage onto West Trinity Lane and unimproved Brownlo Lane. West Trinity Lane is classified as an Arterial Boulevard in the Major and Collector Street Plan. The surrounding area is primarily vacant land with some single-family residential use.

Site Plan

A key component of the site plan is the section of a Collector Avenue that is proposed to be provided with the multi-family residential development. The plan proposes a Collector Avenue running north from West Trinity Lane that then intersects into an additional east-west Collector Avenue section. This east-west section proposes to stub at both the eastern and west property boundary. This east-west section is intended to extend to Whites Creek pike to the east and is set up to align with the Collector Avenue being provided with an SP to the west.

In addition to the Collector Street, the plan proposes a multi-family residential development with a maximum of 312 units. The plan proposes 10 stacked flat type buildings with a clubhouse building. The buildings are served with surfacing parking and are all accessed via the proposed Collector Street. The development addresses the proposed Collector Street with the buildings' location and orientation. Several areas are identified for stormwater purposes and they are primarily in the area of the property that is adjacent to West Trinity Lane.

ANALYSIS

The proposed Specific Plan provides for a critical piece of transportation infrastructure that is identified as necessary in the Haynes Trinity Small Area plan. The proposed multi-family land use is consistent with the Urban Residential Corridor and Urban Mixed Use Neighborhood policy guidance in that the development is higher density and provides the necessary infrastructure to serve the development. The form of the development is also consistent with the policy guidance.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Second point of emergency vehicle access will be provided along W. Trinity Lane as shown in the current site plan until the adjacent properties complete the roadway network to obtain another secondary point of access

STORMWATER 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 paid before issuance of building permits. (Water and Sewer Capacity Fee Permit No. T2019070421 and T2019070419)

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 and waste/recycle private hauler for site will need to be submitted to MPW for Bldg. permit approval.
- Comply with all MPW traffic comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Temporary fire access shall be curbed onto Trinity Lane.
- Install curb ramp and crosswalk across north leg of intersection of Trinity Lane at proposed north-south public road
- Install curb ramp and crosswalk across west leg of intersection of proposed north-south public road at proposed east-west public road, bulb out may be requested. North-south roadway shall be stop controlled and east-west roadway shall be free flow.
- Streetlighting shall be installed on all public roadways.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	10.42	5.808 D	51 U	560	42	54

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (210)	1.72	7.26 D	12 U	148	14	14

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	12.14	-	312 U	2320	141	162

Traffic changes between maximum: **RS7.5, R6 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+249 U	+1612	+85	+94

METRO SCHOOL BOARD REPORT

Projected student generation existing RS7.5 and R6 district: 7 Elementary 6 Middle 7 High

Projected student generation proposed SP-R district: 62 Elementary 39 Middle 36 High

The proposed SP-R zoning is expected to generate 117 more students than the existing RS7.5 and R6 zoning. Students would attend Cumberland Elementary School, Joelton Middle School, and Whites Creek High School.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

- Permitted uses shall be limited to a maximum of 312 multi-family residential units. Short term rental properties – owner occupied and short term rental properties – not owner occupied are prohibited.
- Comply with all conditions and requirements of Metro reviewing agencies.
- The development shall provide adequate access that meets the requirements of the Fire Marshal’s Office and Department of Public Works.
- If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM60-A zoning district as of the date of the applicable request or application.
- The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
- A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
- Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approve with conditions and disapprove without all conditions. Consent Agenda (7-0)
Resolution No. RS2020-248

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-044-001 is **approved with conditions and disapproved without all conditions. (7-0)**

CONDITIONS

1. Permitted uses shall be limited to a maximum of 312 multi-family residential units. Short term rental properties – owner occupied and short term rental properties – not owner occupied are prohibited.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
4. 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 RM60-A zoning district as of the date of the applicable request or application.
5. 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.
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. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

6. 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: Approve with conditions.

APPLICANT REQUEST

Final plat approval to create four lots.

Final Plat

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 Commercial Service (CS) and One and Two-Family Residential (R10) and within the Murfreesboro Pike Urban Design Overlay District (9.19 acres).

SITE DATA AND CONTEXT

Location: The site is located at 2000 Old Murfreesboro Pike, at the southeast corner of Smith Springs Road and Old Murfreesboro Pike.

Street Type: The site has frontage along Old Murfreesboro Pike and Smith Springs Road. Old Murfreesboro Pike is a local street and Smith Springs Road is a collector.

Approximate Acreage: 2.45 acres or 106,722 square feet

Parcel/Site History: This site is comprised of one parcel: 13500023600. The parcel in its existing form dates back to a deed from 1930.

Zoning History: The parcel has been zoned CS and R10 since 1974.

Existing land use and configuration: Vacant and commercial.

Surrounding land use and zoning:

North: One and two-family residential (R20) and Commercial Service (CS)

South: One and two-family residential (R10)

East: Commercial Service (CS)

West: One and two-family residential (R20)

The site is within the Murfreesboro Pike UDO, which includes standards for bulking, building type, parking, signage, landscaping and materials.

PROPOSAL DETAILS

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

Number of lots: 4

Lot sizes: range from approximately 21,780 square feet (.5 acres) – 219,542 square feet (5.04 acres)

Access: Three lots front Smith Springs Road, an existing arterial road with a pavement width of 40' and a right-of-way width of 70'. A 25' right-of-way dedication is required along Smith Springs Road to meet the standards of the Major and Collector Street Plan (MCSP). One lot fronts Old Murfreesboro Pike which is a local street.

Subdivision Variances or Exceptions Requested: None

APPLICABLE SUBDIVISION REGULATIONS

The site is partially within T3 Suburban Neighborhood Center policy and partially within District Employment (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, the conventional regulations found in Chapter 3 are utilized.

3-1 General Requirements

Staff finds that all standards are met.

3-2 Monument Requirements

Not applicable to this case. No new streets are proposed to be constructed.

3-3 Suitability of the Land

Not applicable to this case. Based on available data, this site does not contain FEMA floodway or floodplain, steep slopes as identified on Metro's topographical maps, rock formations, problem soils, sinkholes, other adverse earth formations or topography, utility easements, or other features which may be harmful to the safety, health and general welfare of the inhabitants of the land and surrounding areas.

3-4 Lot Requirements

All proposed lots comply with the minimum lot size of the zoning code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of R10 and CS zoning and the Murfreesboro Pike Urban Design Overlay at the time of building permit. All proposed lots have frontage on a public street, Old Murfreesboro Pike and Smith Springs Road.

3-5 Infill Subdivisions

Not applicable to this case. This is not an infill subdivision.

3-6 Blocks

Not applicable to this case. No new blocks are being created.

3-7 Improvements

Water and sewer improvements are required and that MWS is requiring a bond to secure those improvements unless they are constructed and accepted prior to plat recordation.

3-8 Requirements for Sidewalks and Related Pedestrian and Bicycle Facilities

Not applicable to this case. Sidewalks in subdivisions are required only in association with new streets. The proposed subdivision is located on an existing street. Sidewalks may be required at the time of building permit pursuant to Section 17.20.120 of the Zoning Code.

3-9 Requirements for Streets

Not applicable to this case. The proposal is for a subdivision located on an existing street. No new streets are proposed.

3-10 Requirements for Dedication, Reservations, or Improvements

Not applicable to this case. The subdivision does not adjoin or encompass either a greenway corridor shown on the Countywide Greenways Plan or Countywide Parks Master plan, it is not located on a substandard street, or on a route depicted on the Major and Collector Street Plan.

3-11 Inspections During Construction

This section is applicable at the time of construction, which for this proposed subdivision, will occur only after issuance of a building permit approved by Metro Codes and all other reviewing agencies.

3-12 Street Name, Regulatory and Warning Signs for Public Streets

Not applicable to this case. No new streets are proposed.

3-13 Street Names, Regulatory and Warning Signs for Private Streets

Not applicable to this case. No new streets are proposed.

3-14 Drainage and Storm Sewers

Drainage and storm sewer requirements are reviewed by Metro Stormwater. Metro Stormwater has reviewed the proposed plat and found it to comply with all applicable standards of this section. Stormwater recommends approval.

3-15 Public Water Facilities

Metro Water Services has reviewed and has recommended approval.

3-16 Sewerage Facilities

Metro Water Services has reviewed and has recommended approval with conditions.

3-17 Underground Utilities

Not applicable to this case. Utilities are required to be located underground whenever a new street is proposed. The proposal is for an infill subdivision located on an existing street. No new streets are proposed.

PLANNING STAFF COMMENTS

The proposed subdivision meets the standards of the subdivision regulations. Future development will be required to meet the standards of the Metro Zoning Code in regards to setbacks, sidewalks, etc. Staff recommends approval with conditions as the proposed subdivision meets the requirements of the Subdivision Regulations.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approval is contingent on construction and completion of MWS Project # 20-SL-43. A bond amount of \$71,000.00 is assigned to 20-SL-43.

STORMWATER RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Obtain a permit from Public Works for any new driveway connections. Provide adequate sight distance per ASSHTO requirements.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Meet all conditions of Metro reviewing agencies.

Approve with conditions. Consent Agenda (7-0)

Resolution No. RS2020-249

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019S-234-001 is **approved with conditions.**
(7-0)

CONDITIONS

1. Meet all conditions of Metro reviewing agencies.

7. 60-86P-004

NORTHLAKE VILLAGE (REVISION AND FINAL)

Council District 12 (Erin Evans)

Staff Reviewer: Patrick Napier

A request to revise a preliminary plan and for final site plan approval for a portion of the Northlake Village Planned Unit Development Overlay District for property located at 5566 Old Hickory Boulevard, approximately 300 feet northwest of Hermitage Woods Drive, zoned SCC (0.67 acres), to revise the building layout for existing retail use and to add a drive-thru, requested by Regency Centers, applicant and owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Revise preliminary plan and final site plan approval for a portion of a Planned Unit Development.

Revise PUD and Final Site Plan

A request to revise a preliminary plan and for final site plan approval for a portion of the Northlake Village Planned Unit Development Overlay District for property located at 5566 Old Hickory Boulevard, approximately 300 feet northwest of Hermitage Woods Drive, zoned Shopping Center Community (SCC) (0.67 acres), to revise the building layout for existing retail use and to add a drive-thru.

Existing Zoning

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

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

PUD History

The Northlake Village PUD was originally approved by Metro Council in 1986 for a total of 212,000 square feet of floor area and 918 surface parking spaces. The PUD has since been revised numerous times. The most recent revision, in 2018, permitted the addition of a fuel center. The 2018 revision added a total of 233 square feet. To date, a total of 175,806 square feet of retail and restaurant uses have been constructed. The current proposal decreases the total built floor area within the PUD and therefore it does not exceed the total floor area approved by Metro Council.

Site Plan

The property is located at 5566 Old Hickory Boulevard, approximately 300 feet northwest of Hermitage Woods Drive north of Interstate 40. The plan proposes to demolish a multi-tenant structure and construct a new multi-tenant structure in its place. The existing structure contains 16,853 square feet. The proposed structure will contain 10,130 square feet, which represents a reduction of 6,723 square feet of constructed floor area within the PUD. The site plan indicates 5 tenant bays will be constructed within the structure, each containing a separate entrance. A total of 12 surface parking spaces will be provided along the front of the structure where 5 spaces were previously located. A double lane drive through will be provided with the entrance adjacent to the south face of the structure and the exit located adjacent to the north face of the structure. Access to the PUD is provided by two existing connections, one to Old Hickory Boulevard and a second to Andrew Jackson Way. No change to the current points of access is proposed within the site plan.

ANALYSIS

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

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

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
 - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
 - b. The boundary of the planned unit development overlay district is not expanded;
 - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
 - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
 - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
 - f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
 - g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
 - h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
 - i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
 - j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
 - k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
 - l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
 - m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

The North Lake Village PUD was last revised in 2018 and the proposed square footage does not increase the total floor area of the PUD beyond the total square footage approved by Council. Staff finds that the request does not meet the threshold for Metro Council concurrence and may be approved by the Planning Commission as a revision to the PUD.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- 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 with conditions

- Grading plans are approved. This application must match approved plans.

PUBLIC WORKS RECOMMENDATION

Approve with conditions

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

- Provide one/exit signage for drive thru(s).

TRAFFIC & PARKING 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.
- A minimum of 30% of capacity fees must be paid before issuance of building permits. See Water & Sewer Capacity Fee Permit No's. T2020041252 & T2020041259.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

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

Approve with conditions. Consent Agenda (7-0)

Resolution No. RS2020-250

"BE IT RESOLVED by The Metropolitan Planning Commission that 60-86P-004 is **approved with conditions. (7-0)**

CONDITIONS

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

8. 75-83P-005

ELYSIAN FIELDS PUD (CANCELLATION)

Council District 26 (Courtney Johnston)

Staff Reviewer: Abbie Rickoff

A request to cancel a portion of a Planned Unit Development Overlay District for property located at 451 Elysian Fields Road, approximately 650 feet west of Nolensville Pike, zoned OR20 and within the Nolensville Pike Corridor Design Overlay District (1.63 acres), requested by Wes Gallagher, applicant; JMM LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Cancel a portion of a planned unit development.

