



# METROPOLITAN PLANNING COMMISSION

## MINUTES

**November 12, 2020**  
**4:00 pm Regular Meeting**

Meeting to be held via Teleconference

Metro Nashville Network will broadcast the November 12th 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](http://www.nashville.gov) and click on the "Live Streaming" link located on the left side of the screen.

### MISSION STATEMENT

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

Commissioners Present:  
Greg Adkins, Chair  
Jessica Farr, Vice Chair  
Jeff Haynes  
Lillian Blackshear  
Dr. Pearl Sims  
Mina Johnson  
Jim Lawson  
Councilmember Kathleen Murphy

Commissioners Absent:  
Ron Gobbell  
Brian Tibbs

Staff Present:  
Lucy Kempf, Executive Director  
Bob Leeman, Deputy Director  
Kelly Adams, Admin Services Officer IV  
Lisa Milligan, Planning Manager II  
Shawn Shepard, Planning Manager I  
Greg Claxton, Planning Manager I  
Katherine Herrmann, Planner III  
Jason Swaggart, Planner II  
Abbie Rickoff, 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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p: (615) 862-7190; f: (615) 862-7130

# SPECIAL NOTICE TO THE PUBLIC

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Out of an abundance of caution, and pursuant to recommendations from federal, state and local health agencies regarding avoiding group gatherings due to the COVID-19 Coronavirus, the November 12, 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, November 10<sup>th</sup>. 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

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

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

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

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

### Writing to the Commission

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

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

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

### Speaking to the Commission

For the November 12, 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](mailto:josie.bass@nashville.gov). For Title VI inquiries, contact Human Relations at (615) 880-3370. For all employment-related inquiries, contact Human Resources at (615) 862-6640.

# MEETING AGENDA

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## A: CALL TO ORDER

The meeting was called to order at 4:03 p.m.

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

Ms. Farr 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. (8-0)

## C: ADOPTION OF AGENDA

Mr. Lawson moved and Dr. Sims seconded the motion to adopt the agenda. (8-0)

## D: APPROVAL OF OCTOBER 22, 2020 MINUTES

Councilmember Murphy moved and Ms. Blackshear seconded the motion to approve the October 22, 2020 minutes. (7-0-1) Mr. Lawson abstained.

## E: RECOGNITION OF COUNCILMEMBERS

Councilmember Parker spoke in favor of Items 12 and 25.

Councilmember Gamble spoke in favor of Item 22.

Councilmember VanReece spoke in favor of Item 25.

Councilmember Styles spoke in favor of Item 15.

Councilmember Benedict spoke in favor of Items 16, 19, and 25.

## F: ITEMS FOR DEFERRAL / WITHDRAWAL: Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10a, 10b, 24

Councilmember Murphy stepped away from the meeting.

Ms. Farr moved and Mr. Lawson seconded the motion to approve the Deferred and Withdrawn Items. (7-0)

Ms. Blackshear recused herself from Items 8 and 9.

## G: CONSENT AGENDA ITEMS: Items 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 27, 28, 29, 33

Ms. Johnson moved and Dr. Sims 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. 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 (Proposal No. 2020Z-012TX-001).

**Staff Recommendation: Defer to the December 10, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020Z-012TX-001 to the December 10, 2020, Planning Commission meeting. (7-0)**

**2. 2019S-109-001**

**RICHARDS FARMS SUBDIVISION**

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Patrick Napier

A request for final plat approval to create 11 lots on property located at 1601 East Stewarts Lane and a portion of property at 1501 East Stewarts Lane, approximately 375 feet south of Cedar Grove, zoned RS10 (2.55 acres), requested by Clint Elliott Survey, applicant; Gus Richards, Jr, owner.

**Staff Recommendation: Defer to the December 10, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019S-109-001 to the December 10, 2020, Planning Commission meeting. (7-0)**

**3. 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 indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2020S-113-001. (7-0)**

**4. 2020S-145-001**

**BORDEAUX AGRIHOOD**

Council District 01 (Jonathan Hall); 02 (Kyonzté Toombs)

Staff Reviewer: Logan Elliott

A request for concept plan approval to permit a maximum of 362 single-family lots and 45 two-family lots for a maximum of 452 residential units for properties located at 1501 E Stewarts Lane, E Stewarts Lane (unnumbered), and County Hospital Road (unnumbered), approximately 1,575 feet northwest of County Hospital Road, zoned R10, RS10 and RS15 (185.8 acres), requested by Dewey Engineering, applicant; Wildflower Partners LLC, owner.

**Staff Recommendation: Defer to the December 10, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020S-145-001 to the December 10, 2020, Planning Commission meeting. (7-0)**

**5. 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 December 10, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020S-176-001 to the December 10, 2020, Planning Commission meeting. (7-0)**

**6. 2020SP-045-001**

**KABOTA AT WHITES CREEK PIKE**

Council District 01 (Jonathan Hall)

Staff Reviewer: Jason Swaggart

A request to rezone from R40 and CL to SP zoning for properties located at 7215, 7221 and 7227 Whites Creek Pike, approximately 210 feet south of Gifford Place (9.26 acres), to permit farm equipment sales and service, requested by Dale and Associates, applicant; Ronald Waller and Debora Waller, owners.

**Staff Recommendation: Defer to the December 10, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020SP-045-001 to the December 10, 2020, Planning Commission meeting. (7-0)**

**7. SUBSTITUTE BL2020-197**

**120-DAY MULTI-FAMILY PERMIT MORATORIUM IN THE ANTIOCH AREA**

Council District 28 (Tanaka Vercher); 29 (Delishia Porterfield)

Staff Reviewer: Greg Claxton

An ordinance declaring a 120-day moratorium upon the issuance of building and grading permits for multi-family developments on property within portions of the Antioch area, requested by Councilmember Tanaka Vercher, applicant.

**Staff Recommendation: Defer to the January 21, 2021, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred BL2020-197 to the January 21, 2020, Planning Commission meeting. (7-0)**

**8. 2016SP-083-003**

**50 MUSIC SQUARE WEST (AMENDMENT #1)**

Council District 19 (Freddie O'Connell)

Staff Reviewer: Jason Swaggart

A request to amend a Specific Plan for property located at 50 Music Square West, at the southeast corner of Chet Atkins Place and Music Square West (0.52 acres), to add multi-family residential as an approved use, requested by Barge Cauthen & Associates, applicant; SAI RAM 009 LLC, owner.

**Staff Recommendation: Defer to the December 10, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016SP-086-003 to the December 10, 2020, Planning Commission meeting. (6-0-1)**

**9. 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 December 10, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020Z-102PE-001 to the December 10, 2020, Planning Commission meeting. (6-0-1)**

**10a. 2020CP-011-001**

**SOUTH NASHVILLE COMMUNITY PLAN AMENDMENT**

Council District 17 (Colby Sledge)  
Staff Reviewer: Stephanie McCullough

A request to amend the South Nashville Community Plan by changing from D I District Industrial Policy to T4 Urban Mixed Use Neighborhood policy for properties located at 101 Factory Street, at the southeast corner of Factory Street and Geysler Street, zoned IWD (5.89 acres), requested by Catalyst Design Group, applicant; 101 Factory Street LLC, owner. (See associated case #2020SP-048-001).

**Staff Recommendation: Defer to the December 10, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020CP-011-0011 to the December 10, 2020, Planning Commission meeting. (7-0)**

**10b. 2020SP-048-001**

**101 FACTORY STREET MULTI-FAMILY SP**

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

A request to rezone from IWD to SP zoning for property located at 101 Factory Street, at the southeast corner of Factory Street and Geysler Street (5.89 acres), to permit 204 residential multi-family units, requested by Catalyst Design Group, applicant; 101 Factory Street LLC, owner. (See associated case #2020CP-011-001).

**Staff Recommendation: Defer to the December 10, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020SP-048-001 to the December 10, 2020, Planning Commission meeting. (7-0)**

**11. 2020SP-046-001**

**NEWTOWN INFILL HOMES**

Council District 16 (Ginny Welsch)  
Staff Reviewer: Logan Elliott

A request to rezone from RS7.5 to SP zoning for property located at 200 Raymond Street, approximately 180 feet north of Veritas Street (0.33 acres), to permit seven multi-family units, requested by Dale and Associates, applicant; Robert Cecil and Jeri Lynn Hoffman, owners.

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

**APPLICANT REQUEST**

**Zone change from RS7.5 to SP.**

Zone change

A request to rezone from Single-Family Residential (RS7.5) to Specific Plan-Mixed Residential (SP-MR) zoning for property located at 200 Raymond Street, approximately 180 feet north of Veritas Street (0.33 acres), to permit seven multi-family 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 would permit a maximum of 2 units.*

**Proposed Zoning**

Specific Plan-Mixed Residential (SP-MR) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes a mixture of housing types.

**SOUTH 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.

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

The site is approximately one-third of an acre and is located on the south side of Raymond Street. The site the last parcel on Raymond Street before the Nolensville Pike corridor to the east. The site currently contains a single-family residence. Raymond Street is a local street and this portion of Nolensville Pike is classified as an Arterial Boulevard in the Major and Collector Street Plan. The surrounding land uses are a mixture of single-family residential and two-family residential with commercial, office, and auto parking nearby on the Nolensville Pike corridor. The site is bounded by a public alley on the eastern and southern boundaries. The alley network serves both the residential units on Raymond Street/Veritas Street as well as the non-residential uses that front onto Nolensville Pike.

#### Site Plan

The site plan proposes 7 multi-family residential units in 3 individual structures. The existing residential structure is proposed to be preserved and converted to a duplex and two attached townhome structures are proposed. The existing residential structure is oriented to Raymond Street and surface parking is provided off the eastern alley for these two units. The attached townhome units are oriented to internal open space and have two car garages that are accessed via the alleys. Additional surface parking is being provided beyond what the zoning code would require for this number of units.

The proposed townhome units are limited to a maximum height of 35 feet and architectural standards are included to prohibit certain materials. The plan also requires units to address public streets and open space with pedestrian entrances and glazing. A landscape buffer is being provided on the western property boundary consistent with what the zoning code would require for a development of this intensity. Also, the surface parking areas will be subject to the landscape screening requirements of the zoning code.

#### **ANALYSIS**

The proposed Specific Plan proposes an infill development with a mixture of housing types in a development pattern and intensity that is appropriate for the area given the land use policy, existing alley network, and proximity to the Nolensville Pike corridor. The Urban Neighborhood Evolving policy describes successful infill development as considering and being sensitive to things such as timing and elements of the existing developed character; such as the street network, block structure, and proximity to Centers and Corridors. Staff finds the proposed plan to be consistent with this guidance. The proposed site plan is sensitive to the surrounding residential properties with the proposed landscape buffer, location of the new structures, and preservation of the existing residential structure. Additionally, the site is immediately adjacent to the Nolensville Pike corridor and is appropriate for additional density. The existing alleys will be improved with this development and the alley infrastructure will permit access to the additional units in a way that preserves the pedestrian realm on Raymond Street.

#### **FIRE MARSHAL RECOMMENDATION**

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

- Alley 1915 and 1917 to provide 20' pavement width.
- Units will be limited to 30' in height unless aerial apparatus access provisions are met (See IFC Appendix D105).
- All units are to be within 500' of fire hydrant capable of supplying the required fire-flow rate.
- Provide architectural elevations, details, and flow test for review prior to final SP.

#### **STORMWATER RECOMMENDATION**

##### **Approve**

#### **WATER SERVICES RECOMMENDATION**

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

- Approved as a Preliminary/New SP only. Public/water/san and/or Private site utility construction plans must be submitted and approved prior to Final SP approval. The approved construction plans must match the Final Site Plan/SP plans. Any 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. Private hauler will be required for waste/recycle disposal.

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

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

- See Public Works - Roads comments.

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)	0.33	5.808 D	2 U	19	2	2

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)	0.33	-	7 U	52	4	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+5 U	+33	+2	+2

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RS7.5 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed SP-MR district: 1 Elementary 1 Middle 0 High

The proposed SP-MR zoning is expected to generate 2 more students than the existing RS7.5 zoning. Students would attend Glenclyff Elementary School, Wright Middle School, and Glenclyff High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 7 multi-family residential units. Short term rental properties – owner occupied and short term rental properties – not owner occupied are prohibited.
2. Bicycle parking shall be provided consistent with the requirements of the Metro Zoning Code.
3. The surface parking area that is accessed via Ally #1917 and adjacent to Raymond Street shall have a continuous row of shrubs planted between the parking area and Raymond Street to act as a buffer.
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 RM20-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. RS2020-269**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-046-001 is **approved with conditions and disapproved without all conditions. (7-0)**

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 7 multi-family residential units. Short term rental properties – owner occupied and short term rental properties – not owner occupied are prohibited.



2. Bicycle parking shall be provided consistent with the requirements of the Metro Zoning Code.
3. The surface parking area that is accessed via Alley #1917 and adjacent to Raymond Street shall have a continuous row of shrubs planted between the parking area and Raymond Street to act as a buffer.
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 RM20-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.

## 12. 2020SP-047-001

111 N 1ST ST

Council District 05 (Sean Parker)

Staff Reviewer: Amelia Lewis

A request to rezone from IR to SP zoning for property located at 111 N 1st Street, at the northeast corner of James Robertson Parkway and N 1st Street (16.72 acres), to permit a mixed use development, requested by Hastings Architecture, applicant; HPT TA Properties Trust, owner.

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

### APPLICANT REQUEST

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

#### Zone Change

A request to rezone from Industrial Restrictive (IR) to Specific Plan (SP) zoning for property located at 111 N. 1<sup>st</sup> Street, at the northeast corner of James Robertson Parkway and N. 1<sup>st</sup> Street (16.72 acres), to permit a mixed-use development.

#### **Existing Zoning**

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

#### **Proposed Zoning**

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

#### **DOWNTOWN COMMUNITY PLAN**

T6 Downtown Neighborhood (T6 DN) is intended to maintain and create diverse Downtown neighborhoods that are compatible with the general character of surrounding historic developments and the envisioned character of new Downtown development, while fostering appropriate transitions from less intense areas of Downtown neighborhoods to the more intense Downtown Core policy area. T6 DN areas contain high density residential and mixed-use development.

#### **Supplementary Policy**

The site is within the 09-T6-DN-EB-01 supplementary policy area. Supplementary policy areas are intended to provide additional guidance beyond the CCM policies, often identifying a smaller area and providing guidance based on context and specific goals for this area. This supplemental policy area is for the East Bank Neighborhood, generally bounded by Jefferson Street to the north; I-24 and I-65 to the east; and the Cumberland River to the south and west. The site is located in the northern area of the supplemental policy and is intended to accommodate a mixture of residential, office, and commercial uses. Further analysis of the goals of the supplemental policy is addressed below.

## **SITE CONTEXT AND PLAN DETAILS**

The 16.72 acre site is located at the northeast corner of Main Street and N. 1<sup>st</sup> Street. The site is one parcel and has been developed with a truck stop. The parcel has right of way along three of the property lines. The western property line of the parcel abuts N. 1<sup>st</sup> Street, a portion of the eastern property line abuts N. 2<sup>nd</sup> Street, and the southern property line abuts Main Street. Main Street is located at grade and parallel to the elevated James Robertson Parkway which also extends along the southern property line. To the north of the site is an existing parcel, also zoned IR, not included in the SP proposal, and north of the subject parcel and the adjacent parcel is a CSX rail line.

The properties on the west side of N. 1<sup>st</sup> Street are zoned IR. These properties are bordered by the Cumberland River on their western property line. The properties to the south of the site are also zoned IR. The properties to the east of the site, also bounded by James Robertson Parkway and Interstate 24 are zoned IR and Commercial Frame (CF). The properties to the north of the CSX rail line are a mix of IR and mixed-use zoning, Mixed-Use General (MUG), MUG-A and Mixed-Use Intensive – Alternative (MUI-A). The larger area to the north, north of Jefferson Street up to I-65, is within the River North Urban Design Overlay (UDO). River North is intended to be a dense, mixed-use, urban neighborhood. The UDO also focuses on providing connections to surrounding neighborhoods, providing activated, consolidated, usable greenspace and open space within UDO area.

### Site Plan

The proposed development is intended to provide for a dense, mixed-use development across the site. The SP would permit all uses of the Mixed-Use Intensive – Alternative (MUI-A) zoning district and the following uses: microbrewery, tasting room, light manufacturing, artisan manufacturing, artisan distillery, and theatre. The MUI-A zoning district permits high intensity mixture of residential, retail, and office uses.

As it exists today, the 16.72 acre site does not have any internal roadways. The proposed site plan is proposing several public roads to establish an internal street system to enhance connectivity through and around the site. The site plan shows an east-west public street as an extension of the existing Howerton Avenue. This proposed section of road would connect Interstate Drive to N 1<sup>st</sup> Street. There is a proposed north-south road, 100 feet in width, which is shown to align with S. 2<sup>nd</sup> Street, south of Main Street and James Robertson Parkway. As the site exists today, there is a wall under James Robertson Parkway, which would prevent this serving as a through connection, at this time. The proposed north-south road extends to the north property line and extends east creating another connection to N. 1<sup>st</sup> Street.

The Major and Collector Street Plan (MCSP) identifies N. 1<sup>st</sup> Street as an arterial boulevard. The proposed SP meets the requirement along this street frontage by providing a 13.5 foot right-of-way dedication to accommodate a 10-foot wide sidewalk, five foot wide bike lane, two foot wide bike buffer, four foot wide planting strip, and four foot wide frontage zone. All future public roads designed with the Final SP shall provide for wide sidewalks and planting strips to create an urban and walkable environment. The plan proposes a greenway to go through the site, connecting the eastern portion of the site to N. 1<sup>st</sup> Street.

There is an overall maximum building height of 30 stories for the site, except for properties located along N. 1<sup>st</sup> Street. The height is regulated along N. 1<sup>st</sup> Street by the amount of street frontage occupied by the building. If the building occupies less than 60 percent of the street frontage along N. 1<sup>st</sup> Street, it is permitted to up to 30 stories in height; if the building occupies 97 to 100 percent of the street frontage, it is limited to a maximum height of 15 stories. This is to prevent wide, towering buildings from creating a canyon like effect along N. 1<sup>st</sup> Street.

As a regulatory SP Plan, there are design guidelines to regulate the built form. These include standards for build-to-lines, entrances, glazing, and prohibited building materials. The build-to-lines and requirement that a primary entrance be located on all buildings fronting public rights-of-way (with the exception of Main Street) ensure an urban built form to have buildings engage with the pedestrian realm. Activation between the buildings and the pedestrian realm will be critical to the design of the project.

Parking is proposed to be per the Downtown Code (DTC). In order to meet the intent for a cohesive development across the whole site, shared parking across uses is also permitted. Any surface parking shall only be placed at the sides and rears of buildings, except along Main Street. If structured parking is provided and visible from public streets, the structure shall include architectural cladding.

## **ANALYSIS**

The intent of the Downtown Neighborhood Policy (T6-DN) is to maintain and create downtown neighborhoods with a mix of uses, including high density residential. These neighborhoods should have high levels of connectivity and complete street networks with sidewalks, bikeways, and transit.

The supplemental policy, 09-T6-DN-EB-01, provides detailed goals for this portion of the East Bank area, including:

- Buildings are encouraged to have active retail, restaurant, or offices uses with transparent windows and doors along the first floor.
- In floodplain areas, creative design will be required to balance the need for raised finished floor elevations with maintaining an active streetscape.

- As the area redevelops, the East Bank will need a strong north/south connection.