PUD Cancellation

A request to cancel a portion of a Planned Unit Development Overlay District for property located at 451 Elysian Fields Road, approximately 650 feet west of Nolensville Pike, zoned Office/Residential (OR20) and within the Nolensville Pike Corridor Design Overlay District (1.63 acres).

Existing Zoning

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *Permitted uses on this site are controlled by the approved PUD.*

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

utilities and services. 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.

Corridor Design Overlay (CDO) provides appropriate design standards for commercial, office, and mixed use development along corridors necessary to provide incremental improvements to the esthetics of Nashville's commercial district and corridors. Application of this overlay district shall be limited to areas requiring transitional standards.

SOUTHEAST COMMUNITY PLAN

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.

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.

Conservation policy at this site recognizes small areas of potential steep slopes.

PLAN DETAILS

The site is located on the south side of Elysian Fields Road, west of Nolensville Pike. The proposal is to cancel a portion of a Planned Unit Development. The original Council approved Planned Unit Development was approved in 1983 for a total of 110,265 square feet of various commercial uses on several parcels, including the site. The overall PUD was revised in January 2015, to permit a 5,050 square foot expansion. No new uses were proposed at that time, and the plan met the parking requirements of the Zoning Code. The PUD was amended in January 2016 to permit a parking lot on the subject parcel, intended to provide additional employee parking for the Plaza Mariachi shopping center. A final development plan for the parking lot was approved in August 2016. The parking lot was never developed.

The site is vacant except for an access drive, which existed prior to the PUD revision and amendment, from Elysian Fields Road to Plaza Mariachi. There are three existing access points from Nolensville Pike to the shopping center.

The PUD currently meets the parking requirements of the Zoning Code. No changes to the remaining portion of the PUD containing Plaza Mariachi are currently proposed.

ANALYSIS

The cancellation of a portion of the commercial PUD allows for uses permitted by the base OR20 zoning district, including office and/or multi-family residential uses, consistent with the site's T4 CC policy and with the surrounding development pattern along this portion of Elysian Fields Road. Future development will be subject to the development criteria of OR20 zoning, including the landscaping and tree density requirements of the Metro Zoning Ordinance.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height or 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- Where two separate and approved fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses. The ahj may approve variations to this requirement in the event remoteness cannot be accomplished.
- The maximum grade for fire apparatus access roads shall not exceed 10% without approval from the fire code official.
- Gates across fire apparatus access roads shall comply with adopted code and standards.
- Approval of a preliminary or final site plan is not an approval for building construction. Full and complete review of building plans is required prior to approval for construction and may require changes to the site.

WATER SERVICES RECOMMENDATION
Approve

TRAFFIC AND PARKING RECOMMENDATION
Approve

STAFF RECOMMENDATION
 Staff recommends approval.

Approve. Consent Agenda (7-0)

Resolution No. RS2020-251

“BE IT RESOLVED by The Metropolitan Planning Commission that 75-83P-005 is **approved. (7-0)**”

9. 177-74P-005

CENTURY CITY WEST (REVISION)
 Council District 15 (Jeff Syracuse)
 Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan for a portion of an existing Planned Unit Development Overlay District on a portion of property located at 26 Century Boulevard, approximately 370 feet south of Sims Branch Way, zoned ORI and R8 and within a Planned Unit Development Overlay District (9.19 acres), to permit an additional 275,600 square feet of office and retail space, requested by Civil Site Design Group, applicant; SCUS OCP LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Revise preliminary plan to permit an additional 275,600 square feet of office and retail space.

PUD Revision

A request to revise the preliminary plan for a portion of an existing Planned Unit Development Overlay District on a portion of property located at 26 Century Boulevard, approximately 370 feet south of Sims Branch Way, zoned Office Residential Intensive (ORI) and One and Two-Family Residential (R8) and within a Planned Unit Development Overlay District (9.19 acres), to permit an additional 275,600 square feet of office and retail space.

Existing Zoning

Office/Residential Intensive (ORI) is intended for high intensity office and/or multi-family uses with limited retail opportunities.

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

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

of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets.

PLAN DETAILS

The Century City West Planned Unit Development was originally approved in 1974, to permit an intense office campus permitting hotels, retail and other commercial uses in addition to office. The PUD has been amended and revised numerous times through the years; however, the PUD maintains its original office campus concept. The subject site is approximately nine acres and is located between Ermac Drive, Old Elm Hill Pike and McGavock Pike. The site is a portion of a larger approximately 28 acre site. The overall site is developed and includes an approximately 587,784 square foot building and associated surface parking. This application proposes to increase the floor area on the site and provide structured parking.

Site Plan

The plan calls for a five story, 275,600 square foot building and a ten-level structured parking garage. Both buildings are located along Ermac Drive, but the site does not have direct access to Ermac Drive. All access into the site remains at the current locations from McGavock Pike and Century Boulevard.

ANALYSIS

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

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

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

- l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
- m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

As proposed, the plan is consistent with the Council approved plan. The plan does not increase the floor area above what is allowed within the overlay, and does not propose any uses not currently permitted by the overlay. The request does not expand the boundary of the PUD, nor does it include any new access points. Staff recommends approval with conditions, since the plan meets all of the above criteria for Commission review of the revision, and the plan is consistent with the Council approved plan.

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 with conditions

- Final construction plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions. Comply w/ MPW traffic comments. Additional comments forthcoming pending TIS review by MPW traffic.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Construct a sidewalk on the west side of McGavock Pike from Century Boulevard to Elm Hill Pike. This includes a pedestrian stream crossing adjacent to the box culvert on McGavock Pike between Old Elm Hill Pike and Elm Hill Pike.
- Modify the signal of Elm Hill Pike at McGavock Pike to include ADA pedestrian infrastructure across a minimum of two approaches.
- Development shall work with WeGo to ensure an ADA path is provided from the proposed development to an inbound and outbound WeGo bus stop.
- Restripe 100' of Ermac Drive south of Elm Hill Pike to provide one ingress lane and two egress lanes (left and right turn lane).
- Restripe Elm Hill Pike from the Briley Parkway Southbound Off Ramp to Marriott Drive.

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary PUD only. Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final Site Plan/SP/PUD approval. The approved construction plans must match the Final Site Plan/SP/PUD plans. Capacity must be reserved before issuance of building permits.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when Metro Council directs the Metro Planning Commission to review such signs.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.
4. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

Approve with conditions. Consent Agenda (7-0)

Resolution No. RS2020-252

"BE IT RESOLVED by The Metropolitan Planning Commission that 177-74P-005 is **approved with conditions. (7-0)**
CONDITIONS

1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when Metro Council directs the Metro Planning Commission to review such signs.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.
4. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

10. 206-69P-002

HARDING PLACE CENTER (REVISION)

Council District 28 (Tanaka Vercher)

Staff Reviewer: Abbie Rickoff

A request to revise the Harding Place Center Planned Unit Development Overlay District for properties located at 309 S. Perimeter Park Drive and 343, 347 and 351 Harding Place, at the southwest corner of Harding Place and S. Perimeter Park Drive, zoned CS (8.9 acres), to permit auto sales uses, requested by Kimley-Horn, applicant; DDC Hotels Inc. and Robert Biancheri, owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Revise preliminary plan for a Planned Unit Development.

Revise Preliminary PUD

A request to revise the Harding Place Center Planned Unit Development Overlay District for properties located at 309 S. Perimeter Park Drive and 343, 347 and 351 Harding Place, at the southwest corner of Harding Place and S. Perimeter Park Drive, zoned Commercial Service (CS), to permit automobile sales (8.9 acres).

Existing Zoning

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

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

HISTORY

This is an older PUD that was amended in 2006 to permit 207,689 square feet of hotel and restaurant uses. The PUD was most recently amended in 2019 to add a corner parcel, which currently contains an existing auto convenience store with gas pumps, to the PUD, and to permit a mixed use development with restaurant, retail, self-service storage, and auto convenience uses on the remainder of the PUD. No new development has occurred since the 2019 PUD amendment.

This request is for approval of a revision to the preliminary plan.

PLAN DETAILS

The site is located at the southwest corner of S. Perimeter Park Drive and Harding Place, directly east of the I-24 off-ramp. The site includes four parcels, including three larger parcels that are vacant. The fourth parcel is located at the corner of S. Perimeter Park Drive and Harding Place and contains an existing auto convenience store with gas pumps. The corner parcel is currently accessed from Harding Place and S. Perimeter Park Drive.

This plan proposes a 90,000 square foot automobile sales facility that includes a car wash and a maintenance shop. The building footprint is located in the center and is surrounded by surface parking areas that include spaces for customer parking and outdoor vehicle displays. The plan proposes development in two phases. The majority of the site will develop with Phase 1, which includes the auto sales facility on the three larger parcels, with vehicular access provided in two locations along S. Perimeter Park Drive. During the first phase, no access from Harding Place directly to Phase 1 is proposed, and the existing gas station at the corner parcel will remain along with two existing access points to the gas station from Harding Place. Phase 2 includes demolition of the gas station, which will be replaced with additional surface parking areas, and consolidated vehicular access proposed from Harding Place that will include a private drive connecting Phases 1 and 2. The plan proposes pedestrian improvements and perimeter landscaping per the Metro Zoning Ordinance. A waiver from sidewalk construction may be considered during final site plan review for the S. Perimeter Park Drive frontage due to existing trees along the street.

ANALYSIS

Section 17.40.120.F permits the Planning Commission to approve modifications to a master development plan under certain conditions. Staff finds that the request is consistent with all the requirements of Section 17.40.120.F, and is provided below for review.

F. Changes to a Planned Unit Development District.

1. Modification of Master Development Plan. Applications to modify a master development plan in whole or in part shall be filed with and considered by the planning commission according to the provisions of subsection A of this section. If approved by the commission, the following types of changes shall require concurrence by the metropolitan council in the manner described:
 - a. Land area being added or removed from the planned unit development district shall be approved by the council according to the provisions of Article III of this chapter (Amendments);
 - b. Modification of special performance criteria, design standards, or other requirements specified by the enacting ordinance shall be authorized by council ordinance;
 - c. A change in land use or development type beyond that permitted by the specific underlying zoning district shall be authorized only by council ordinance; or
 - d. An increase in the total number of residential dwelling units above the number last authorized by council ordinance or, for a PUD district enacted by council ordinance after September 1, 2006, an increase in the total number of residential dwelling units above the number last authorized by council ordinance or above the number last authorized by the most recent modification or revision by the planning commission; or
 - e. When a change in the underlying zoning district is associated with a change in the master development plan, council shall concur with the modified master development plan by ordinance.
 - f. Any modification to a master development plan for a planned unit development or portion thereof that meets the criteria for inactivity of Section 17.40.120.H.4.a.

The revised plan is consistent with the concept of the plan approved by Metro Council. The proposed uses are permitted by the underlying zoning, and no changes are proposed to the basic development concept, the acreage within the PUD, or the underlying zoning. The revised plan meets the conditions for Planning Commission approval of modifications to a master development plan.

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 with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary PUD only. Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final Site Plan/SP/PUD approval. The approved construction plans must match the Final Site Plan/SP/PUD plans. Capacity must be reserved before issuance of building permits.

PUBLIC WORKS RECOMMENDATION

Approve with conditions

Phase 1 Comments:

- Final construction plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions. In general, any ROW dedications and/or

waste disposal private hauler agreements for the site need to be submitted to MPW, in conjunction with the bldg. permit plan set. Comply with MPW traffic comments.

Phase 2 comments: The right in/out access off Harding, will require a letter from TDOT for SP approval.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Vehicular connection to Harding Pike shall not be provided with Phase 1.
- Proposed right-in / right-out design on Harding Pike may be required to be revised during Phase 2 review to increase the radii in order to discourage left-turn movement into or out of site.
- Pedestrian improvements to the intersection of Harding Place at Perimeter Park Drive / Metroplex Drive shall be installed with Phase 1.
- All previous off-site improvements are required with Phase 1 since TIS memo did not address capacity analysis. A revised TIS may be accepted with submittal of Phase 1 review to determine specific off-site improvements.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. During the first phase, no access from Harding Place directly to Phase 1 shall be permitted.
2. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.
5. Prior to the issuance of any permits, confirmation of the final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
6. Prior to the issuance of any permits, confirmation of the final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
7. Prior to issuance of any permits, provide one half sized copy and a CD copy of the approved final site plan. Building permits will not be issued until the half sized copy and CD have been accepted.
8. The final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.

Approve with conditions. Consent Agenda (7-0)

Resolution No. RS2020-253

"BE IT RESOLVED by The Metropolitan Planning Commission that 206-69P-002 is **approved with conditions. (7-0)**

CONDITIONS

1. During the first phase, no access from Harding Place directly to Phase 1 shall be permitted.
2. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.
5. Prior to the issuance of any permits, confirmation of the final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
6. Prior to the issuance of any permits, confirmation of the final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
7. Prior to issuance of any permits, provide one half sized copy and a CD copy of the approved final site plan. Building permits will not be issued until the half sized copy and CD have been accepted.
8. The final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.