As indicated by the T6-DN Policy and the supplemental policy, the SP zoning district is an appropriate zoning for this site. The ability to establish design standards and a street network are critical to meeting the more specific goals of the supplemental policy. Design standards in the proposed SP include entrance requirements for buildings along rights-of-way, minimum glazing requirements, a flexible build-to-line to accommodate open space and structures in the floodplain, and requirements for active uses. The plan also proposes three new public streets to create connectivity across the existing parcel and to the surrounding area.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Preliminary or New SP only. Public water and/or sanitary sewer and private site utility construction plans must be submitted and approved prior to Final SP approval. The approved construction plans must match the Final Site Plan/SP plans. Any required capacity must be reserved by confirmation of capacity fee payment 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. Prior to submitting final SP, coordinate meeting w/ Planning and MPW to discuss street sections and access. See MPW traffic comments.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

A TIS was submitted which assessed the impacts to the existing roadway network with a hypothetical build-out of approximately 1,425 residential units, 1,050,000 square feet of office, 135,00 square feet of commercial, and 640 hotel rooms. It was determined that reasonable traffic mitigation is feasible to offset the development's impact to the existing network. The following conditions are recommended:

- A detailed transportation study is required with each Final SP to determine specific improvements.
- Development shall contribute \$66,825 towards the future East Nashville Backbones bikeway project.
- Development shall coordinate with Public Works and Planning at least three months prior to first Final SP submittal to discuss the need to conduct additional analysis for general transportation improvements along James Robertson Parkway, Woodland Street, Ellington Parkway, and Interstate Drive. Contribution / installation of improvement(s) may be applicable.
- Proposed north/south roadway shall align with 2nd Street.
- Proposed east/west roadway shall align with Howerton Avenue.
- ROW dedication for internal roadways shall permit the installation of WeGo bus stops, location to be finalized with each Final SP.
- Preliminary SP shows 1st Street as a three-lane roadway with bike lanes. Additional analysis on proposed east/west roadway onto 1st Street may be necessary prior to first Final SP submittal.

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)	16.72	0.6 F	436,992 SF	736	78	81

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)	8.36	5.0 F	1,820 U	13719	751	782

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	4.18	5.0 F	910,404 SF	57784	2896	6228

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (931)	4.18	5.0 F	910,404 SF	76329	665	7102

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
-	-	-	-	+147096	+4234	+14031

**METRO SCHOOL BOARD REPORT**

As the mix of uses in the SP could vary, assumption of impact at this point is premature. Any students generated as a result of this project would attend Ida B. Wells Elementary, Jere Baxtor Middle School, and Maplewood High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

- Permitted uses shall be limited to all uses permitted by the MUI-A zoning district in addition to the following permitted uses: microbrewery, tasting room, light manufacturing, artisan manufacturing, artisan distillery, and theatre, and live work uses. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited.
- With the first final proposing to include live-work units, a definition for live-work and standards for the live-work units shall be included and subject to review by Planning. Live-work uses are limited to the uses permitted in the preliminary SP.
- Prior to any final site plan submittal, a pre application meeting shall be held to address design considerations and access. Access and back of house functions shall be coordinated with Planning and Public Works and limited to the greatest extent possible with priority given to secondary streets for location of access and back of house functions.
- For sites with frontage along Main Street, if at the time of final site plan approval there are agreements in place to change the alignment of James Robertson to at grade then glazing standards, parking restrictions, and other design considerations applicable to other portions of the development may apply to the Main Street sites.
- The proposed roads rights-of-way shall be dedicated by Final Plat prior to the approval of the first building permit, or as determined by the Executive Director of Planning.
- With the first phase of development and approval of the Final SP, the applicant shall meet with Planning and Parks to determine a final design for the greenway as shown on the preliminary SP plans.
- Parking shall comply with requirements of the Metro Zoning Code.
- 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.
- Comply with all conditions and requirements of Metro reviewing agencies.
- A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
- If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
- The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
- The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
- Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses

not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

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

**Resolution No. RS2020-270**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-047-001 is **approved with conditions and disapproved without all conditions. (7-0)**

**CONDITIONS**

1. Permitted uses shall be limited to all uses permitted by the MUI-A zoning district in addition to the following permitted uses: microbrewery, tasting room, light manufacturing, artisan manufacturing, artisan distillery, and theatre, and live work uses. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. With the first final proposing to include live-work units, a definition for live-work and standards for the live-work units shall be included and subject to review by Planning. Live-work uses are limited to the uses permitted in the preliminary SP.
3. Prior to any final site plan submittal, a pre application meeting shall be held to address design considerations and access. Access and back of house functions shall be coordinated with Planning and Public Works and limited to the greatest extent possible with priority given to secondary streets for location of access and back of house functions.
4. For sites with frontage along Main Street, if at the time of final site plan approval there are agreements in place to change the alignment of James Robertson to at grade then glazing standards, parking restrictions, and other design considerations applicable to other portions of the development may apply to the Main Street sites.
5. The proposed roads rights-of-way shall be dedicated by Final Plat prior to the approval of the first building permit, or as determined by the Executive Director of Planning.
6. With the first phase of development and approval of the Final SP, the applicant shall meet with Planning and Parks to determine a final design for the greenway as shown on the preliminary SP plans.
7. Parking shall comply with requirements of the Metro Zoning Code.
8. 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.
9. Comply with all conditions and requirements of Metro reviewing agencies.
10. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
11. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
12. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
13. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
14. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
15. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**13. 2020SP-049-001**

**3124 MURFREESBORO PIKE**

Council District 33 (Antoinette Lee)

Staff Reviewer: Amelia Lewis

A request to rezone from AR2a to SP zoning for property located at 3124 Murfreesboro Pike, approximately 2,340 feet southeast of Hamilton Church Road (15.48 acres), to permit 136 multi-family residential units, requested by Civil Site Design Group, applicant; James Michael Elkins and Deborah Jean Elkins, owners.

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

**APPLICANT REQUEST**

**Preliminary SP to permit 136 units.**

### Zone Change

A request to rezone from Agricultural/Residential (AR2a) to Specific Plan – Residential (SP-R) zoning for property located at 3124 Murfreesboro Pike, approximately 2,340 feet southeast of Hamilton Church Road (15.48 acres), to permit 136 multi-family residential units.

### **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 seven 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**

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

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

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

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features

including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

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

The 15.48 acre site is located along the north side of Murfreesboro Pike. The site is located north of the intersection of Murfreesboro Pike and Mt. View Road. The properties at the intersection are zoned Commercial Services (CS) and are either vacant or have been developed with commercial uses. The properties across from the subject site on the south side of Murfreesboro Pike, are zoned Office/Residential (OR20) and AR2a. These properties are primarily large lots developed with single-family structures or remain vacant. The properties to the north, east, and west of the subject site are a mix of AR2a, SP-R, multi-family (RM20 and RM9), and single-family (RS10) zoning. The properties have been or are being developed with primarily residential uses.

### Site Plan

The plan proposes 136 townhome units across the 15.48 acre site. The attached units are a mix of front and rear loaded units. The proposed height at the setback line is 2 stories at 34 feet.

A majority of the units are front loaded with the exception of the units fronting the proposed east-west collector that bisects the site. The Major and Collector Street plan calls for an east-west collector road across the site, labeled as Proposed Road B. Road B is shown at 66 feet and the final design shall be determined at Final SP. Road B connects to an adjacent collector road approved with the SP to the east of the site. Proposed Road A, as shown on the site plan, connects Murfreesboro Pike to Road B, is also a public street. All other roads on the street are private. All private roads have 5-foot wide sidewalks adjacent to them for internal pedestrian connectivity.

The site has one vehicular entrance from Murfreesboro Pike. Along Murfreesboro Pike, the plan shows a 1.5-foot right of way dedication and 6-foot wide bike lane, 2-foot wide bike lane buffer, 6-foot wide planting strip, and 8-foot wide sidewalk, in accordance with the Major and Collector Street Plan.

There is a 20-foot wide TVA easement that runs along the northern portion of this site. There are 16 units located north of the TVA easement. With the proposed intensity and surrounding zoning districts, a B landscape buffer is shown along the northern and western property lines.

**ANALYSIS**

The intent of the Suburban Mixed-Use Corridor (T3 CM) Policy is to enhance suburban mixed-use corridors by encouraging a greater mix of higher-density residential and mixed-use development along the corridor, prioritizing higher intensity mixed use and commercial uses at intersections with preference given to residential uses between intersections; creating buildings that are compatible with the general character of suburban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and existing or planned mass transit.

The site is located between intersections along an arterial boulevard. With the distance from any intersections, the proposed site is providing an all residential development consistent with the intent of the policy. The proposed SP proposes a higher intensity than the existing zoning district would, while remaining consistent with the surrounding development to the north and to the east.

The site plan shows a 6-foot wide right-of-way dedication along Murfreesboro Pike to accommodate the Major and Collector Street Plan requirements, including a bike lane, 8-foot wide sidewalk and 6-foot wide planting strip. In addition to this roadway improvement, the plan proposed to extend a portion of a collector road through the site. These two aspects of the plan address the intent of the policy to improve pedestrian and vehicular access within the area.

The part of the site within Conservation (CO) Policy is limited to a small area on the northwest portion of the site. This area is also largely within the TVA easement which crosses the northern portion of the site. The northeast portion of the site remains largely undeveloped with this plan and is shown to serve as a detention area.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Preliminary SP only. Public water (19WL0152) and/or sanitary sewer (19SL0109) construction plans must be approved prior to Final SP approval. The approved construction plans must match the Final Site Plan/SP plans. Confirmation of a Capacity Study and the payment of any required capacity fees must take place prior to Final Site Plan/SP approval.

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

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

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Construct westbound access onto Murfreesboro Pike with two exiting lanes. Left-turn lane shall consist of 100' of storage.
- Provide 66' of ROW for Proposed Road B. Use within the curbs and/or placement of on-street parking to be coordinated with Final SP.