11. 2020Z-107PR-001

Council District 05 (Sean Parker)
Staff Reviewer: Abbie Rickoff

A request to rezone from RS5 to R6-A zoning for property located at 223 Lucile Street (0.16 acres), approximately 200 feet west of Meridian Street, requested by On The Horizon Homes LLC, applicant and owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential-Alternative (R6-A) zoning for property located at 223 Lucile Street, approximately 200 feet west of Meridian Street (0.16 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 unit.*

Proposed Zoning

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

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.

Highland Heights Study Supplemental Policy

The site is within the Highland Heights Study Supplemental Policy which was approved and adopted by the Planning Commission on June 14, 2018. The Highland Heights Study was completed after an extensive community engagement process and resulted in updates to the community character policies for the area, as well as establishment of a supplementary Building Regulating Plan and Mobility Plan for the area. The community character policy for this site, T4 NE, did not change with adoption of the Highland Heights plan.

This site is within the R4 Subdistrict of the Building Regulating Plan, which is intended to create and enhance neighborhoods with greater housing choice and improved connectivity, consistent with the goals of the general T4 NE policy. The R4 Subdistrict supports a range of residential uses, including two-family and multi-family residential, at varying intensities depending on the location and context. The R4 Subdistrict also supports a variety of building forms, including house (1 unit), detached accessory dwelling unit, house (2 unit), plex or manor house, house court, and low rise townhouse.

There is an unbuilt right-of-way associated with Alley #2017 to the rear of this property and other lots on the north side of Lucile Street between Meridian Street and Dickerson Pike. The Mobility Plan component of the Highland Heights Study, which was incorporated into the Major and Collector Street Plan (MCSP), calls for this alley right-of-way to be constructed as a public alley with any new development or redevelopment.

SITE AND CONTEXT

The 0.16-acre site is located on the north side of Lucile Street, between Meridian Street and Dickerson Pike. The site contains an existing single-family residential use and accessory structure. The development pattern along the north side of Lucile Street is primarily single-family on the eastern half. The western half includes a recently constructed SP development containing 18 multi-family units, and a larger vacant parcel located at the western corner along Dickerson Pike. The development pattern along the south side of Lucile Street is primarily single-family, but also includes two-family residential units and a multi-family residential development located closer to Dickerson Pike.

Additionally, several properties on the south side of Lucile and north side of Eastmoreland Street have recently been rezoned to R6-A.

ANALYSIS

The requested R6-A zoning is supported by the T4 NE policy and the R4 Subdistrict of the Highland Heights Study. The proposed zoning allows for one or two-family residential uses, which would increase housing choice in the area. The standards for building placement, parking and access included in the R6-A district would also improve the relationship of development to the street, creating a more walkable neighborhood consistent with the goals of the T4 NE policy and R4 Subdistrict.

The Highland Heights Study envisioned that the R4 area would accommodate additional density in concert with the installation of infrastructure, specifically an integrated road and alley network. The Mobility Plan provides a blueprint for this road and alley network and identifies unbuilt Alley #2017 as part of the future network. The existing right-of-way associated with Alley #2017 is approximately 10 feet in width, where 20 feet is required to meet the Public Works standard. The alley right-of-way does not extend all the way to Meridian Street on the east or Dickerson Pike on the west, but instead turns north and south to connect to Lucile Street and Marie Street.

The R6-A zoning district requires access to be taken from the alley if an improved alley exists, but construction of an unbuilt alley is not a requirement of the zoning district. Additionally, for the alley to meet all Metro Public Works standards and be acceptable for public maintenance, the alley would need to be designed, engineered and constructed in a cohesive manner, rather than on a lot-by-lot basis. To ensure that the intent of the policy regarding the alley is met, staff recommends a condition requiring that one-half of the additional alley right-of-way necessary to meet Public Works standards be dedicated prior to building permit. The right-of-way dedication will ensure that the alley can be constructed through this area in the future, as more lots along the block redevelop, implementing the goals of the policy over time.

The requested R6-A district is on the lower end of the range of zoning districts supported by T4 NE policy and in the R4 Subdistrict of the Highland Heights Study, and represents a modest increase in intensity consistent with the zoning of the parcel immediately south of this site. As conditioned by staff, the requested zoning is consistent with the goals of the policy to increase intensity in concert with infrastructure improvements and will allow for implementation of the policy goals over time.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

TRAFFIC AND PARKING RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	0.16	8.712 D	1 U	10	1	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (210)	0.16	7.26 D	2 U	19	2	2

*Based on two-family lots

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

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

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 zoning districts: 0 Elementary 0 Middle 0 High

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

The proposed R6-A zoning is not expected to generate any additional students beyond the existing RS5 zoning. Students would attend Shwab Elementary School, Jere Baxter Middle School, and Maplewood High School.

STAFF RECOMMENDATION

Staff recommends approval with conditions, as the requested rezoning is consistent with the T4 NE policy and Supplemental Policy.

CONDITIONS

- 1. Prior to the issuance of building permits, half of the remaining right-of-way for Alley #2017 required to meet the Public Works standard shall be dedicated.

Approve with conditions. Consent Agenda (7-0)

Resolution No. RS2020-254

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-107PR-001 is **approved with conditions.** (7-0)

CONDITIONS

- 1. Prior to the issuance of building permits, half of the remaining right-of-way for Alley #2017 required to meet the Public Works standard shall be dedicated.

12. 2020Z-118PR-001

Council District 32 (Joy Styles)

Staff Reviewer: Amelia Lewis

A request to rezone from AR2a to RM20-NS zoning for properties located at 5118 Mt. View Road and Mt. View Road (unnumbered), approximately 360 feet west of Highlander Drive (9.4 acres), requested by Catalyst Design Group, applicant; Barbara Earthly, William B. Owen and Jean Marie Owen, owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Zone change from AR2a to RM20-NS.

Zone Change

A request to rezone from Agriculture/Residential (AR2a) to Multi-Family Residential – No Short Term Rentals (RM20-NS) zoning for properties located at 5118 Mt. View Road and Mt. View Road (unnumbered), approximately 360 feet west of Highlander Drive (9.4 acres).

Existing Zoning

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

Proposed Zoning

Multi-Family Residential – No Short Term Rentals (RM20-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. *RM20-NS would permit a maximum of 188 units. The – NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property -Not-Owner Occupied uses from the district.*

ANTIOCH PRIEST-LAKE COMMUNITY PLAN

T3 Suburban Residential Corridor (T3RC) is intended to maintain, enhance, and create suburban residential corridors. T3RC areas are located along prominent arterial-boulevard or collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive and comfortable access and travel for all users. T3RC areas provide high access management and are served by moderately connected street networks, sidewalks, and existing or planned mass transit.

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

Supplemental Policy

The site is located within a supplemental policy area which is intended to provide additional guidance beyond the T3 RC Policy on building form and site design, connectivity, and zoning. Within the Antioch Priest Lake Plan, the supplementary policy is 13-RH-T3-RC-01, which applies to the undeveloped land within the Rural Hill–Moss Road neighborhood.

ANALYSIS

The 9.4 acre site is comprised of two vacant adjoining parcels on the south side of Mt. View Road, west of the Bell Road and Mt. View Road intersection. The surrounding properties with frontage along Mt. View Road are primarily zoned AR2a and are vacant or have been developed with single-family uses. To the south of and southeast of the site, there are larger properties with multi-family developments zoned Specific Plan (SP) and R8 with Planned Unit Development Overlays (PUDs). This area increases in intensity at the intersection of Bell Road and Hickory Hollow Parkway. The site is located between this intense area and a less intense residential area to the north.

The requested zoning district, RM20-NS, is in line with the T3 RC Policy and supplemental policy. If approved, the request would permit the development of residential development along an arterial boulevard. The supplemental policy for this site gives specific guidance on density, building height, and connectivity. According to the supplemental policy the density for this site vary depending on the environment constraints of the site. For the area, the site has minimal environmental constraints and is primarily affected by some small pockets of slope. Given the surrounding densities and minimal environmental constraints on the site, the proposed density is appropriate. The policy guidance states that buildings can be up to five stories in height. For the RM20 zoning district, the building height at the front setback is 30 feet and is controlled by a height control plane of 2 to 1. This is will yield development consistent with the policy guidance. In order to meet the connectivity goals included in the supplemental policy, a condition of approval would limit future access to two points along Mt. View Road. If required to provide sidewalks with building permits, the Major and Collector Street Plan (MCSP) calls for a 12 foot wide bike buffer and 8 foot wide planting strip. This is also consistent with the T3 RC policy to provide safe, attractive and comfortable access and travel for all users.

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: **AR2a**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	9.4	0.5 D	8 U	76	6	8

*Based on two-family lots

Maximum Uses in Proposed Zoning District: **RM20-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)	9.4	20 U	188 U	1381	87	104

Traffic changes between maximum: **AR2a and RM20-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+180 U	+1305	+81	+96

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2a district: 11 Elementary 9 Middle 9 High

Projected student generation proposed RM20-NS district: 21 Elementary 17 Middle 13 High

The proposed zoning district is anticipated to generate 29 additional students than the existing AR2a zoning district. Students would attend Eagle View Elementary School, Antioch Middle School, and Cane Ridge High School.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. No more than two access points to Mt View Road shall be permitted. This condition will remain if the property is subdivided.

Approve with conditions. Consent Agenda (7-0)

Resolution No. RS2020-255

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-118PR-001 is **approved with conditions.** (7-0)

CONDITIONS

1. No more than two access points to Mt View Road shall be permitted. This condition will remain if the property is subdivided.

13. 2020Z-124PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Amelia Lewis

A request to rezone from IWD to MUG-NS zoning for property located at 44 Vantage Way, approximately 370 feet east of French Landing Drive (7.83 acres), requested by Bradley Arant Boult Cummings LLP, applicant; Titanville LL, LP, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from IWD to MUG-NS.

Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Mixed-Use General – No Short Term Rentals (MUG-NS) zoning for property located at 44 Vantage Way, approximately 370 feet east of French Landing Drive (7.83 acres).

Existing Zoning

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

Proposed Zoning

Mixed Use General – No Short Term Rentals (MUG-NS) is intended for a moderately high intensity mixture of residential, retail, and office uses. The -NS designation prohibits owner occupied short-term residential uses and not-owner occupied short term residential uses.

NORTH NASHVILLE COMMUNITY PLAN

District Employment Center (D EC) is intended to enhance and create concentrations of employment that are often in a campus-like setting. A mixture of office and commercial uses are present, but are not necessarily vertically mixed. Light industrial uses may also be present in appropriate locations with careful attention paid to building form, site design, and operational performance standards to ensure compatibility with other uses in and adjacent to the D EC area. Secondary and supportive uses such as convenience retail, restaurants, and services for the employees and medium- to high-density residential are also present.

ANALYSIS

The 7.8 acre site is located on the north side of Vantage Way, east of the intersection of French Landing Drive and Vantage Way. The site has been developed with a five-story non-residential building and a large surface parking lot. A majority of the surrounding properties along Vantage Way and surrounding the site are zoned IWD with some properties zoned Mixed-Use General (MUG) and Mixed-Use Limited (MUL). The surrounding land uses are primarily non-residential with some multi-family residential uses.

The D-EC Policy indicates that a site's location in relation to environmentally sensitive features, centers, corridors, and neighborhoods, as well as the size of the site should be considered in rezoning requests. The site is several acres, has street frontage, is located between two intersections established with commercial and mixed-use developments, and contains no environmentally sensitive features. The requested zoning district would permit a variety of uses on the site, consistent with the intent of the policy.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

TRAFFIC AND PARKING RECOMMENDATION

Approve

Maximum Uses in Existing Zoning District: IWD

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	7.83	0.8 F	272,859 SF	477	59	61

Maximum Uses in Proposed Zoning District: MUG-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)	3.91	3.0 F	510 U	3815	225	252

Maximum Uses in Proposed Zoning District: MUG-NS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	1.96	3.0 F	256,132 SF	16257	815	1752

Maximum Uses in Proposed Zoning District: MUG-NS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (931)	1.96	3.0 F	256,132 SF	21475	187	1998

Traffic changes between maximum: IWD and MUG-NS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+41070	+1168	+3941

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed MUG-NS district: 20 Elementary 20 Middle 10 High

The proposed MUG-NS zoning is anticipated to generate 50 additional students than the existing IWD zoning district. Students would attend Jones Elementary School, John Early Middle School, and Pearl-Cohn High School.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. Consent Agenda (7-0)

Resolution No. RS2020-256

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-124PR-001 is **approved. (7-0)**”

14. 2020Z-012TX-001

BL2020-460/Brett Withers

Staff Reviewer: Shawn Shepard

A request for an ordinance amending Metropolitan Code Section 17.32.150 to regulate the orientation of Type II billboards.