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)	15.48	0.5 D	14 U	171	15	16

\*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)	15.48	-	136 U	988	64	78

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 122 U	+817	+49	+62

**METRO SCHOOL BOARD REPORT**

Projected student generation existing AR2a district: 2 Elementary 1 Middle 1 High  
 Projected student generation proposed SP-R district: 19 Elementary 12 Middle 11 High

The proposed SP would generate 38 additional students beyond what is generated under the current zoning. Students would attend Thomas A. Edison Elementary, J.F. Kennedy Middle School, and Antioch 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 136 multi-family residential units. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. The final design of proposed roads rights-of-way shall be dedicated by Final Plat or through instrument prior to the approval of any final site plan.
3. A complete landscape buffer between Murfreesboro Pike and the proposed development shall be shown on the landscape plan at Final SP.
4. EIFS shall be a prohibited building material.
5. A corner unit with each façade that has frontage along a right-of-way or private drive, shall have additional architectural details to address both frontages.
6. Parking shall comply with requirements of the Metro Zoning Code.
7. 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.
8. Comply with all conditions and requirements of Metro reviewing agencies.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
11. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
12. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
13. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
14. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

**Resolution No. RS2020-271**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2020SP-049-001 is **approved with conditions and disapproved without all conditions. (7-0)**



## CONDITIONS

1. Permitted uses shall be limited to a maximum of 136 multi-family residential units. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. The final design of proposed roads rights-of-way shall be dedicated by Final Plat or through instrument prior to the approval of any final site plan.
3. A complete landscape buffer between Murfreesboro Pike and the proposed development shall be shown on the landscape plan at Final SP.
4. EIFS shall be a prohibited building material.
5. A corner unit with each façade that has frontage along a right-of-way or private drive, shall have additional architectural details to address both frontages.
6. Parking shall comply with requirements of the Metro Zoning Code.
7. 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.
8. Comply with all conditions and requirements of Metro reviewing agencies.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
11. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
12. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
13. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
14. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

## 14. 16-86P-001

### HERMITAGE MARKET PLACE (REVISION AND FINAL)

Council District 11 (Larry Hagar)

Staff Reviewer: Abbie Rickoff

A request to revise the preliminary plan and for final site plan approval for a portion of a Commercial Planned Unit Development Overlay District for property located at 5000 B Old Hickory Boulevard, approximately 1,500 feet northwest of Old Lebanon Dirt Road, zoned SCR (0.8 acres), to permit a 2,325 square foot restaurant, requested by Bowman Consulting, applicant; Five Thousand B LLC, 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 Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final site plan approval for a portion of a Commercial Planned Unit Development Overlay District for property located at 5000 B Old Hickory Boulevard, approximately 1,500 feet northwest of Old Lebanon Dirt Road, zoned Shopping Center Regional (SCR) to permit a 2,325 square foot restaurant (0.8 acres).

#### **Existing Zoning**

Shopping Center Regional (SCR) is intended for high intensity retail, office, and consumer service uses for a regional 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 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.

### **REQUEST DETAILS**

This is a request to revise the preliminary PUD and for final site plan approval for a portion of the Hermitage Market Place PUD. Metro Council approved the Hermitage Market Place PUD in 1986 to permit commercial uses and the PUD has since developed with a variety of commercial uses including restaurants, retail, and home improvement uses.

In January of 1998, the Planning Commission reviewed and approved a final site plan for this site. The approved 1998 final site plan included a 3,670 square foot restaurant, which has since been developed.

The current request is for approval of a revision to the preliminary plan and for final site plan approval to permit a 2,325 square foot restaurant, replacing an existing 3,670 square foot restaurant.

### **PLAN DETAILS**

The proposed revision is to permit a restaurant use. The plan proposes to replace the existing 3,670 square foot restaurant with a proposed 2,325 square foot restaurant. The proposed building will be in the same location as the former building, but will include a smaller footprint with surface parking surrounding. The proposed maximum height is approximately 20'-8". A total of 43 parking spaces are provided for the restaurant use, exceeding the requirements of the Metro Zoning Code. Access to the site is maintained from a common drive to the south that connects from Old Hickory Boulevard to the subject site and other properties within the PUD.

No changes are proposed on the remaining portion of the PUD.

### **ANALYSIS**

Section 17.40.120.G permits the Planning Commission to approve "minor modifications" under certain conditions. Staff finds that the request is consistent with all the requirements 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 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 revised plan is consistent with the concept of the plan approved by Metro Council. 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.

It is also important to note that a waiver was approved for the sidewalk improvements which would be required along Old Hickory Boulevard. The Major and Collector Street Plan (MCSP) classifies Old Hickory Boulevard as an arterial boulevard with an eight-foot wide sidewalk and six-foot wide planting strip. Currently, this section of Old Hickory Boulevard does not contain a sidewalk due to a draining ditch that runs on the eastern side of the road. The ditch is flanked by a row of existing mature trees located along the western site boundary, in front of the surface parking areas. Due to the drainage swale, sidewalk construction per the MCSP would be difficult. Additionally, the improvements may impact the existing trees. Given these challenges, and that there is no surrounding sidewalk network to tie into, the waiver was approved.

#### **FIRE MARSHAL RECOMMENDATION**

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

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

#### **STORMWATER RECOMMENDATION**

##### **Approve**

#### **WATER SERVICES RECOMMENDATION**

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

- Any additional capacity must be reserved before issuance of building permits.

#### **PUBLIC WORKS RECOMMENDATION**

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

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

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

##### **Approve**

#### **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 Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
2. Prior to building permit issuance, comply with the Zoning Administrator's decision on the sidewalk waiver request to pay the fee in-lieu of sidewalk construction (permit #20200048846).
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. RS2020-272**

“BE IT RESOLVED by The Metropolitan Planning Commission that 16-86P-001 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 Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
2. Prior to building permit issuance, comply with the Zoning Administrator’s decision on the sidewalk waiver request to pay the fee in-lieu of sidewalk construction (permit #20200048846).
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.

**15. 2020Z-043PR-001**

Council District 32 (Joy Styles)

Staff Reviewer: Patrick Napier

A request to rezone from SP to MUL zoning for a portion of property located at 5400 Mt. View Road, approximately 380 feet east of Crossings Boulevard (2.96 acres), requested by Barge, Cauthen and Associates, applicant; RAM SAI LLC, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from SP-MU to MUL.**

Zone Change

A request to rezone from Specific Plan – Mixed Use (SP-MU) to Mixed Use Limited (MUL) zoning for a portion of the property located at 5400 Mt. View Road, at the southeast corner of Crossings Boulevard and Mt. View Road (2.96 acres).

**Existing Zoning**

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

**ANTIOCH – PRIEST LAKE COMMUNITY PLAN**

T3 Suburban Mixed Use Corridor (T3CM) is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor. T3CM areas are located along pedestrian friendly, prominent arterial-boulevard and collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive and comfortable access and travel for all users. T3 CM areas provide high access management and are served by highly connected street networks, sidewalks, and existing or planned mass transit.

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed. This property features steep slopes exceeding 20% on the southern and eastern portion of the site. The conservation along the southern property line is due to man-made slopes extending downward to the CSX railroad. Conservation along the eastern property line is due to a stream buffer.

**ANALYSIS**

The 2.96 acre site is located at 5400 Mt. View Road, at the southeast corner of Crossings Boulevard and Mt. View Road. The site is currently vacant and has frontage on Mt. View Road, which is identified as arterial streets within the Major and Collector Street Plan. The existing SP zoning applicable to the site permits two, four-story hotel uses and office/restaurant uses within a maximum height of 4 stories, measured to a maximum of 55 feet. None of the development permitted by the existing SP has been constructed. The remaining portion of parcel 339 which is not included in this rezone request will retain the entitlements as stated in the approved SP site plan. Properties in the immediate vicinity include various commercial, restaurant, and multi-family uses.

Properties in the immediate vicinity include various commercial, restaurant, and multi-family uses. The proposed MUL zone district is consistent with the T3 Suburban Mixed-Use Corridor policy. The permitted uses within the MUL zone district will provide an appropriate level of intensity when the site is developed. This site is located within a tier one center which is an area identified within the Nashville Next Growth and Preservation concept plan designated to receive coordinated investments to shape growth and support increased transit. Stormwater requirements will provide protections through required buffers for the stream along the eastern property line. The buffers will provide protection consistent with the Conservation policy guidance. The proposed MUL zone district is consistent with policy as it provides a mixed-use development at a prominent corner of two arterial-boulevards. Sidewalks will be required along with the future development of this site.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Rezoning analysis was conducted for a maximum theoretical build-out of 215 multi-family units, 70,000 square feet of retail, and 70,000 square feet of restaurant to assess the transportation impacts at the intersection of Bell Road at Mt. View Road, Mt. View Road at Crossings Boulevard, and Crossings Boulevard at Hickory Hollow Parkway.
- The following transportation improvements are needed should the parcel redevelop at maximum density:
  1. Coordinate with Metro Public Works Traffic Division at time of redevelopment on if a corridor retiming project is necessary.

Maximum Uses in Existing Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	-	-	277 Rooms	2701	134	182

Maximum Uses in Existing Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (931)	-	-	4,000 SF	336	3	32

Maximum Uses in Existing Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	-	-	1,000 SF	10	2	2

\*Based on two-family lots

Maximum Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	2.96	1.0 F	133 U	967	63	75

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	.74	1.0 F	32,234 SF	4231	213	456

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (931)	.74	1.0 F	32,234 SF	5560	48	517

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+11306	+292	+832

**STAFF RECOMMENDATION**

Staff recommends approval.

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

**Resolution No. RS2020-273**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-043PR-001 is **approved. (7-0)**

**16. 2020Z-127PR-001**

Council District 07 (Emily Benedict)

Staff Reviewer: Amelia Lewis

A request to rezone from R6 to RM15-A zoning for property located at 1119 Chester Avenue, approximately 445 feet east of Gallatin Avenue (0.32 acres), requested by John Matthew Bell, applicant; Michelle Foletta, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from R6 to RM15-A.**

Zone Change

A request to rezone from One and Two Family Residential (R6) to Multi-Family Residential - Alternative (RM15-A) zoning for property located at 1119 Chester Avenue, approximately 445 feet east of Gallatin Avenue (0.32 acres).

**Existing Zoning**

One and Two Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of two lots based on acreage alone. Final determinations regarding duplex eligibility would be determined by the Metro Codes Department.*

Multi-Family Residential – Alternative (RM15-A) is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM15-A would permit a maximum of five units based on acreage alone.*

**EAST NASHVILLE COMMUNITY PLAN**

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

existing or planned mass transit. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

**ANALYSIS**

The 0.32 acre site is located on north side of Chester Avenue, east of the intersection of Chester Avenue and Gallatin Pike. The southern property line abuts Chester Avenue, the northern property line abuts Alley 1017, and the western property line abuts Alley 1022. The property to east of the subject site is zoned Specific Plan (SP) and permits 16 detached residential units and one common house. The property to the west is zoned Multi -Family Residential Alternative (RM20-A) and has been developed with 16 attached units. The properties on the south side of Chester Avenue and the properties to the north, across Alley 1017 are zoned R6 and have been established with one and two-family uses.