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

The Metropolitan Planning Commission deferred 2020Z-012TX-001 to the November 12, 2020, Planning Commission meeting. (7-0)

15. 2020M-004SR-001

BL2020-450/Zulfat Suara

RENAMING OF OPRY PLACE, 5TH AVENUE NORTH AND 5TH AVENUE SOUTH TO "REP JOHN LEWIS WAY N" AND "REP JOHN LEWIS WAY S"

Council District 17 (Colby Sledge); 19 (Freddie O'Connell)

Staff Reviewer: Sharon O'Conner

A request for the renaming of Opry Place from Broadway to Commerce Street and for the renaming of 5th Avenue North beginning from Commerce Street to Interstate 65 to be renamed to Rep John Lewis Way N, and for the renaming of 5th Avenue South from Broadway to Oak Street to be renamed Rep John Lewis Way S. Requested by At Large Councilmember, Zulfat Suara.

Staff Recommendation: Approve.

APPLICANT REQUEST

Rename Opry Place, 5th Avenue N and 5th Avenue S to “Rep John Lewis Way N” and “Rep John Lewis Way S”.

Street Renaming

A request for the renaming of Opry Place from Broadway to Commerce Street and for the renaming of 5th Avenue N beginning from Commerce Street to Jefferson Street to be renamed to Rep John Lewis Way N, and for the renaming of 5th Avenue S from Broadway to Oak Street to be renamed Rep John Lewis Way S.

STREET RENAMING PROCEDURE

Metro Council changes street names through the adoption of an ordinance. The Planning Department is required to notify all property owners on the portion of the street proposed for renaming and to give owners the opportunity to provide written comments in support of or in opposition to the proposed name change. Properties with mailing addresses on the section of roadway to be renamed will continue to receive mail using the old street name for one year giving residents and businesses time to notify persons and entities they correspond with of the change in address.

APPLICATION INFORMATION

This application was originally for all of Opry Place from Broadway to Commerce Street and for the entirety of 5th Avenue North beginning from Commerce Street to Interstate 65 and 5th Avenue South from Broadway to Oak Street. It was received by the Planning Department on August 28, 2020.

Notices were sent out on September 4, 2020 for the original request to all property with addresses or frontage on the affected streets. The request was amended to exclude areas north of Jefferson Street at Metro Council. New MPC notices were sent out for the amended request on October 7, 2020 to all original recipients.

BIOGRAPHICAL INFORMATION – PROVIDED BY APPLICANT

John Robert Lewis was an American statesman and civil rights leader. He was born on February 21, 1940, just outside Troy, Alabama

Congressman John Lewis began his lifelong crusade for civil rights and civic justice in Nashville while a student at the American Baptist Theological Seminary and later at Fisk University. He was a leader in the historic lunch counter sit-ins that led to Nashville becoming the first Southern city to start the desegregation of public places.

While a student, Lewis was invited to attend nonviolence workshops held at Clark Memorial United Methodist Church by the Rev. James Lawson and Rev. Kelly Miller Smith. There, Lewis and other students became dedicated adherents to the discipline and philosophy of nonviolence, which he practiced for the rest of his life.

In 1961, Lewis represented the Nashville group of the burgeoning civil rights movement, as one of the 13 original "Freedom Riders." He was also instrumental in organizing bus boycotts and other nonviolent protests to support voting rights and racial equality.

Lewis was one of the "Big Six" leaders of groups who organized the 1963 March on Washington and in 1965, Lewis led the first of three Selma to Montgomery marches across the Edmund Pettus Bridge. In an incident which became known as Bloody Sunday, state troopers and police then attacked the marchers, including Lewis.

Later, Lewis would embark on a career in public service, first as an Atlanta City Council member, then as a Congressman representing Georgia's Fifth District from 1987 until his death in 2020. Lewis once said, "I believe that you see something that you want to get done, you cannot give up, and you cannot give in."

FIRE MARSHAL RECOMMENDATION

Approve with conditions.

- Renaming will require numerous commercial businesses and buildings located along the route to have fire alarm and fire protection systems reprogrammed to report with the new address. If reprogramming is not performed, the information provided by the alarm company to ECC during dispatch will not match the address. This could potentially result in a delay of service delivery.

EMERGENCY COMMUNICATION CENTER RECOMMENDATION:

Approved with conditions

- The Dept. of Emergency Communication went live with ASAP to PSAP on January 21st, 2020. ASAP to PSAP automates alarm calls from alarm companies, sending them directly into our dispatch software. This automation removes the human element thus speeding up notifications for 1st responder services. A street renaming this large has the potential to cause delays in service due to alarm companies not using the changed addresses. The potential of this happening is great since the responsibility to change the alarm address will rest on the subscriber notifying the alarm company. The ASAP to PSAP service will not work if an address does not match the NG911 address. Please notify all addresses being changed that this could affect alarm services if one is in-service at the location.

METRO HISTORICAL COMMISSION RECOMMENDATION

The Historical Commission staff neither approves nor disapproves this request. Per Ordinance No. BL2019-110, the Historical Commission staff will submit a report to the Metropolitan Council regarding any historical significance associated with the current/original street name upon filing of the legislation.

STAFF RECOMMENDATION

Planning staff recommends approval of renaming Opry Place, 5th Avenue North and 5th Avenue South to "Rep John Lewis Way N" and "Rep John Lewis Way S".

Ms. Milligan presented the staff recommendation of approval.

Councilmember Suara spoke in favor of the application.

Name unclear, 865 Robertson Academy, spoke in favor of the application.

Vivian Wilhoite, 1029 Flintlock Ct, spoke in favor of the application.

Chairman Adkins closed the Public Hearing.

Mr. Haynes moved and Mr. Tibbs seconded the motion to approve. (6-0-1)

Resolution No. RS2020-257

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020M-004SR-001 is **approved.** (6-0-1)

16. 2020M-005SR-001

BL2020-464/Sharon Hurt

10TH CIRCLE NORTH RENAMING TO REV KELLY M SMITH WAY

Council District 19 (Freddie O'Connell)

Staff Reviewer: Sharon O'Conner

A request for the renaming of 10th Circle N from Rosa L Parks Boulevard to Dr. Martin L King Jr. Boulevard to be renamed Rev Kelly M Smith Way, requested by At Large Councilmember, Sharon Hurt.

Staff Recommendation: Approve.

APPLICANT REQUEST

Rename 10th Circle North to “Rev Kelly M Smith Way”

Street Renaming

A request for the renaming of 10th Circle N from Rosa L Parks Boulevard to Dr. Martin L King Jr. Boulevard to be renamed Rev Kelly M Smith Way.

STREET RENAMING PROCEDURE

Metro Council changes street names through the adoption of an ordinance. The Planning Department is required to notify all property owners on the portion of the street proposed for renaming and to give owners the opportunity to provide written comments in support of or in opposition to the proposed name change. Properties with mailing addresses on the section of roadway to be renamed will continue to receive mail using the old street name for one year giving residents and businesses time to notify persons and entities they correspond with of the change in address.

APPLICATION INFORMATION

This application was received by the Planning Department on September 15, 2020 and was filed to rename the street to Rev Kelly M Smith Circle. Notices were sent out on September 16, 2020 to all property with addresses or frontage on the affected street. The request was amended on 1st reading to change the new proposed name to Rev Kelly M Smith Way. Notice of the Planning Commission Public hearing was sent out for the amended request.

BIOGRAPHICAL INFORMATION – PROVIDED BY APPLICANT

Kelly Miller Smith was born on October 28, 1920 to Perry Monroe and Priscilla Anderson Smith in the all black city of Mound Bayou, Mississippi. He was the fourth child in a Christian family of seven children. He departed this life on Sunday evening, June 3, 1984.

At an early age he joined the First Baptist Church of Mound Bayou. His pastor who baptized him sensed that one day he would become a minister.

After receiving his early education in Mound Bayou and graduating from Magnolia High School in Vicksburg, he began his college career at Tennessee State University as a music major. Kelly played a variety of musical instruments including double bass, xylophone and piano. He had many musical compositions to his credit. His faith and devotion to Christianity, however, led him to Morehouse College where he graduation with a Bachelor's degree in Religion. He went on to receive the Master of Divinity Degree from Howard University Divinity School which also awarded him the honorary Doctor of Divinity degree in 1976.

His first pastorate was at Mount Heroden Baptist Church in Vicksburg where he served for five years. Once again, the music bug revealed itself in his pastoral activities as he arranged music for a church choral group, “The Chansonettes”, which he directed.

In 1951, Reverend Smith was called to become the pastor of First Baptist Church, Eighth Avenue North – now Capitol Hill, in Nashville, Tennessee. He and his young wife, the former Alice Mae

Clark of Jackson, Mississippi and their baby girl, Joy Ardelia, moved to Tennessee. He remained at First Baptist for thirty-three years with the exception of a four-month period in 1963.

Early in his ministry in Nashville, Reverend Smith became a leader in the struggle for human rights by assuming the major leadership role in the sit-in demonstrations and the desegregation of the public schools. He founded and presided over the Nashville Christian Leadership Council (NCLC) and the local chapter of the Opportunities Industrialization Center (OIC). He served also as President of the Nashville chapter of the NAACP. Time Magazine noted that, "he is the one person who deserves major credit for Nashville's racial transition."

In addition to his many pastoral accomplishments, Reverend Smith inspired the congregation to construct two magnificent facilities: the new church building which was opened and dedicated in March 1972; the first minority owned housing unit in Nashville for the elderly and handicapped – the one hundred ten (110) unit Kelly Miller Smith Towers.

Another significant aspect of Reverend Smith's leadership lay in the area of education. In addition to his struggle for racial justice in public education, he founded several scholarship funds both at the church and beyond. As a teacher he has served on the faculties of Natchez College, Alcorn College, American Baptist Theological Seminary and for the past sixteen years at Vanderbilt Divinity School where he also served as Assistant Dean. Reverend Smith has lectured widely in numerous universities and colleges throughout the country. His invitation to deliver the 1983 Lyman Beecher Lectures at Yale University constituted one of the highest honors in theological education. Those lectures were published in May of this year by Mercer University Press under the title, *Social Crisis Preaching*. Numerous publications have reported on the life and ministry of Kelly Miller Smith.

Reverend Smith's leadership on the national and international scenes has been most significant. He was a founding member of the Southern Christian Leadership Conference; President of the National Conference of Black Christians; National Chairman the International Freedom Mobilization and served on numerous boards and committees of national church and civic organizations. Further, Reverend Smith has preached widely in various countries of the Third World including the Democratic Republic of Zaire, Ghana, South America and India. In Zaire he was appointed Honorary Tribal Chief of the Basuka Tribe.

Reverend Smith's commitment to the Ecumenical Movement was evidenced by his long years of service as a member of the Faith and Order Commission of the World Council of Churches.

In brief, Reverend Smith's life and ministry made an incredible mark on all dimensions of our common life. His congenial personality, his expertise in numerous fields, his ability to mediate and promote calm when circumstances often dictated otherwise – all demonstrated his devotion to God and his love for all peoples. His immediate family, his church, his community, his friends, far and wide will be ever grateful for the tremendous contributions he made to their lives.

FIRE MARSHAL RECOMMENDATION

Approve with conditions.

- Renaming will require numerous commercial businesses and buildings located along the route to have fire alarm and fire protection systems reprogrammed to report with the new address. If reprogramming is not performed, the information provided by the alarm company to ECC during dispatch will not match the address. This could potentially result in a delay of service delivery.

EMERGENCY COMMUNICATION CENTER RECOMMENDATION

Approved

METRO HISTORICAL COMMISSION RECOMMENDATION

The Historical Commission staff neither approves nor disapproves this request. Per Ordinance No. BL2019-110, the Historical Commission staff will submit a report to the Metropolitan Council regarding any historical significance associated with the current/original street name upon filing of the legislation.

STAFF RECOMMENDATION

Planning staff recommends approval of renaming 10th Circle North Renaming to "Rev Kelly M Smith Way".

Ms. Milligan presented the staff recommendation of approval.

Councilmember Hurt spoke in favor of the application.

Kelly Miller Smith Jr, 2506 Walker Lane, spoke in favor of the application.

Chairman Adkins closed the Public Hearing.

Mr. Haynes moved and Mr. Tibbs seconded the motion to approve. (7-0)

Resolution No. RS2020-258

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

17. 2011SP-009-008

ONECITY (AMENDMENT #3)

Council District 21 (Brandon Taylor)

Staff Reviewer: Jason Swaggart

A request to amend the preliminary plan for properties located at 1 City Avenue, 4, 5, 6, and 8 City Boulevard, 7 and 9 City Place, and City Boulevard (unnumbered), at the southwest corner of City Boulevard and 28th Avenue North, zoned SP (18.93 acres), to increase the maximum allowed residential units from 600 to 850 multi-family residential units, requested by Civil Site Design Group, applicant; Cambridge Nashville Medical Center LP, Nashcam LP, NF IV-VA Nashville LLC, Shay/LB-WC-LC LLC, owners.

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

The Metropolitan Planning Commission deferred 2011SP-009-008 to the November 12, 2020, Planning Commission meeting. (7-0)

18. 2020SP-042-001

DODSON SQUARE (FORMERLY BETHANY AT DODSON CHAPEL)

Council District 14 (Kevin Rhoten)

Staff Reviewer: Amelia Lewis

On Consent: No

Public Hearing: Open

A request to rezone from RS15 to SP zoning for properties located at 3941 and 3957 Dodson Chapel Road, approximately 175 feet south of Central Pike (3.64 acres), to permit a multi-family development, requested by Dodson Chapel Developments LLC, applicant and owner.

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

APPLICANT REQUEST

Preliminary SP to permit 60 units and live-work units.

Zone Change

A request to rezone from Single-Family Residential (RS15) to Specific Plan Mixed-Use (SP-MU) zoning for properties located at 3941 and 3957 Dodson Chapel Road, approximately 175 feet south of Central Pike (3.64 acres), to permit a multi-family development.

Existing Zoning

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *RS15 would permit a maximum of 10 lots, based solely on a minimum lot size of 15,000 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.*

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.

SITE CONTEXT AND PLAN DETAILS

The 3.64 acre site is comprised of two abutting parcels on the east side of Dodson Chapel Road. Each parcel has been developed with a single-family residential structure. If this plan is approved, these structures would be removed. The site is located south of the intersection of Central Pike and Dodson Chapel Road. This intersection is primarily a mix of commercial and mixed-use zoning.

To the north, at the intersection of Central pike and Dodson Chapel Road, the properties are mixed-use and commercial. The properties step down in intensity and become residential the further from the intersection. The properties on the east side of Dodson Chapel Road, immediately to the south of the site, are zoned One and Two-Family Residential (R8). The properties on the west side of Dodson Chapel Road are zoned RS15 with a Planned

Unit Development Overlay (PUD), and Mixed Use (MUN and MUL) at the intersection. The properties to the east of the site are zoned Residential Multi-Family (RM15) with a PUD Overlay.

Site Plan

The plan proposes 60 units and live-work uses. The plan proposes two unit types, stacked flats and attached townhomes. Fourteen units are oriented to face Dodson Chapel Road with primary entrances along the street. The remaining units are oriented to an open space area on the southern portion of the site. The live-work uses are limited to the northern portion of the site, on existing Parcel 150 and limited to a maximum of 5,200 square feet for the entire development. The live-work units are permitted to provide up to 750 square feet of live-work space on the ground floor of units.

The stacked flat buildings are limited in height to 3 stories in 50 feet and the attached townhomes are limited in height to 3 stories in 45 feet. The plan also includes architectural standards requiring raised foundations, minimum glazing requirements, exterior façade requirements, and prohibited materials. The final SP will include architectural elevations that demonstrate compliance with the proposed architectural standards.

Along Dodson Chapel Road, the plan shows a 15 foot right of way dedication and 6 foot wide bikeway, 8 foot wide planting strip, and 6 foot wide sidewalk, in accordance with the Major and Collector Street Plan. The site has two vehicular entrances along Dodson Chapel Road. The plan also shows to vehicular connections to two existing developments to the east, which would each provide access into the rear of the site. The plan has a mix of surface parking and rear loaded garages for the townhome units.

DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

T3 Suburban Neighborhood Center (T3 NC) is intended to enhance and create suburban neighborhood centers that serve suburban neighborhoods generally within a 5 minute drive. They are pedestrian friendly areas, generally located at intersections of suburban streets that contain commercial, mixed use, residential, and institutional land uses. T3 NC areas are served with well-connected street networks, sidewalks, and mass transit leading to surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

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 northern portion of the site, Parcel 150, is within the T3 NC policy area, and the southern portion, Parcel 149, is within the T3 NE policy area. The proposed plan addresses the specific goals of both policies. The two policies have many similar goals including the creation of suburban neighborhood development, increased housing choice, improved connectivity. The T3 NC policy is applied to the northern portion of the site as it is located off of the intersection of the two streets and existing commercial development at the intersection.

The plan proposes three unit types: townhome units with live-work, townhomes, and stacked flat units. The portion of the plan under T3 NC area proposes attached townhomes with live-work units. The live work units are limited to the portion of the plan within the T3 NC Policy which is appropriate given the intent of the T3 NC policy. This addresses the intent of the policy to create a neighborhood center with a mix of residential and commercial uses along suburban streets. This section of the plan serves as a transition between policies and in uses from the commercial uses at the intersection with the proposed residential uses in the southern portion of the plan and existing residential development to the south. South of the townhomes with live work units, the site becomes strictly residential. This is consistent with the T3 NE policy to create residential neighborhoods with moderate density development and increased housing choice and connectivity.

This development aims to provide intensity adjacent to the corridor, transitioning from commercial to residential, while also being compatible with the surrounding residential character. The site limits curb cuts and provides pedestrian infrastructure along Dodson Chapel Road where there are currently no sidewalks on the eastern side of the road. Overall, the plan is consistent with both policies to provide suburban neighborhood development, increased housing choice, and increased connectivity.

FIRE MARSHAL RECOMMENDATION**Approve with conditions**

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

STORMWATER RECOMMENDATION**Approve****WATER SERVICES RECOMMENDATION****Approve****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 copy of cross access easement to MPW.
- Show all ramps per MPW standards and specs. Callout ramps, sidewalks, curb & gutter per MPW standard sections.
- Show ADA compliant ped crossings for ramps.
- Private hauler will be required for waste/recycle disposal for site. Note on plans.
- Comply w/ MPW traffic comments.

TRAFFIC AND PARKING RECOMMENDATION**Approved with conditions**

- Prior to Final SP approval, coordinate with MPW on feasibility to extend sidewalk south on the east side of Dodson Chapel Road to Seville Drive. Reduced planting strip / sidewalk section may be permitted.

Maximum Uses in Existing Zoning District: RS15

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	3.64	2.904 D	10 U	126	12	12

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	-	-	5,200 SF	331	17	36

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	-	-	60 U	440	28	34

Traffic changes between maximum: RS15 and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+645	+33	+58

METRO SCHOOL BOARD REPORT

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

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

The proposed SP would generate seven additional students beyond what is generated under the current zoning. Students would attend Tulip Grove Elementary, Dupont Tyler Middle School, and McGavock High School.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 60 multi-family residential units and a maximum of 5,200 square feet of live-work space. The permitted uses of the live-work units shall be limited to the uses of the MUL-A zoning district. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. Rights-of-way shall be dedicated by Final Plat or through instrument prior to the approval of any final site plan.
3. Parking shall comply with requirements of the Metro Zoning Code.
4. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
8. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
9. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

Ben Miskelley, 2844 Suri Rd, spoke in favor of the application.

Carlos Dance, 3717 Seville Dr, asked that the developer take caution to preserve his trees.

Chairman Adkins closed the Public Hearing.

Mr. Gobbell moved and Mr. Haynes seconded the motion to approve with conditions and disapprove without all conditions. (7-0)

Resolution No. RS2020-259

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-042-001 is **approved with conditions and disapproved without all conditions. (7-0)**

CONDITIONS

1. Permitted uses shall be limited to a maximum of 60 multi-family residential units and a maximum of 5,200 square feet of live-work space. The permitted uses of the live-work units shall be limited to the uses of the MUL-A zoning district. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. Rights-of-way shall be dedicated by Final Plat or through instrument prior to the approval of any final site plan.
3. Parking shall comply with requirements of the Metro Zoning Code.
4. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.
5. Comply with all conditions and requirements of Metro reviewing agencies.

6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
8. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
9. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

19. 65-76P-002

COMMERCIAL PUD (PERIODIC REVIEW)

Council District 03 (Jennifer Gamble)

Staff Reviewer: Jason Swaggart

A request for a periodic review for a portion of a Planned Unit Development for a part of property located at Brick Church Pike (unnumbered), at the northwest corner of Old Hickory Boulevard and Brick Church Pike, zoned R20, (3 acres), requested by Councilmember Jennifer Gamble, applicant; Gordon F. McCammon and Robert C. Helson, owners.

Staff Recommendation: Find PUD inactive and recommend that Council reapprove the PUD overlay.

APPLICANT REQUEST

Periodic review of a Planned Unit Development.

Periodic PUD Review

A request for a periodic review for a portion of a Planned Unit Development for a part of property located at Brick Church Pike (unnumbered), at the northwest corner of Old Hickory Boulevard and Brick Church Pike, zoned One and Two-Family Residential (R20), (3 acres).

Existing Zoning

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots.

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

PUD DETAILS

The approximately four-and-a-half-acre site is located at the northwest corner of Old Hickory Boulevard and Brick Church Pike. The site is currently not developed and consists of open field and densely wooded areas. The original PUD was approved by Council in 1976 for 38,100 square feet of various commercial uses. An application to revise the subject portion of the PUD, application number 65-76P-001 was submitted on May 11, 2020. This application was deferred at the June 25, 2020, July 23, 2020, and August 27, 2020, Planning Commission meetings. The August 27, 2020, deferral was indefinite, and no further review is permitted until a decision has been made on this periodic review.

PERIODIC PUD REVIEW

Section 17.40.120 H of the Metro Zoning Ordinance authorizes the Planning Commission, a councilmember or the property owner of the area to be reviewed to request the Metropolitan Planning Commission to review any Planned Unit Development (PUD) overlay district, or portion thereof, to determine whether the PUD is “inactive,” and if so, to recommend to the Council what action should be taken with respect to the PUD. The Commission determines whether the PUD is “inactive” by examining whether development activity has occurred within six years from the date of the initial enactment, subsequent amendment, or re-approval by the Metro Council. If the Planning Commission determines the PUD to be inactive, the Commission is required to recommend legislation to the Council to re-approve, amend, or cancel the PUD.

Timeline for Planning Commission Action

The Zoning Code requires that, within 90 days from the initiation of its review, the Planning Commission must hold a public hearing to make a determination of activity, and if necessary, make a recommendation to the Council. A request for the periodic review for the subject portion of the PUD was received on July 29, 2020, from Councilmember Jennifer Gamble. The 90-day period extends to October 27, 2020. If the Planning Commission does not make a determination within 90 days from the initiation of a review, it is considered to be a recommendation to re-approve by ordinance the existing PUD overlay district without alteration. The last Planning Commission meeting date before October 27, 2020, is October 22, 2020.

Classification of the PUD (Active or Inactive)

Under 17.40.120 H., the Commission is first required to determine whether the portion of the Commercial PUD requested for periodic review is active or inactive by examining whether development activity has occurred within six years from the date of the initial enactment, subsequent amendment, or re-approval by the Metro Council.

Section 17.40.120 H.3.a. of the Metro Code requires the Planning Commission to make three findings in order to determine whether a PUD has been active or inactive:

- i. *Six or more years have elapsed since the latter of*
 - (1) *The effective date of the initial enacting ordinance of the PUD,*
 - (2) *The effective date of any ordinance approving an amendment to the PUD,*
 - (3) *The effective date of any ordinance re-approving or amending a PUD after it has been reviewed and decided in accordance with subsection 5.a. or b. of this section, or*
 - (4) *The deadline for action by the metropolitan council in accordance with subsection 5.d. of this section.*

The initial enacting ordinance for the PUD became effective in 1976 (BL076-157). Council has not considered any subsequent amendments to the PUD since its original approval.

- ii. *Construction has not begun on the portion of the PUD under review; construction shall mean physical improvements such as, but not limited to, water and sewer lines, footings, and/or foundations developed on the portion of the PUD under review; clearing, grading, the storage of building materials, or the placement of temporary structures shall not constitute beginning construction.*

The site is undeveloped and other than the application to revise the subject portion of the PUD, no additional information regarding activity to develop the PUD has been presented to staff.

- iii. *Neither right-of-way acquisition from a third party nor construction has begun on off-site improvement(s) required to be constructed by the metropolitan council as a condition of the PUD approval.*

No information has been presented to staff regarding right-of-way acquisition or off site construction.

Section 17.40.120 H.3.a. states that the Commission “*may also take into consideration the aggregate of actions, if any, taken by the owner of the PUD within the prior 12 months to develop the portion of the PUD under review.*”

Other than the work put into the redesign of the PUD and application to revise the PUD, no other information has been presented for staff to consider.

Planning Commission Recommendation to Metro Council

If the Planning Commission determines the PUD to be active, then no further action is required. If the Commission determines the PUD to be inactive, then the Commission is required to recommend legislation to the Council to re-approve, amend, or cancel the PUD.

With respect to the legislation to be recommended to the Metro Council, the Planning Commission is directed by the Code to take two distinct steps.

First, the Commission is to determine whether the “existing PUD is consistent with the goals, policies, and objectives of the General Plan and any applicable specific redevelopment, historic, neighborhood, or community plans.”

Second, the Commission is to recommend the legislation, and include, as required:

- a) The appropriate base zoning district(s), if different from current base zoning, to retain and implement the PUD overlay district as it exists.
- b) Any amendment(s) to the inactive PUD's master development plan and base zoning district(s) to reflect existing conditions and circumstances, including the land use policies of the general plan and the zoning of properties in the area.
- c) Base zoning district(s) consistent with the adopted general plan, should the PUD overlay district be recommended for cancellation.