When considering rezonings, the policy guidance identifies several factors for consideration, including the relationship of the site to centers and corridors, the size of the site, and the character of adjacent policy areas. The site is located just off of the Gallatin Pike Corridor, which has Urban Mixed-Use Corridor (T4 CM). Between the corridor and the site is Urban Neighborhood Evolving (T4 NE) policy. The site is the first property designated as T4 NM along the north side of Chester Avenue. Additional T4 NM policy guidance indicates that higher intensity areas should be thoughtfully placed in relationship to major street systems and Corridor, Neighborhood, and Community Center policy areas. It also states that areas with adequate infrastructure and access are most appropriate for increased density. This site has rights-of-way along three property edges, including two improved alley ways. The size of the site is fairly small, however the proposed zoning district would permit increased intensity at a level appropriate given the size of the site and given the surrounding development pattern. Given the proximity to the corridor, surrounding policy districts, and access opportunities, the proposed zoning district is appropriate.

**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: **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)	0.32	7.26 D	4 U	38	3	4

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	0.32	15 D	4 U	30	2	3

Traffic changes between maximum: **R6 and RM15-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-8	-1	-1

**METRO SCHOOL BOARD REPORT**

Projected student generation existing R6 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed RM15-A district: 0 Elementary 0 Middle 0 High

The proposed RM15-A zone district is not anticipated to generate any additional students than what could be generated under the existing R6 zoning. Students would attend Rosebank Elementary, Stratford STEM Middle School, and Stratford High School.

**STAFF RECOMMENDATION**

Staff recommends approval.

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

**Resolution No. RS2020-274**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-127PR-001 is **approved. (7-0)**

**17. 2020Z-129PR-001**

Council District 16 (Ginny Welsch)

Staff Reviewer: Jason Swaggart

A request to rezone from RS5 to R6 zoning for property located at 340 Peachtree Street, approximately 350 feet west of Wickson Avenue (0.17 acres), requested by Armando Alvarado, applicant and owner.

**Staff Recommendation: Disapprove R6; Approve R6-A.**

**APPLICANT REQUEST**

**Zone change from RS5 to R6.**

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential (R6) zoning for property located at 340 Peachtree Street, approximately 350 feet west of Wickson Avenue (0.17 acres).

**Existing Zoning**

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

**Proposed Zoning**

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

**SOUTH NASHVILLE COMMUNITY PLAN**

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

**ANALYSIS**

The property proposed to be rezoned is located on the north side of Peachtree Street and is approximately 230 feet east of Nolensville Pike. There is an existing single-family home on the property. There is an improved alley at the rear of the property and the property does not have an existing driveway onto Peachtree Street. The adjacent properties to the north, east and west are zoned R6 and the properties directly opposite the site on the south side of Peachtree Street are zoned commercial (CS).

The additional residential unit that the proposed R6 district would permit is consistent with the policy at this location. This is due to the fact that the zoning on the opposite side of Peachtree is commercial. Other factors include the property's proximity to Nolensville Pike, which is a major mixed use corridor and the fact that the property has access to an alley. It is important to note that future zone changes east of this property would not be appropriate. This is due to the fact that no properties east of the subject property are adjacent to or across the street from a commercial zoning district. While the policy supports additional density at this location, R6 does not implement urban form which is a major component of the policy. Staff is recommending disapproval of R6 and approval of R6-A. R6-A implements the design component of the policy by requiring alley access.

**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)	0.17	8.712 D	1 U	10	1	1

Maximum Uses in Proposed 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)	0.17	7.26 D	2 U	19	2	2

\*Based on two-family lots

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

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 district: 0 Elementary 0 Middle 0 High

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

The proposed R6 zoning district would not generate any additional students than what is typically generated under the existing RS5 zoning district. Students would attend Whitsitt Elementary School, Cameron College Prep Middle School, and Glincliff High School.

**STAFF RECOMMENDATION**

Staff recommends disapproval of R6 and approval of R6-A.

**Disapprove R6, Approve R6-A. Consent Agenda (7-0)**

**Resolution No. RS2020-275**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-129PR-001 is **disapprove R6, approve R6-A. (7-0)**”

**18. 2020Z-130PR-001**

Council District 10 (Zach Young)

Staff Reviewer: Logan Elliott

A request to rezone from CS to RM20-A zoning for properties located at 1176 and 1180 Dickerson Pike, approximately 640 feet southwest of Robert Cartwright Drive (0.72 acres), requested by Grassland Home Services LLC, applicant; Robert Moon, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

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

Zone Change

A request to rezone from Commercial Service (CS) to Multi-Family Residential-Alternative (RM20-A) zoning for properties located at 1176 and 1180 Dickerson Pike, approximately 640 feet southwest of Robert Cartwright Drive (0.72 acres).

**Existing Zoning**

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

**Proposed Zoning**

Multi-Family Residential (RM20-A) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM20-A would permit a maximum of 14 units.*

**PARKWOOD - UNION HILL COMMUNITY PLAN**

T3 Suburban Mixed Use Corridor (T3CM) is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor. T3 CM areas are located along pedestrian friendly, prominent arterial-boulevard and collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive, and comfortable access and travel for all users. T3 CM areas provide high access management and are served by highly connected street networks, sidewalks, and existing or planned mass transit.

**SITE AND CONTEXT**

The approximately three-quarter of an acre site is located on the south side of Dickerson Pike near the boundary of Metro Nashville with Goodlettsville having jurisdiction directly across Dickerson Pike. The Major and Collector Street Plan classifies this portion of Dickerson Pike as an Arterial Boulevard. The property is currently vacant and the surrounding land uses are a mixture of commercial, office, multi-family residential, single-family residential, and a cemetery.

**ANALYSIS**

The subject site is within the Suburban Mixed Use Corridor land use policy and is comprised of two parcels with frontage onto the Dickerson Pike Corridor. This portion of the Dickerson Pike Corridor has recently realized residential developments with a building form and intensity similar to the development potential of the proposed zoning district. Additionally, the requested RM20-A zoning district is compatible with the immediately surrounding zoning districts that permit moderately intense commercial, non-residential, and residential uses. The Suburban Mixed Use Corridor policy also calls for higher intensity residential developments to be located between intersections of the corridor and the subject proposal is consistent with this guidance.

**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: **CS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.72	0.6 F	18,817 SF	1195	60	129

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.72	20 D	14 U	103	7	8

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-1092	-53	-121

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed RM20-A district: 3 Elementary 2 Middle 2 High

The proposed RM20-A zoning district would generate 7 more students than what is typically generated under the existing CS zoning district. Students would attend Old Center Elementary

School, Goodlettsville Middle School, and Hunters Lane High School.

**STAFF RECOMMENDATION**

Staff recommends approval of rezoning the property to RM20-A.

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

**Resolution No. RS2020-276**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-130PR-001 is **approved. (7-0)**

**19. 2020Z-132PR-001**

Council District 07 (Emily Benedict)

Staff Reviewer: Amelia Lewis

A request to rezone from RS10 to R10 zoning for property located at 1310 Cardinal Avenue, approximately 360 feet east of Kennedy Avenue (0.23 acres), requested by Garside & Hunter, PLLC, applicant; Elizabeth Scharf, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from RS10 to R10.**

Zone Change

A request to rezone from RS10 to R10 zoning for property located at 1310 Cardinal Avenue, approximately 360 feet east of Kennedy Avenue (0.23 acres).

**Existing Zoning**

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

**Proposed 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. *R10 would permit a maximum of one duplex lot for a total of two units. Final determinations regarding duplex eligibility are made by the Metro Codes Department.*

**EAST NASHVILLE COMMUNITY PLAN**

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

**ANALYSIS**

The property is located on the south side of Cardinal Avenue, near the intersection of Cardinal Avenue and Kennedy Avenue. The property has frontage along both Cardinal Avenue and Greenland Avenue.

The surrounding land use is primarily single-family residential and some two-family residential properties. Across Greenland Avenue is Dan Mills Elementary School. There are two properties along Cardinal within the block between Addine and Kennedy reflective of this two-family residential pattern. One property has been developed with two residential units, one fronting Cardinal Avenue and one fronting Greenland Avenue. Two other properties along this block were rezoned from RS10 to R10 earlier this year, with the potential to develop similarly.

The goal of the T4 NM policy area is to maintain urban neighborhoods as characterized by their moderate to high-density residential development pattern with regularly spaced buildings with shallow setbacks and minimal spacing in between. The properties along Cardinal Avenue are narrow and deep with double road frontage. The proposed duplex lot, with frontage along two streets, serves the goals of the policy to create moderate to high lot coverage with buildings that are oriented toward the street.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	0.23	4.356 D	2 U	19	2	2

**Maximum Uses in Proposed Zoning District: R10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family residential* (220)	0.23	4.356 D	4 U	30	2	3

\*Based on two-family lots

Traffic changes between maximum: **RS10 and R10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+2 U	+11	-1	+1

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing RS10 district: 0 Elementary 0 Middle 0 High**

**Projected student generation proposed R10 district: 0 Elementary 0 Middle 0 High**

The proposed R10 zoning is not anticipated to generate any additional students than the existing RS10 zoning district. Students would attend Dan Mills Elementary School, Litton Middle School, and Stratford High School.

**STAFF RECOMMENDATION**

Staff recommends approval.

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

**Resolution No. RS2020-277**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-132PR-001 is **approved. (7-0)**”

**20. 2020Z-133PR-001**

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Logan Elliott

A request to rezone from R8 to IWD zoning for property located at 437 Haynie Avenue, approximately 1,190 feet west of Brick Church Pike (0.19 acres), requested by TKC Architecture and Engineering, LLC, applicant; John Faulkner, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from R8 to IWD.**

Zone Change

A request to rezone from One and Two-Family (R8) to Industrial Warehousing/Distribution (IWD) zoning for property located at 437 Haynie Avenue, approximately 1,190 feet west of Brick Church Pike (0.19 acres).

**Existing Zoning**

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

would permit a maximum of 1 duplex lot for a total of 2 units. Final determinations regarding duplex eligibility are made by the Metro Codes Department.

**Proposed Zoning**

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

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

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

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 steep slopes.*

**SITE AND CONTEXT**

The 0.19 acre site is located on the north side of Haynie Avenue, west of Brick Church Pike. The property is currently vacant and the surrounding properties are either vacant or contain industrial land uses. Haynie Avenue is a local street and Brick Church Pike is classified as an Arterial Boulevard in the Major and Collector Street Plan. This site was previously developed with a residential structure that has been removed.