PARKWOOD – UNION HILL COMMUNITY PLAN

T3 Suburban Neighborhood Center (T3 NC) is intended to enhance and create suburban neighborhood centers that serve suburban neighborhoods generally within a 5 minute drive. They are pedestrian friendly areas, generally located at intersections of suburban streets that contain commercial, mixed use, residential, and institutional land uses. T3 NC areas are served with well-connected street networks, sidewalks, and mass transit leading to surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced 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.

Consistent with Policy?

Yes. The PUD is approved for a mixture of commercial uses. T3 NC policy supports a mixture of uses, including residential, office and commercial. The Major and Collector Street Plan (MCSP) classifies both Old Hickory Boulevard and Brick Church Pike as arterials and Old Hickory Boulevard is a bus route. These conditions make the site ideal for retail as well as other nonresidential uses. The site also includes CO policy which recognizes floodplain along Old Hickory Boulevard and along the western edge of the PUD. The property at the western edge of the PUD is not part of this periodic review request. The overall Council approved plan includes development within areas identified as floodplain; however, any new development would have to meet current stormwater regulations. It is also important to note that the revision that was submitted prior to this application has been approved by Stormwater.

STAFF RECOMMENDATION

In accordance with the requirements of 17.40.120 H, staff recommends that the Planning Commission find this portion of the PUD inactive. The Council approved plan includes two separate properties and includes buildings and associated parking crossing the shared property boundary. Due to this configuration, it is appropriate to consider the whole PUD and not just the portion that was requested for review. Staff's recommendation includes a condition that the Commission consider the approximately 7.5 acre property, part of 4204 Brick Church Pike (Map 041, P/O Parcel 003) that is within the PUD as part of this request.

Staff also recommends that the Commission recommend that Council re-approve the PUD as approved or rezone it to Mixed Use Neighborhood – Alternative (MUN-A). The T3 NC policy supports the uses permitted under the PUD at this location. MUN-A would also be appropriate and would permit a wider range of uses that are consistent with the T3 NC policy.

CONDITIONS

1. Any findings and recommendation should include the approximately 7.5 acre property, part of 4204 Brick Church Pike (Map 041, P/O Parcel 003) that is within the PUD as part of this request, in addition to Parcel 180 which was specifically requested for review.

Mr. Swaggart presented the staff recommendation to find the PUD inactive and recommend that Council reapprove the PUD overlay.

Councilmember Gamble spoke in favor of staff recommendation.

Chairman Adkins closed the Public Hearing.

Ms. Johnson spoke in favor of finding the PUD inactive and recommending a rezoning consideration.

Councilmember Murphy spoke in favor of finding the PUD inactive.

Councilmember Murphy moved and Ms. Johnson seconded the motion to find the PUD inactive. (7-0)

Councilmember Murphy moved and Ms. Johnson seconded the motion to recommend consideration of a rezoning. (7-0)

Resolution No. RS2020-260

“BE IT RESOLVED by The Metropolitan Planning Commission that 65-76P-002 is **found inactive. (7-0)** “BE IT RESOLVED by the Metropolitan Planning Commission that the Commission **recommends consideration of a rezoning. (7-0)**

CONDITIONS

1. Any findings and recommendation should include the approximately 7.5 acre property, part of 4204 Brick Church Pike (Map 041, P/O Parcel 003) that is within the PUD as part of this request, in addition to Parcel 180 which was specifically requested for review.

20. 2004UD-002-011

VILLAGES OF RIVERWOOD - SECTION M (MODIFICATION)

Council District 14 (Kevin Rhoten)
Staff Reviewer: Logan Elliott

A request to modify the Villages of Riverwood Urban Design Overlay District for property located at Stonewater Drive (unnumbered), approximately 400 feet southwest of Hickory Brook Drive, zoned RM9 and within the Villages of Riverwood Urban Design Overlay District (23.35 acres), to change the 776 assisted living units to 210 multi-family residential units, requested by Dale and Associates, applicant; Villages of Riverwood and Browns Farm, owner.
Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Modify the Villages of Riverwood Urban Design Overlay District.

A request to modify the Villages of Riverwood Urban Design Overlay District for property located at Stonewater Drive (unnumbered), approximately 400 feet southwest of Hickory Brook Drive, zoned Multi-Family Residential (RM9) and within the Villages of Riverwood Urban Design Overlay District (23.35 acres), to change the 776 assisted living units to 210 multi-family residential units.

Existing Zoning

Multi-family Residential (RM9) is intended for single-family, duplex, and multi-family dwellings at a density of nine dwelling units per acre.

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

DONELSON - HERMITAGE - OLD HICKORY COMMUNITY PLAN

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 NE policy may be applied either to undeveloped or substantially under-developed “greenfield” areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers.
T3 Suburban 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. *The open space policy here recognizes open space that was reserved with the 2004 UDO Master 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. *The Conservation Policy here recognizes streams and significant slopes.*

SITE CONTEXT AND PLAN DETAILS

The site is in the Villages of Riverwood development off Hoggett Ford road in Hermitage. The subject site is at the rear of the development, being the most southern point of the UDO. The site is bounded by I-40 to the south-east and the Stones River to the south-west. The subject site is approximately 23.35 acres, is currently vacant, and there are two streams that traverse the property from north to south into the Stones River. The majority of the Master Plan has been built out with one section of the plan under construction now. The subject property is the last section of the Master Plan to begin construction.

Existing entitlements

The UDO was approved to allow for the development of 1,978 residential units, 45,000 square feet of mixed-use commercial, and two type 'B' billboards on 219.8 acres. The subject site, designated as Section M, was approved for 776 units (2,328 beds) of assisted living facility.

Site Plan

The plan would modify the UDO by replacing the 776 units of assisted living approved for this portion of the UDO with 210 multi-family residential units. Multi-family residential is a use already permitted by the UDO and consistent with the underlying RM9 zoning. The proposed plan establishes an additional building typology in the Master Plan that would be built in this last remaining section. The request modifies the UDO to establish design guidelines that would regulate future development of this site.

The proposed building typology, Building Type 10, is an attached townhouse style of unit. Standards are included indicating that the parking will either be in individual garages or surface parked to the rear of the units. The standards would require the proposed 210 townhouse units to be served by private drives with sidewalks. The plan includes a standard that units near Stonewater Drive are to be oriented towards Stonewater Drive. A standard is included requiring the internal units to be oriented towards common courtyards or open space. Compliance with all regulatory standards must be demonstrated at the time of final site plan application.

The Master Plan for this UDO includes a condition that the applicant would provide a Dedicated Conservation Greenway Public Access Trail Easement Area as approved by Metro Greenways prior to the UDO final site plan approval by the Planning Commission. Additionally, the UDO Master Plan requires the applicant to build the portion of the Stones Greenway that is planned for this property. The proposed UDO modification does not alter this requirement and this requirement will be reviewed for with the final site plan application.

ANALYSIS

The proposed development is consistent with the intent of Suburban Neighborhood Evolving to provide a diversity of housing options in a suburban form. The use of private drives and orienting units towards open space or common courtyards is consistent with T3 NE policy. The proposed multi-family units would generate less daily vehicle trips than the currently approved assisted living facility. Staff is recommending an additional regulating standard be included that requires the final site plan to avoid the environmentally sensitive areas that are recognized with the conservation policy.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Fire department access roads shall comply with the current adopted fire code at the time of construction. Fire Department access roads shall have an unobstructed clear width of 20'. Where a fire hydrant is located on a fire apparatus access road the minimum width shall be 26' exclusive of shoulders. Aerial Fire Apparatus access shall be provided for any structure 30 feet or greater in height. Fire lane signage shall be provided in accordance with the adopted fire codes.

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

Approve with conditions

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

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- TIS may be required at time of development.

Maximum Uses in Existing Zoning District: **RM9 (UDO)**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Assisted Living (254)	23.35	-	776 Units (2328 Beds)	6053	443	606

Maximum Uses in Proposed Zoning District: **RM9 (UDO)**

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)	23.35	-	210 U	1547	97	115

Traffic changes between maximum: **RM9 (UDO) and RM9 (UDO)**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-4506	-346	-491

METRO SCHOOL BOARD REPORT

Projected student generation existing RM9 (UDO) district: 0 Elementary 0 Middle 0 High

Projected student generation proposed RM9 (UDO) district: 15 Elementary 13 Middle 8 High

The proposed RM9 (UDO) zoning is expected to generate 36 additional students than the existing RM9 (UDO) zoning. Students would attend Tulip Grove Elementary School, Dupont Tyler Middle School, and McGavock High School.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

- Permitted uses for this portion of the UDO shall be limited to 210 multi-family residential units.
- Comply with all conditions and requirements of Metro reviewing agencies.
- The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.

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

Roy Dale, 516 Heather Place, spoke in favor of the application.

Name unclear, 2057 Hickory Brook Dr, spoke in opposition to the application due to traffic concerns.

Heather Smith, 2580 Brooke Trail Dr, spoke in opposition to the application.

Rusty Howard, 1980 Stonewater, spoke in opposition to the application due to traffic concerns.

Paul (last name unclear), 4829 White Birch Dr, spoke in opposition to the application due to inadequate infrastructure.

Laurie Thompson, 1681 Stonewater Dr, spoke in opposition to the application.

Samantha (last name unclear), 1300 Riverbirch Way, spoke in opposition to the application.

Chairman Adkins closed the Public Hearing.

Mr. Haynes spoke in favor of the application, although he understands the concerns of the neighbors.

Ms. Johnson spoke in favor of staff recommendation due to policy and the location.

Councilmember Murphy asked if a community meeting was held and Mr. Elliott replied that a community meeting was not required.

Mr. Dale stated that a community meeting was not held, but adequate online information was provided.

Councilmember Murphy explained that she would like to have seen more community engagement.

Dr. Sims spoke in agreement with Councilmember Murphy regarding community engagement and suggested a community meeting be held.

Mr. Tibbs suggested deferral to allow time for a community meeting to be held.

Councilmember Murphy moved and Dr. Sims seconded the motion to defer to the December 10, 2020 Planning Commission meeting to allow time for a community meeting. (7-0)

Resolution No. RS2020-261

"BE IT RESOLVED by The Metropolitan Planning Commission that 2004UD-002-011 is deferred to the December 10, 2020 Planning Commission meeting. (7-0)

21. 2020CDO-001-001

BL2020-470/Emily Benedict
Council District 07 (Emily Benedict); 08 (Nancy VanReece); 09 (Tonya Hancock)
Staff Reviewer: Anita McCaig

A request to apply a Corridor Design Overlay District to various properties along Gallatin Pike, zoned CS, CL, MUG-A, IWD, and OR20 (327 acres), requested by the Metro Planning Department, applicant; various owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Apply a Corridor Design Overlay to a portion of Gallatin Pike.

Corridor Design Overlay

A request to apply a Corridor Design Overlay District to various properties along Gallatin Pike, including several side streets, from Briley Parkway to Anderson Lane, zoned Commercial Services (CS), Commercial Limited (CL), Mixed Use General – Alternative (MUG-A), Industrial Warehousing and Distribution (IWD), and Office Residential (OR20) (327 acres).

Proposed Zoning

Corridor Design Overlay District (CDO) is an overlay intended to provide incremental improvements to the aesthetics of Nashville's commercial districts and corridors. The CDO provides standards for signage, landscaping, and materials that are derived from standards of base zoning districts. The CDO does not regulate uses. Uses within a CDO are regulated by the base zoning district.

MADISON COMMUNITY PLAN

The area proposed for application of the CDO includes properties located within numerous land use policies. Policies include, but are not limited to Conservation, Civic, Suburban Community Center, Suburban Mixed Use Corridor, Urban Community Center, Urban Neighborhood Center, Urban Mixed Use Neighborhood, and Urban Mixed Use Corridor.

BACKGROUND

The Gallatin Pike corridor in Madison has been the subject of various plans and studies, beginning in the 1990s, that brought the community together to decide on the area's future and create a vision. In 2019, Councilmembers asked the Planning Department to work on implementing the community's vision through regulatory tools, including zoning and design overlays.

Eleven previous planning efforts, prior to this Gallatin Pike study, that provide vision and design guidance include:

- Madison Community Plan (1993, 1998, 2009, 2015), Metro Planning Department
- Vision Madison: Long Range Strategic Plan (1997), Bill Hudson & Associates
- Madison Commercial Village Plan (1998), Metro Planning Department
- Northeast Corridor Study (2011), Metropolitan Planning Organization
- An Action Plan for Reinvestment and Revitalization in Madison, TN (2012), Urban Land Institute • NashvilleNext (2015), Metro Government
- nMotion Plan (2016), Metro Transit Agency
- Madison Strategic Report (2018), Development Economics

Throughout these plans are common themes of improving the streetscape and appearance of Gallatin Pike, creating a multimodal street that safely accommodates multiple ways of travel, and creating a welcoming, core in Downtown Madison.