**ANALYSIS**

The subject site is within the District Industrial land use policy and surrounded by industrial land uses. The proposed zoning district is consistent with the intent of the District Industrial land use policy to create and enhance areas with industrial land uses that are located thoughtfully and not at the expense of the immediate neighbors. The area of the site with steep slopes is limited and were likely created either when this site was previously developed or when the surrounding areas were disturbed and therefore are likely human-made.

**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: **R8**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (220)	0.19	5.445 D	2 U	15	1	2

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.19	0.8 F	6,621 SF	12	2	2

Traffic changes between maximum: **R8 and IWD**

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

**STAFF RECOMMENDATION**

Staff recommends approval.

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

**Resolution No. RS2020-278**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-133PR-001 is **approved. (7-0)**”

**21. 8-68P-004**

**HARDING PLACE CENTER PUD (REVISION AND FINAL)**

Council District 13 (Russ Bradford)

Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan and for final site plan approval for property located at 350 Harding Place, approximately 185 feet west of Metroplex Drive, zoned CS and located within a Commercial Planned Unit Development Overlay District (4.44 acres), to permit two hotels, requested by Morelock Engineering LLC, applicant; Mudra Group LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Revise preliminary plan and final site plan to permit two hotels.**

PUD Revision and Final Site Plan

A request to revise the preliminary plan and for final site plan approval for property located at 350 Harding Place, approximately 185 feet west of Metroplex Drive, zoned Commercial Services (CS) and located within a Commercial Planned Unit Development Overlay District (4.44 acres), to permit two hotels.

**Existing Zoning**

Commercial Service 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 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 approximately 4.44-acre site is located on the north side of Harding Place at the on-ramp to I24. The site has been previously disturbed and includes surface parking and a building that was once used as a hotel. Sorghum Branch runs along the western property line and drains into Mill Creek north of the site. A restaurant abuts the eastern property line along Harding Place and shares the drive with the subject property. The Harding Place Center PUD was originally approved in 1968 for various commercial uses including hotel, restaurant, and automobile convenience. The PUD has been revised numerous times. The last approval for the subject site was to permit the construction of a hotel.

Site Plan

The plan calls for the construction of two hotels with a total floor area of 92,503 square feet. One building is 50,808 square feet, and the other is 41,695 square feet in size. One building is shown in approximately the same location of the existing building and the other is located at the back of the site. Surface parking is provided and will be shared by the two hotels.

**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 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.

As proposed the plan is consistent with the Council approved plan. The plan does not increase the floor area above what was approved by Council and is under the floor area that would be permitted by the CS zoning district. Hotel is permitted by the Council approved plan and by the CS zoning district. 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.

It is also important to note that a waiver was approved for the sidewalk improvements which would be required along Harding Place. The Major and Collector Street Plan (MCSP) classifies Harding Place as an arterial and calls for an eight-foot wide sidewalk and six-foot wide planting strip. Currently, there is a substandard sidewalk along Harding Place. The site sits approximately 16 feet below Harding Place, and the slope from the back of the existing sidewalk to the site is approximately 30 percent. Due to the topography, a sidewalk would be very difficult to construct to the MCSP specifications. Due to the challenge and the existence of a sidewalk, the waiver was approved.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- Comply with MPW traffic engineer comments.

**TRAFFIC & PARKING RECOMMENDATION**

**Approve with conditions**

- An access study may be required.

**WATER SERVICES RECOMMENDATION**

**Approve**

**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 Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs. 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.

2. 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. RS2020-279**

"BE IT RESOLVED by The Metropolitan Planning Commission that 8-68P-004 is **approved with conditions. (7-0)**

**22. 2020USD-001-001**

**PROPOSED USD EXPANSION OF SERVICES**

BL2020-491/Jennifer Gamble

Council District 03 (Jennifer Gamble)

Staff Reviewer: Greg Claxton

An ordinance extending the boundaries of the Urban Services District within the jurisdiction of the Metropolitan Government of Nashville and Davidson County to include certain properties located in Council District 3 and approving the Plan of Services.

**Staff Recommendation: Approve with amendments.**

**APPLICANT REQUEST**

**Expand Urban Services District**

*A request to expand the boundaries of the Urban Services District by adding an area in the northwest corner of the intersection of Briley Parkway and Dickerson Pike where development has already occurred, is zoned for more development, or is planned for more development as outlined in NashvilleNext (See Exhibit A).*

Councilmember Gamble has proposed expanding the boundaries of the Urban Services District within her district. A Plan of Services consistent with the Metro Charter has been prepared for the Planning Commission's consideration of a proposed expansion. This request is being made in order to sustain and further promote the welfare and safety of the growing urban areas of the Metropolitan Government.

On October 20, 2020, the Metropolitan Council passed BL2020-491 on first reading. The Finance Director has signed the bill to indicate that funds necessary for the expansion are available.

**METROPOLITAN CHARTER OF NASHVILLE AND DAVIDSON COUNTY**

The Metro Charter established two service districts:

- **General Service District (GSD)**
- **Urban Service District (USD)**



The Metro Charter allows for expansion of the area of the USD when areas of the GSD need urban services and Metro can provide such services within a reasonable period, not greater than one year after taxes in the area are due.

**The Charter states:**

**Sec. 1.03. - Two services districts and their areas.**

The metropolitan government shall, within the geographical limits thereof, comprise two (2) service districts, to wit: A general services district and an urban services district, as to both of which districts the metropolitan government shall have jurisdiction and authority. The general services district shall consist of the total area of the metropolitan government, the same being the total area of Davidson County as fixed and established upon the effective date of this Charter.<sup>2</sup> The urban services district shall consist originally of the total area of the City of Nashville at the time of the filing of this Charter with the county commissioners of election, which area is more specifically described and set forth in Appendix One hereto.

**Sec. 1.04. - Expansion of urban services district.**

The area of the urban services district may be expanded and its territorial limits extended by annexation whenever particular areas of the general services district come to need urban services, and the metropolitan government becomes able to provide such service within a reasonable period, which shall not be greater than one (1) year after ad valorem taxes in the annexed area become due. The tax levy on property in areas hereafter annexed shall not include any item for the payment of any deficit in the pension or retirement funds of the former City of Nashville. Said tax levy shall not include any item (except pursuant to and subject to the provisions of Section 7.04 of this Charter), for the payment of urban bonds of the metropolitan government issued prior to the effective date of such annexation, or debts of the former City of Nashville allocated to the urban services district under section 7.20 of this Charter, except to the extent that it shall be found and determined by the metropolitan county council that the property within the newly annexed area will benefit, in the form of urban services, from the expenditures for which the debt, or a specified portion of the debt, was incurred, to substantially the same extent as the property within the urban services district as same existed prior to such annexation.

Annexation shall be based upon a program set forth in the capital improvements budget provided for by section 6.13. Such annexation shall be accomplished and the validity of the same may be contested, by the methods and procedures specified in Tennessee Code Annotated, sections 6-51-101 to 6-51-105, with respect to annexation by municipalities.

**Sec. 1.05. - Functions within general services district and urban services district.** The metropolitan government may exercise within its general services district those powers and functions which have heretofore been exercised by the County of Davidson or the City of Nashville, or both, and shall supply the residents of said general services district with those governmental services which are now, or hereafter may be, customarily furnished by a county government in a metropolitan area.

The metropolitan government may exercise within its urban services district those powers and functions which have heretofore been exercised by the City of Nashville or the County of Davidson, and shall supply the residents of said urban services district with those kinds of governmental services which are now, or hereafter may be, customarily furnished by a city government in a metropolitan area.

The functions of the metropolitan government to be performed, and the governmental services to be rendered throughout the entire general services district shall include: general administration, police; courts, jails; assessment; health; welfare; hospitals; housing for the aged; streets and roads; traffic; schools; parks and recreation; library; auditorium, fairgrounds; airport; public housing; urban redevelopment; urban renewal; planning; electrical code; building code; plumbing code; housing code; electricity; transit; refuse disposal; beer supervision; and taxicab regulation.

The additional functions of the metropolitan government to be performed and the additional governmental services to be rendered within the urban services district shall include: **additional police protection; fire protection; water; sanitary sewers; storm sewers; street lighting; street cleaning; refuse collections and wine and whiskey supervision.**

Nothing in the foregoing enumeration and assignment of functions shall be construed to require the continued maintenance or furnishing of any governmental service which the council by ordinance has determined to be obsolete and unnecessary.

Nothing in this section shall be deemed to limit the power of the metropolitan government to exercise other governmental functions in either the urban services district or the general services district, or to provide new and additional governmental services in either the urban services district or the general services district.

### **COMMUNITY ENGAGEMENT**

This area was previously considered as part of the last expansion of the Urban Services District (2016USD-001-001, adopted on 11/15/2016), but ultimately was not included in that expansion. Councilmember Gamble began working with community members on this proposal in 2019. She met in person and virtually with constituents through 2020 and included notice about the proposal in multiple District newsletters. The proposal was particularly discussed at the following community meetings:

- October 22, 2019: a community meeting dedicated to the proposal, held at Bass Street Missionary Baptist Church within the study area. More than 50 people attended.
- November 12, 2019: 26 people attended a second community meeting within the study area.
- January 28, 2020: 36 people attended a community meeting at Whites Creek High School. Most attendees at this meeting lived outside the expansion area, but attended to ensure they were not included in the proposal.
- The Councilmember discussed the proposal during general District community meetings in June and July.

The Councilmember also discussed the proposal in several editions of her District newsletter.

### **PLAN OF SERVICES**

#### **What is the Plan of Services?**

This is a plan that outlines how Metro will provide the required services and pay for them over time. This includes:

- Installation of new street lights
- Recycling and trash collection for all new expansion areas
- Providing additional fire protection
- Providing additional police protection
- Water
- Sanitary sewers
- Storm sewers
- Alcoholic beverage supervision.

The analysis provided includes the costs associated with providing the services.

#### **Plan of Services**

Section 1.04 of the Charter of the Metropolitan Government provides that:

The area of the urban services district may be expanded and its territorial limits extended by annexation whenever particular areas of the general services district come to need urban services, and the metropolitan government becomes able to provide such service within a reasonable period, which shall not be greater than one (1) year after ad valorem taxes in the annexed area become due.

Section 1.05 provides that:

The additional functions of the metropolitan government to be performed and the additional governmental services to be rendered with the urban services district shall include: additional police protection; fire protection; water; sanitary sewers; storm sewers; street lighting; street cleaning; refuse collection and wine and whiskey supervision.

The plan of services for the properties proposed to be annexed into the urban services district, to-wit: The lots and lands located within the geographic boundaries on the attached maps, which is hereby referenced and made a part hereof, is as follows:

Additional police protection, fire protection, water, sanitary sewers, storm sewers, and the street cleaning are presently being provided to said property at the same level as all other property within the urban services district.

Not later than one (1) year after ad valorem taxes in the annexed area become due, refuse collection and street lighting shall be provided. Table 1 shows the start-up and annual costs of these services compared with the additional annual revenue from the Urban Services District tax rate. The variance reflects a slight

**TABLE 1: ESTIMATION OF REVENUE AND COSTS OF STREET LIGHTING AND TRASH AND RECYCLING SERVICE**

**ESTIMATION PURPOSES ONLY - ANNEXATION**

Prepared August 2020

District	1st Year Cost (Start-up + Annual)	Annual Cost	Annual Revenue	1st Year Variance	Annual Variance
3	\$ 442,400	\$ 267,000	\$ 275,258	\$ (167,142)	\$ 8,258
Total	\$ 442,400	\$ 267,000	\$ 275,258	\$ (167,142)	\$ 8,258

This proposed expansion adds approximately 1,538 parcels (1,642 dwelling units) on approximately 809 acres (properties only) in Council District 3 into the Urban Services District. The current total land area within the USD is 126,575 acres.

**Fire Response**

Exhibit B shows a recent assessment of the Fire Department's 5-mile service area, used to identify areas receiving urban levels of service. The proposed expansion area is within the 5-mile service area, although near the edge. Exhibit D also shows the general location of a new proposed fire station included in the Fire Department Capital Improvements Budget request (project number 18FD0001, which includes three other future locations). If constructed as proposed, this new fire hall would improve service in the expansion area.

**Plan of Services findings**

Staff finds that the additional benefits of street lights and trash and recycling collection will outweigh the costs in the long term. More funds could also be available for community benefits such as new fire halls and police precincts.

While there is an increase in costs some of these costs will be offset by the fact that there will no longer be the need for properties to secure private trash haulers. Three trash haulers operating in the GSD were surveyed. One was excluded for not providing recycling services. On average between the other two, it costs individual property owners \$389 per year (\$18 per cart for trash and \$9 - \$20 per cart for recycling every month). For a \$200,000 home, this represents a net savings of \$172 each year. For a \$300,000 home, this would result in net savings of \$64 each year.

**NASHVILLE NEXT AND COMMUNITY PLAN POLICIES**

The proposed expansion area has a suburban character, with a mix of established and still developing areas. See Exhibit C. Starting at the southeastern corner, the area includes the following:

- A suburban community center (T3 CC) at the intersection of Dickerson Pike and Briley Parkway, currently consisting of a big box commercial center, including a Wal-Mart and a Lowes. This part of the expansion area was included in the *Dickerson North Study*, adopted by Planning Commission on September 24, 2020. The site is covered by Planned Unit Development zoning which allows additional commercial development. Further, the *Dickerson North Study* recommends further intensification of the site into the future.
- Moving north along Dickerson Pike, the area has suburban mixed use corridor policy (T3 CM) which allows additional commercial and residential development, primarily directly along Dickerson Pike.
- Moving east from Dickerson Pike along Bellshire then turning south on Brick Church Pike, the area has a mix of built-out subdivisions and large, undeveloped parcels.
  - The existing subdivisions have Suburban Neighborhood Maintenance (T3 NM) policy. Their existing built form is intended to be maintained with only modest change into the future. Their character aligns with the services provided by the Urban Services District.
  - The undeveloped parcels generally have Suburban Neighborhood Evolving (T3 NE) policy. The zoning is generally R10 close to Brick Church Pike and Bellshire Drive, with the interior parcels zoned RS7.5. This zoning aligns with the services provided by the Urban Services District. The Neighborhood Evolving areas include some recently built subdivisions, as well as some unbuilt but recently subdivided land.
- Additionally, parkland (OS policy) and conservation areas (CO policy, primarily reflecting streams and slopes) cut through some portions of the expansion area. The underlying natural features provide a framework for, but would not generally prohibit, future suburban development.

One effect of incorporation into the Urban Services District is that future subdivisions will be required to provide sidewalks. This will help to provide additional walkable areas to current residents as well as potentially allow them walkable access to services along Dickerson Pike.

**Planning Findings**

The proposed expansion areas are consistent with NashvilleNext and the Parkwood -Union Hill Community Plan in terms of where development has already occurred and where policies and zoning call for development to occur in the future.

**TAX RATE**

Tables 2 and 3 show property and tax information for context of the cumulative effect and the effect for individual residential properties. The current tax rates for the GSD and USD are as follows:

- GSD Rate \$3.788 per \$100 of Assessed Value
- USD Rate \$4.221 per \$100 of Assessed Value

**TABLE 2: APPROXIMATE PROPERTY INFORMATION**

Total Assessed Value	Revenue GSD Tax Rate*	Revenue USD Tax Rate*	Tax Increase	Acres	Dwelling Units	# of Parcels
\$68,814,580	\$1,895,842	\$2,171,100	\$275,258	809.38	1,642	1,538

**TABLE 3: SNAPSHOT OF RESIDENTIAL RATES**

Residential				
Property Value	Residential Assessed Value (25%)	GSD Rate (3.788)	USD Rate (4.221)	Change
\$100,000	\$25,000	\$947	\$1,052	\$105
\$200,000	\$50,000	\$1,894	\$2,111	\$217
\$300,000	\$75,000	\$2,841	\$3,166	\$325
\$400,000	\$100,000	\$3,788	\$4,221	\$433
\$500,000	\$125,000	\$4,735	\$5,276	\$541
\$600,000	\$150,000	\$5,682	\$6,332	\$650
\$700,000	\$175,000	\$6,629	\$7,387	\$758
\$800,000	\$200,000	\$7,576	\$8,442	\$866
\$900,000	\$225,000	\$8,523	\$9,497	\$974
\$1,000,000	\$250,000	\$9,470	\$10,553	\$1,083

**SCHEDULE OF TAX PAYMENTS IF ORDINANCE IS PASSED IN 2020**

**January 1, 2021:** Property in annexed areas identified as USD on assessment roles.

**October 2021 to February 28, 2022:** Taxes become due at USD tax rate for properties in annexed areas.

**October 2022:** Plan of Services must be fully implemented one year from date of taxes being collected. *(Many areas will get services sooner than one year.)*

**TRASH HAULERS**

Metro will issue Request for Proposals for trash haulers to continue to provide services for a period of time in order to provide a smooth transition.

**OTHER DIFFERENCES BETWEEN USD AND GSD**

- Liquor stores are allowed in USD, with locational requirements determined by zoning and other ordinances.
- Firearms cannot be discharged in USD unless in specified areas.
- Agricultural activities and horses are permitted in GSD in certain *Residential* districts if over 5 acres.
- Sidewalks are required on local streets for new multifamily or commercial development or for significant improvements to multifamily or commercial properties in USD.

**ADDITIONAL PROPERTIES**

In reviewing the list of properties evaluated by Public Works and Finance and proposed to be included in the USD by the Councilmember, Planning staff identified two additional properties (050160A05300CO and 05015004100; see Exhibit D) that should be included. Both properties are currently split, with parts of each already included in the USD. Not including the remainder of each property would create two small pockets of GSD completely surrounded by the USD. Therefore, staff additionally recommends including these two properties fully in the USD.

Based on standard mapping procedures, nearby right-of-way for Briley Parkway would also be included.

Staff recommends approval of the proposed expansion of Urban Services District, as it is consistent with the zoning and land use policies in these areas, and it will generate sufficient funds to pay for the services provided. Additionally, staff recommends including two additional properties not currently in the Councilmember's proposal.

Mr. Claxton presented the staff recommendation of approval with amendments.

Teresa Byrd, 2536 Solomon Lane, spoke in favor of the expansion.

**Chairman Adkins closed the Public Hearing.**

**Ms. Farr moved and Mr. Lawson seconded the motion to approve with amendments. (7-0)**

**Resolution No. RS2020-280**

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

**23. 2011SP-009-008**

**ONEC1TY (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: Approve with conditions and disapprove without all conditions.**

**APPLICANT REQUEST**

**Amend SP to increase the permitted residential units from 600 to 850.**

SP Amendment

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 Specific Plan-Mixed Use (SP-MU) (18.93 acres), to increase the maximum allowed residential units from 600 to 850 multi-family residential units.

**Existing Zoning**

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

**GREEN HILLS-MIDTOWN COMMUNITY PLAN**

T5 Urban Mixed-Use Neighborhood (T5 MU) policy is intended to preserve and enhance urban mixed use neighborhoods that are characterized by a development pattern that contains a diverse mix of residential and non-residential land uses, and that are envisioned to remain or develop in a mixed use pattern. T5 MU areas are intended to be among the most intense areas in Davidson County. T5 MU areas include the County's major employment centers, representing several sectors of the economy including health care, finance, retail, the music industry, and lodging.

**PLAN DETAILS**

The ONE CITY development is located at the southwest corner of the intersection of Charlotte Pike and 28<sup>th</sup> Avenue North. Various sections of the development have been built and are occupied but other development entitlements remain. The SP was originally approved by Metro Council on May 20, 2011. The SP was amended in 2014, to permit an increase in the maximum

number of residential units from 300 to 600. This request is to increase the maximum number of residential units from 600 to 850. No other changes are proposed.

#### **ANALYSIS**

The SP is primarily regulatory and includes permitted uses, bulk standards, design and architectural standards as well as streetscape standards. The proposed change only requires a note in the regulatory document to be updated to reflect that the SP permits a maximum of 850 multi-family residential units. No other changes to the regulatory document are necessary. All future development will continue to be reviewed against the regulatory document. The T5 MU policy supports a mixture of uses including high density residential. The proposed increase in density is consistent with the policy and is appropriate given the site's location on Charlotte Pike, which is a mixed-use corridor and the site's proximity to downtown.