The Gallatin Pike corridor forms a significant commercial spine with residential neighborhoods on either side. Gallatin Pike plays an important function to businesses and residents that use this corridor daily to commute to work and obtain goods and services. The CDO area, 327 acres, is an approximately three-mile stretch of Gallatin Pike, beginning at Briley Parkway and running north to Anderson Lane. The area includes several side streets in Downtown Madison. This section of Gallatin Pike is located conveniently between Downtown, East Nashville/Inglewood, and Goodlettsville/Hendersonville.

In the CDO area, uses include strip malls, shops, services, institutions, and houses of worship. The built environment represents several decades of development. Shopping centers and strip malls along the corridor generally represent the early era of the automobile and represent the transformation that occurred over several decades from agriculture to commercial services catering to car traffic. Development patterns vary along the corridor with the southern end represented by two large cemeteries and car-oriented development on larger parcels that front and are primarily accessed via Gallatin Pike. In the central portion of the study area, parcels are shallower and uses front Gallatin Pike with an additional mix of uses on side streets. The northern end contains shallow parcels on the east side of Gallatin Pike with deeper parcels on the west side. Along the western edge of the area is the railroad which forms a boundary between mixed use development and predominantly residential areas.

COMMUNITY PARTICIPATION

Community members have come together over the years to decide on a vision for the area and possible strategies to implement that vision. Currently, the community is eager to implement the vision. During the summer and fall of 2019, the Planning Department worked with area Councilmembers and the community to analyze the previous planning studies and explore if the community wished to proceed with regulatory tools. Staff hosted a community discussion in July 2019 that referenced the community's Madison Strategic Report and facilitated a discussion with panelists and community members building on findings in the Strategic Report. Staff created a webpage to share information with the community. Staff also compiled an assessment report to provide a snapshot of existing conditions and to help inform the community's decisions on potential implementation strategies.

Staff hosted a second community meeting in November 2019 to discuss the vision, land use policy, zoning tools, and the transportation network to see if the community was prepared to rezone to implement the vision. The result of the November meeting was interest in applying a Corridor Design Overlay that over time would assist in improving the appearance of Gallatin Pike. The study area initially stopped at State Route 45; however, Councilmembers and other stakeholders asked that any design overlay proposal be extended north to include properties to Anderson Lane.

In February 2020, public notice was mailed to 1,575 property owners in the area that Planning was working with Council on a potential CDO and that there would be a 90-day public notice period from mid-February to mid-May to ask questions and learn more about the proposed overlay. Several people contacted staff to ask questions or provide comments. No one expressed opposition. Notice was again mailed to 1,575 property owners in October 2020 after the CDO application was filed. Information was also posted on the project's webpage. Throughout this process, Councilmembers shared information via newsletters, emails, and flyers.

ANALYSIS

The CDO would apply to approximately 327 acres along Gallatin Pike and several side streets. This area consists of numerous properties, zoning districts, and a variety of commercial/mixed use land uses. The CDO does not regulate land use, and, except for variations to signage regulations and landscaping regulations, all other requirements of the base zone district will apply. In addition to variations from the signage and landscaping regulations, the CDO applies regulations regarding building materials.

Signage standards for all properties in the CDO will adhere to current signage standards of the Metro Zoning Code for Office and Residential Intensive (ORI, ORI-A), Mixed Use General (MUG, MUG-A), and Mixed Use Intensive

(MUI, MUI-A) regardless of the base zoning district. This would apply only to new signs, and it would not apply to panel changes to existing signs.

The CDO requires that trees be planted along the perimeter of parking lots at a rate of one tree every thirty feet. Current requirements are one tree every 50 feet. This applies to new parking lots and any expansion of an existing parking lot that is expanded by more than ten spaces.

The CDO applies standard for materials. The CDO requires front façades of buildings must be at least 75% brick, brick veneer, stone, cast stone, or architecturally treated concrete masonry units. The remaining 25% may be any material with the exception of exposed untreated concrete masonry units. The standards for materials apply to new buildings and additions that are more than 50% of the existing building area.

Staff finds that the proposed CDO overlay is appropriate. The intent of the CDO is to implement incremental improvements to the aesthetics of Nashville's commercial districts and corridors. This goal is consistent with all land use policies. NashvilleNext established an overall goal, through the Growth & Preservation Concept Map, of directing growth into centers and along corridors, such as Gallatin Pike. Each of the community character policies in this area is intended to encourage pedestrian-friendly development along the corridor that enhances the public realm. The standards of the CDO, which focus on landscaping, signage, and materials, will help implement the goals of the policies to enhance the corridor with quality, pedestrian-friendly development. Staff is recommending approval of the proposed CDO as it is consistent with the goals of the land use policies.

STAFF RECOMMENDATION

Staff recommends approval.

Ms. McCaig presented the staff recommendation of approval.

Councilmember Benedict spoke in favor of the application.

Chairman Adkins closed the Public Hearing.

Mr. Haynes moved and Mr. Tibbs seconded the motion to approve. (7-0)

Resolution No. RS2020-262

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

22. 2020COD-002-001

BL2020-477/Emily Benedict
Council District 07 (Emily Benedict)
Staff Reviewer: Amelia Lewis

A request to apply a Contextual Overlay District to properties located at various addresses along Rosecliff Drive, approximately 160 feet east of Preston Drive, zoned R10 (13.04 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 along Rosecliff Drive, approximately 160 feet east of Preston Drive, zoned One and Two-Family Residential (R10) (13.04 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 Overlay

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.

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.

CONTEXTUAL OVERLAY STANDARDS

The base zoning of the properties, R10, would remain with this request. The standards of the contextual overlay district are listed below. These standards are established in the zoning code and cannot be modified. The design standards are 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 area included in the rezoning is along the north side of Rosecliff Drive between Preston Drive and Cordero Drive and properties along the south side of Rosecliff Drive between Preston Drive and Rosebank Avenue. These properties have been developed with single-story, single-family residential structures. There is an existing, consistent housing type regarding bulk and massing that currently exists amongst these properties.

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. 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.

Ms. Lewis presented the staff recommendation of approval.

Carla Campbell, 2013 Rosecliff Dr, spoke in favor of the overlay.

Charles (last name unclear), 2001 Rosecliff Dr, spoke in opposition to the overlay.

Jermaine Caruthers, 2200 Rosecliff Dr, spoke in opposition to the overlay.

Kelly Markham, 2111 Rosecliff Dr, spoke in favor of the overlay.

Jonathan Lee, 2100 Rosecliff Dr, spoke in favor of the overlay.

Liz Edwards, 2011 Rosecliff Dr, spoke in opposition to the overlay.

Josh Summerville, 2024 Rosecliff Dr, spoke in opposition to the overlay.

Name unclear, 2102 Rosecliff Dr, spoke in favor of the overlay.

Name unclear, 1403 Porter Dr, spoke in favor of the overlay.

Ashley Miller, 2012 Rosecliff Dr, spoke in favor of the overlay.

Shauna Wells, 2008 Rosecliff Dr, spoke in favor of the overlay.

Donnie Davis, 2024 Rosecliff Dr, requested a deferral to allow time for the neighbors to find out more information.

John, 2008 Rosecliff Dr, spoke in favor of the overlay.

Bill Pureer, 2115 Rosecliff Dr, spoke in favor of the spirit of the overlay.

Councilmember Benedict spoke in favor of the overlay and committed to having a community meeting prior to the council meeting.

Chairman Adkins closed the Public Hearing.

Dr. Sims spoke in favor of the overlay with the understanding that Councilmember Benedict holds a community meeting prior to council.

Councilmember Murphy spoke in favor of the overlay with the understanding there will be a community meeting prior to council.

Ms. Johnson spoke in agreement with Dr. Sims and Councilmember Murphy.

Mr. Haynes and Mr. Gobbell also spoke in agreement with Dr. Sims and Councilmember Murphy.

Mr. Tibbs moved and Mr. Gobbell seconded the motion to approve. (7-0)

Resolution No. RS2020-263

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020COD-002-001 is approved. **(7-0)**

23. 2020Z-096PR-001

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

A request to rezone from RS20 to RM2 for property located at 1013 Chadwell Drive, approximately 425 feet west of S Graycroft Avenue (1.79 acres), requested by S + H Group, applicant; TriStar Properties LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS20 to RM2.

ZoneChange

A request to rezone from Single-Family Residential (RS20) to Multi-Family Residential (RM2) for property located at 1013 Chadwell Drive, approximately 425 feet west of S Graycroft Avenue (1.79 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 3 lots, based solely on 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.

Proposed Zoning

Multi-Family Residential (RM2) is intended for single-family, duplex, and multi-family dwellings at a density of two dwelling units per acre. RM2 would permit a maximum of 4 units.

MADISON COMMUNITY PLAN

T3 Suburban Neighborhood Maintenance (T3NM) is intended to maintain the general character of developed suburban residential neighborhoods. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T3 NM areas have an established development pattern consisting of low- to moderate-density residential development and institutional land uses. Enhancements may be made to improve pedestrian, bicycle, and vehicular connectivity.

ANALYSIS

The site is located in Madison, off Chadwell Drive. The site is mostly vacant with a single-family residence at the front of the lot. The surrounding land use is single family residential and multi-family residential.

The T3 NM policy identifies several factors as consideration for rezoning while placing an emphasis on retaining the existing character of the neighborhood. This proposed site is situated between a large lot zoned multi-family and an established block face of single-family residential lots. The proposed zone change will provide appropriate transition between the large multi-family zoned area and the established single-family area while respecting the suburban character of the neighborhood.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

TRAFFIC AND PARKING RECOMMENDATION

Approved

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)	1.79	2.178 D	3 U	29	3	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	1.79	2 D	3 U	22	2	2

Traffic changes between maximum: **RS7.5 and RM2**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-7	-1	-1

METRO SCHOOL BOARD REPORT

Projected student generation existing RS20 district: 0 Elementary 0 Middle 0 High
 Projected student generation proposed RM2 district: 0 Elementary 0 Middle 0 High

The proposed RM2 zoning is not anticipated to generate any more students than the existing RS5 zoning district. Students would attend Stratton Elementary School, Madison Middle School, and Hunters Lane High School.

STAFF RECOMMENDATION

Staff recommends approval.

Mr. Dunnavant presented the staff recommendation of approval.
Tripp Smith, 2606 Eugenia Ave, spoke in favor of the application.
Ann Richardson, 298 Port Dr, spoke in opposition to the application.
Tony Richardson, 298 Port Dr, spoke in opposition to the application.
Kenneth White, 206 Beverly Dr, spoke in opposition to the application.
Beth Waller, 1012 S Graycroft Ave, spoke in opposition to the application.
Alexis Danby, 212 Holiday Dr, spoke in opposition to the application.
Councilmember VanReece asked for approval.

Chairman Adkins closed the Public Hearing.

Mr. Haynes spoke in favor of staff recommendation.
Mr. Gobbell spoke in favor of staff recommendation.
Mr. Tibbs stated that it seems the neighborhood needs more information on what is going to happen, although he is in support of staff recommendation. Perhaps there is a little more work to do to make sure everyone is on the same page.
Councilmember Murphy suggested a deferral to allow further discussion with the community.
Councilmember VanReece recommended deferral.

Dr. Sims moved and Ms. Johnson seconded the motion to defer to the December 10, 2020 Planning Commission meeting. (7-0)

Resolution No. RS2020-264

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-096PR-001 is deferred to December 10, 2020 Planning Commission meeting. (7-0)

24. 2020Z-102PR-001

Council District 17 (Colby Sledge)
Staff Reviewer: Abbie Rickoff

A request to rezone from CS and MUL to MUL-A-NS zoning for properties located at 1209 and 1211 Martin street and 448 Humphreys Street, at the southwest corner of Houston Street and Brown Street (2.17 acres), requested by Waller Lansden Dortch and Davis, applicant; Nashville Phase I Property Holder, LLC and Arthur Daws, III, owners.
Staff Recommendation: Defer to the November 12, 2020, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020Z-102PR-001 to the November 12, 2020, Planning Commission meeting. (7-0)

25. 2020Z-113PR-001

Council District 21 (Brandon Taylor)
Staff Reviewer: Patrick Napier

A request to rezone from RS5 to R6-A zoning for property located at 717 27th Avenue North, approximately 250 feet south of Booker Street (0.21 acres), requested by Timo6, LLC, applicant; Jun Yen Shang, owner.
Staff Recommendation: Approve.

APPLICANT REQUEST
Zone change from RS5 to R6-A.

ZoneChange

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential - Alternative (R6-A) zoning for property located at 717 27th Avenue North, approximately 250 feet south of Booker Street (0.21 acres), requested by Timo6, LLC, applicant; Jun Yen Shang, owner.

Existing Zoning

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 1 single-family residential unit based on acreage alone.*

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

NORTH NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The property contains 0.21 acres located at 717 27th Avenue North, approximately 250 feet south of Booker Street. The requested R6-A zoning would allow up to two units on this lot. The neighborhood consists of predominantly one and two family residential uses. The R6-A zoning district includes enhanced standards for the location of access, driveways, and parking designed to enhance the pedestrian environment, consistent with the goals of the land use policy.

The site is approximately 315 feet from Clifton Avenue which is identified as a collector by the Major and Collector Street Plan. Bus service runs along 28th Avenue North and an MTA bus stop is located to the west, approximately 1,400 feet from the site. The proposed rezoning will allow for increased diversity in housing stock for the area while allowing more density in proximity to the corridor. The requested change would add diversity in housing stock for the immediate neighborhood while the alternative zoning district will require enhanced design and access standards consistent with the goals of the T4 NE 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 with conditions

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

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.21	8.71 D	1 U	16	6	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	0.21	7.26 D	2 U	29	7	3

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1 U	+13	+1	+1

METRO SCHOOL BOARD REPORT

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

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

The proposed zoning is expected to generate no additional students beyond the existing zoning. Students would attend Park Avenue Enhanced Elementary School, McKissack Middle School, and Pearl Cohn High School.

STAFF RECOMMENDATION

Staff recommends approval as the request is consistent with the T4 Urban Neighborhood Evolving policy in this location.

Mr. Napier presented the staff recommendation of approval.

Matthew Bolton, applicant, spoke in favor of the application.

Chairman Adkins closed the Public Hearing.

Mr. Tibbs moved and Mr. Haynes seconded the motion to approve. (7-0)

Resolution No. RS2020-265

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-113PR-001 is approved. **(7-0)**"

26. 2020S-172-001

BRAHANEY SUBDIVISION

Council District 09 (Tonya Hancock)

Staff Reviewer: Jason Swaggart

A request for final plat approval to create five lots on properties located at 1839 and 1847 Neelys Bend Road, approximately 980 feet south of Menees Lane, zoned RS80 (17.34 acres), requested Anderson, Delk, Epps and Associates, applicant; James K. Brahaney, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Final plat to create five lots.

Final Plat

A request for final plat approval to create five lots on properties located at 1839 and 1847 Neelys Bend Road, approximately 980 feet south of Menees Lane, zoned Single-Family Residential (RS80) (17.34 acres).

SITE DATA AND CONTEXT

Location: The site is located along the east side of Neely's Bend Road, 980 feet south of Menees Lane.

Street Type: The site has frontage along Neely's Bend Road. The Major and Collector Street Plan (MCSP) classifies Neely's Bend Road as a residential collector (T2-R-CA2).

Approximate Acreage: 29.2 acres or 1,271,952 square feet. The 29.2 acres includes an acreage tract that is approximately ten acres and does not have to be platted because it is greater than five acres. The acreage parcel is not part of this plat. The total area within this plat boundary is approximately seventeen acres or 740,520 square feet.

Parcel/Site History: The site is comprised of two parcels: 06300007800 and 06300025500. Parcel 255 is approximately 5.1 acres and Parcel 078 is approximately 24.1 acres. Both parcels were created in 2000, by deed. Only part of Parcel 078 is included within the plat boundaries.

Zoning History: Both parcels have been zoned RS80 since 1998.

Existing land use and configuration: Two parcels. There is an existing residence on both parcels.

Surrounding land use and zoning:

North: Single-family residential (RS80)
South: Single-family residential (RS80)
East: Single-family residential (RS80)
West: Single-family residential (RS80)

Zoning: Single-family residential (RS80)

Min. lot size: 80,000 square feet
Max. height: 3 stories

Min. street setback for properties on Neely's Bend Road: 40'

Min. rear setback for all properties: 20'

Min. side setback for all properties: 20'

Maximum Building Coverage: 0.20

PROPOSAL DETAILS

Number of lots: 5 lots with one acreage parcel. The acreage parcel is approximately ten acres and does not have to be platted because it is greater than five acres. The acreage parcel is not part of this plat.

Lot sizes: range from approximately 139,271 square feet (3.20 acres) to 192,630 square feet (4.42 acres)

Access: All five lots have direct access to Neely's Bend Road.

Subdivision Variances or Exceptions Requested: None.

APPLICABLE SUBDIVISION REGULATIONS

The site is within the T2 Rural Maintenance (T2 RM) policy. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For T2 RM, the Rural Character Subdivision regulations found in Chapter 4 are utilized.

4-1 Intent

This subdivision is required to meet all standards of Chapter 4. Staff finds that all standards are met.

4-2 Development Standards

4-2.1 Identification of Primary Conservation Land.

Not applicable to this case. Prior to design of any subdivision with new streets or joint access easements, Primary Conservation Land shall be identified and preserved from development or disturbance subject to the provisions of Sections 4-2.2 and 4-2.3. This subdivision is located along an existing street and does not include new streets or joint access easements.

4-2.2 Preservation of Conservation Land.

Not applicable to this case. Primary Conservation Lands are not required to be identified prior to design as this subdivision does not include new streets or joint access easements.

4-2.3 Development Footprint

Not applicable to this case. A development footprint located outside the areas of Primary Conservation Lands is not required to be identified prior to design as this subdivision does not include new streets or joint access easements.

4-2.4 Building Placement.

Not applicable to this case. For subdivisions without new streets or joint access easements, the subdivision application shall note proposed building envelopes. Building envelopes may not be within areas that comprise conservation lands listed in Sections 4-2.1(a) through Section 4-2.1(j), which include but are not limited to,

floodplains, streams and wetlands, and steep slopes. Building envelopes are indicated on the proposed plat and do not contain any of the features identified in Sections 4-2.1(a) – 4-2.1(j).

4-2.5 Rural Character Design

To preserve rural character, two Character Options exist for development of land. The proposed plat utilizes the Countryside Character Design Open Alternative option.

- a. *Countryside Character Option. This option may be used for any rural character subdivision. It is intended to maintain a natural, open rural character by minimizing the visual intrusion of development along primary roadways through the use of setbacks, building placement, existing vegetation and natural topographic features that obscure the view of development from the street.*
 1. *Open Alternative – Street frontage without existing vegetative or topographical screening. For purposes of this section, “surrounding parcels” is defined as the five R, RS, AR2a, or AG parcels oriented to the same block face on either side of the parcel proposed for subdivision, or to the end of the same blockface, whichever is less. If there are no surrounding parcels, the screened alternative shall be used.*
 - a. *Building Setback along existing public streets.*

Complies. The building setbacks are required to be varied, and a minimum setback line is required to be platted when the average setback of abutting parcels is more than the minimum required street setback established by the zoning. The average street setback of abutting parcels is approximately 260 feet. The existing residence on Proposed Lot 1 is intended to remain. The plat includes building envelopes for Proposed Lots 2-5 and the front of the envelopes are setback more than 300 feet.
 - b. *Lot Depth along existing public streets.*

Complies. Minimum lot depth is determined by the average setback of abutting parcels plus 300 feet. Based on the average setback of approximately 260 feet, a minimum lot depth of approximately 560 feet is required. All of the proposed lots have a depth in excess of 700 feet.
 - c. *Lot size along existing public streets.*

Complies. A compatibility analysis was conducted per this requirement. Minimum lot size is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than the smallest of the surrounding parcels, whichever is greater. The outcome of the analysis is that the minimum lot size required for this subdivision is 139,196 square feet. The smallest lot proposed is 139,271 square feet in size.
 - d. *Lot frontage abutting existing public streets.*

Complies. A compatibility analysis was conducted per this requirement. The outcome of the analysis is that the minimum lot frontage along Neely’s Bend Road required for this subdivision is 185 feet. The smallest lot frontage proposed is 200.04 feet.
 - e. *Street lights.*

Not applicable. Not street lights are proposed with this plat.
 - f. *Cluster lot option.*

Not applicable to this case. The plat does not propose utilization of the cluster lot option.
 2. *Screened Alternative- Street frontage utilizing existing vegetative or topographical screening.*

Not applicable to this case. The Open Alternative is proposed.
- b. *Agricultural Character Option*

Not applicable to this case. The proposed plat is based on the Countryside Character Option.
- c. *Public Road Frontage. The Planning Commission may approve up to ten lots within a Rural Character Subdivision without direct frontage on a public street provided there is a joint access easement to the lots.*

Not applicable to this case. All proposed lots have direct frontage on an existing public street.
- d. *Preservation of Tree Canopy. Prior to any land disturbance within the Development Footprint, a tree survey shall be undertaken and all recommended canopy trees on the Urban Forestry Recommended and Prohibited Tree and Shrub List that are 12” or greater in diameter shall be identified. No such identified trees shall be removed unless the tree is within the designated building envelope as designated on the final plat or approved for removal by the Urban Forester due to condition, disease or damage.*

Not applicable. As a final plat along an existing street, a Development Footprint was not required to be identified and a tree survey is not required. The Urban Forester will evaluate trees within the building envelopes at the time of permit for disturbance or construction.
- e. *Street Design. A primary objective of Rural Character Subdivisions is to maintain an open space and environmental network through uninterrupted connection of Conservation Land. Buildings are often located and oriented on the land to reflect the natural features of the land, and not a standardized streetscape. When creating any new roads in rural policy areas, roads that complement the rural character of existing rural corridors by using a two-lane rural cross section with swale and reflective striping (ST-255) shall be required. It is anticipated that road connectivity in these subdivisions may be less than other parts of the County. However, road connections may be required whenever necessary to further the overall rural character of the area.*

Not applicable. The plat proposes subdivision along an existing public street. No new streets are proposed with this application.
- f. *Private streets as defined in Section 3-9.3 of these regulations (Requirements for Streets) are appropriate as needed to maintain the rural character of the proposed subdivision.*

- Not applicable to this case. The plat proposes subdivision along an existing public street.
- g. *Drainage and storm sewers.*
Complies. Metro Stormwater has reviewed the plat to ensure compliance with all stormwater regulations and recommended approval.
 - h. *Public water facilities.*
Complies. This site is served by Madison Suburban Utility District for water. MSUD has recommended approval of the proposed plat.
 - i. *Utilities.*
Not applicable. The proposed subdivision is located along an existing street.
 - j. *Sewerage facilities.*
Complies. Each lot in the proposed plat will be served by an individual sewage disposal system.
 - k. *Areas of common sewage disposal for individual sewage disposal systems.*
Complies. Each lot in the proposed plat will be served by an individual sewage disposal system. Areas for disposal are identified on the plat for each lot. Metro Public Health has reviewed the proposed plat for compliance with septic system regulations and has recommended approval. If the plat is approved, Public Health will sign the plat prior to recordation.
 - l. *Lands set aside.*
Complies. Areas for disposal are not located in conservation lands.

4-3 Conservation Land and Common Property Management

A homeowner's association shall be established and membership in the association shall be mandatory for all purchasers of homes in the development and their successors. The homeowners' association bylaws shall guarantee continuing maintenance of the open space and other common facilities. The required homeowners' association is established with this plat.

Not applicable to this case. No common facilities are proposed with the plat.

PLANNING STAFF COMMENTS

The proposed subdivision meets the standards of the Metro Subdivision Regulations and the Metro Zoning Code. Staff recommends approval with conditions.

COMMENTS FROM OTHER REVIEWING AGENCIES

STORMWATER RECOMMENDATION

Approve

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building or construction details provided. Subject to full and complete plan review for compliance with adopted building and fire code. Provide fire hydrants within 500' of all dwellings.

PUBLIC WORKS RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

- **Not applicable**

MADISON SUBURBAN UTILITY DISTRICT

Approve

METRO HEALTH DEPARTMENT

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2020S-172-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

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

Eric Olson, 618 Grassmere Park Dr, spoke in favor of the application.

Joe Willis, 2219 Neelys Bend Rd, spoke in opposition to the application.

Chairman Adkins closed the Public Hearing.

Mr. Tibbs spoke in favor of staff recommendation.

Dr. Sims spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation.

Ms. Johnson spoke in favor of staff recommendation.

Mr. Haynes spoke in favor of staff recommendation.

Mr. Gobbell moved and Mr. Tibbs seconded the motion to approve with conditions and update to remove the public works conditions included in error. (7-0)

Resolution No. RS2020-266

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020S-172-001 is approved with conditions and update to remove the public works conditions included in error. (7-0)

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

I: OTHER BUSINESS

27. Contract renewal for Bob Leeman.

Resolution No. RS2020-267

“BE IT RESOLVED by The Metropolitan Planning Commission that a contract renewal for Bob Leeman is **approved. (7-0)**”

28. Historic Zoning Commission Report
29. Board of Parks and Recreation Report
30. Executive Committee Report
31. Accept the Director's Report

Resolution No. RS2020-268

“BE IT RESOLVED by The Metropolitan Planning Commission that the director’s report is approved. **(7-0)**”

32. Legislative Update

J: MPC CALENDAR OF UPCOMING EVENTS

November 12, 2020

MPC Meeting

4 pm, location to be determined

December 10, 2020

MPC Meeting

4 pm, location to be determined

K: ADJOURNMENT

The meeting adjourned at 9:08 p.m.