#### **FIRE MARSHAL RECOMMENDATION**

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

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

#### **STORMWATER RECOMMENDATION**

##### **Approve**

#### **WATER SERVICES RECOMMENDATION**

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

- Approved as a Preliminary only. The applicant will need to update their availability request since there is an addition of Residential Units before final SP approval.

#### **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.

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

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

- All previous conditions apply.
- TIS may be required with each Final SP.

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

#### **CONDITIONS**

1. Permitted uses shall be limited to all uses listed in the Council approved SP plan. Multi-family residential is limited to a maximum of 850 units.
2. All applicable requirements specified in BL2011-891 and 2014-887 not specifically being amended under this application shall remain in effect.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application.
4. 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.
5. 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.

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

Hal Clark, Civil Site Design Group, spoke in favor of the application.

Chairman Adkins closed the Public Hearing.

Dr. Sims moved and Ms. Farr seconded the motion to approve with conditions and disapprove without all conditions. (6-0-1) Ms. Farr recused herself.

**Resolution No. RS2020-281**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2011SP-009-008 is **approved with conditions and disapproved without all conditions.** (6-0-1)

**24. 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 January 21, 2021, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020Z-119PR-001 to the January 21, 2020, Planning Commission meeting. (7-0)**

**25. 2020Z-120PR-001**

BL2020-516/Sean Parker; Brett Withers; Emily Benedict; Nancy VanReece  
Council Districts 05 (Sean Parker); 06 (Brett Withers); 07 (Emily Benedict); 08 (Nancy VanReece)  
Staff Reviewer: Abbie Rickoff

A request to expand the Urban Zoning Overlay District for various properties located south of Briley Parkway and north of Douglas Avenue, generally along Gallatin Pike, from McGavock Pike westward to the CSX Railroad, zoned MUL-A, SP, OR20-A, OR20, CS, IR, RM6, R6, RS10, R10, RS7.5 and partially located within various Planned Unit Development Overlay Districts (1,093.36 acres), requested by Councilmembers Sean Parker, Brett Withers, Emily Benedict, and Nancy VanReece, applicant; various property owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change to apply the Urban Zoning Overlay.**

Zone Change

A request to expand the Urban Zoning Overlay District for various properties located south of Briley Parkway and north of Douglas Avenue, generally along Gallatin Pike, from McGavock Pike westward to the CSX Railroad (1,093.36 acres).

**Proposed Zoning**

Urban Zoning Overlay (UZO) The intent of the UZO district is to preserve and protect existing development patterns that predate the mid-1950s in portions of Metro Nashville that were originally developed before that time and to ensure the compatibility of new development in those older portions of the city. In addition, the UZO district is intended to promote reinvestment in areas of metro Nashville originally developed before the mid-1950s by modifying development standards that could add unnecessary expense without improving the safety or compatibility of resulting development. The UZO is also intended to implement provisions of adopted plans that call for particular areas to evolve to a development pattern characterized predominantly by lot sizes, street patterns, and alley systems commonly used before the mid-1950s.

**EAST NASHVILLE COMMUNITY PLAN**

Existing Policies

The area proposed for application of the UZO includes properties located within numerous land use policies. The majority of the area is within the T4 Urban transect. Policies in the T4 Urban transect present in the UZO application area include: T4 Community Center, T4 Mixed Use Corridor, T4 Mixed Use Neighborhood, T4 Neighborhood Evolving, and T4 Neighborhood Maintenance. There are also properties within the UZO application area located within the Transition policy. Conservation policy, which recognizes the presence of streams, floodplains, slopes and other sensitive environmental features, is present throughout the UZO application area.

#### **ANALYSIS**

The UZO district was originally adopted in 2000 and was created to improve the way development in older urban areas of Nashville is regulated. The zoning code in place at the time was primarily designed for development with a newer, more suburban development pattern. In many cases, application of the standards to older, existing urban areas of the county resulted in nonconformities or in new development that was inconsistent with the existing urban pattern. The UZO is intended to preserve and enhance urban developed areas, encourage reinvestment, and also to achieve community goals for creating more walkable neighborhoods with good connectivity for vehicles, pedestrians and transit. All of these goals are currently formally established in *NashvilleNext* and the individual community plans.

Since its adoption in 2000, the UZO has been expanded in some areas, including in 2019, when the UZO was applied to several hundred parcels adjacent to the southwestern boundary of the proposed request, near East Trinity Lane and Gallatin Pike. The UZO is an overlay; its application does not change the base zoning or existing entitlements on any property. The standards of the UZO vary by zoning district and, in the case of parking requirements, by use, but generally address the placement and size of buildings, and amount and location of parking.

The current request proposes application of the UZO to approximately 4,260 contiguous parcels in East Nashville, along both sides of Gallatin Pike. The properties included in the proposal span a range of zoning districts, from single-family or one and two-family residential to higher intensity commercial and industrial zoning districts. The implications of application of the UZO will vary from parcel to parcel, depending on the existing zoning and the development proposed. Some of the properties in the area are currently zoned Specific Plan or are within a Planned Unit Development overlay. The effects of the UZO on those properties are limited, as the Specific Plan or PUD will continue to govern the development of those properties.

In single-family or one and two-family residential districts, the primary effect of the UZO is a limitation on height. The UZO limits height to three stories in 45 feet, where the single-family and one and two-family zoning districts limit height to three stories without a specific limitation in feet. Additionally, pursuant to the standards of BL2016-493, the sidewalk ordinance that took effect in July 2017, the UZO serves as a trigger for sidewalks with single-family or one and two-family residential new construction.

For multi-family and non-residential uses, the effects of the UZO are more varied and depend on context. Generally, the UZO allows for alternative street setbacks and building height, subject to certain conditions, as well as for reduced parking requirements or adjustments to parking based on proximity to transit and complete sidewalk networks.

The area proposed for application of the UZO is a contiguous area adjacent to the existing boundary of the UZO to the south, east, and west. The majority of the area has an established development pattern of smaller lots with an interconnected street network. As redevelopment or infill development occurs, the standards of the UZO will support an urban development form that is coherent and connected with what exists today. The varied standards of the UZO, which are specific to certain zoning districts and uses, make the UZO an adaptable zoning tool to ensure that development and redevelopment to occur in a context-sensitive manner without impact existing entitlements or base zoning. Application of the UZO will help to achieve a wide range of goals identified in *NashvilleNext* and in the community plans for this area, including enhanced pedestrian connectivity, activation of the streetscape in centers and along corridors, and support for existing and future transit service in the area.

#### **STAFF RECOMMENDATION**

Staff recommends approval.

Ms. Rickoff presented the staff recommendation of approval.

Councilmember Benedict spoke in favor of the application.

Councilmember VanReece spoke in favor of the application.

Councilmember Parker spoke in favor of the application.

**Chairman Adkins closed the Public Hearing.**

**Mr. Haynes moved and Ms. Blackshear seconded the motion to approve. (7-0)**



"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-120PR-001 is **approved. (7-0)**

**26. 2020Z-125PR-001**

BL2020-521/Brett Withers  
Council District 06 (Brett Withers)  
Staff Reviewer: Patrick Napier

A request to rezone from CS, CL, CN, MUL, CN, MUN, R8, OR20, R6 and RM20 to MUL-A, MUN-A, OR20-A, and RM20-A zoning for various parcels located southeast of Main Street and no farther east than S 18th Street and partially located within Lockeland Springs - East End Neighborhood Conservation District Overlay, the Five Point Redevelopment District Overlay, a Planned Unit Development Overlay District and the Edgefield Historic Preservation District Overlay (42.39 acres), requested by Councilmember Brett Withers, applicant; various owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Rezone from CS, CL, CN, MUL, CN, MUN, R8, OR20, R6 and RM20 to MUL-A, MUN-A, OR20-A, and RM20-A.**

Zone Change

A request to rezone from CS, CL, CN, MUL, MUN, R8, OR20, R6 and RM20 to MUL-A, MUN-A, OR20-A, and RM20-A zoning for various parcels located southeast of Main Street and no farther east than S 18th Street and partially located within Lockeland Springs - East End Neighborhood Conservation District Overlay, the Five Point Redevelopment District Overlay, a Planned Unit Development Overlay District and the Edgefield Historic Preservation District Overlay (42.39 acres).

**Existing Zoning**

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

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

Commercial Neighborhood (CN) is intended for very low intensity retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

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.

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.

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

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

Mixed Use Neighborhood (MUN) is intended for a low intensity mixture of residential, retail, and office uses.

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

Five Points Redevelopment District (MDHA-FP) The Five Points Redevelopment District was established in 1991 for redevelopment activities in the Five Points Neighborhood. Nashville's redevelopment districts are established to ensure the use and long-term viability of the urban areas that they encompass. The Five Points Redevelopment District will expire at the end of 2020.

**Proposed Zoning**

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

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

Office/Residential-Alternative (OR20-A) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

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

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

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

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.

T4 Urban Neighborhood Center (T4 NC) is intended to maintain, enhance, and create urban neighborhood centers that serve urban neighborhoods that are generally within a 5 minute walk. T4 NC areas are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, residential, and institutional land uses. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

#### **ANALYSIS**

The Five Points Redevelopment District, which includes guidance on use, bulk and form, will cease to regulate the development in the area at the end of 2020. The intent of this rezoning request is to place zone districts with similar standards of the Redevelopment District onto parcels located within the expiring district. The new zoning districts are reflective of the general goals and intent of the Redevelopment District. The alternative zone districts will create an urban form that activates the public realm through improved building placement and bulk design standards. As proposed, the requested zone districts are consistent with the land use policies for all the respective parcel locations.

Additionally, some of the existing zone districts are inconsistent with the land use policies and rezoning will bring them into consistency.

#### **STAFF RECOMMENDATION**

Staff recommends approval.

Mr. Napier presented the staff recommendation of approval.

Councilmember Withers spoke in favor of the application.

Logan Key, 1411 Fatherland St, spoke in opposition to the application as it needs more neighborhood feedback.

James Denato, 800 Boscobel, noted that this will potentially overdevelop Woodland Street.

Kelly Collier noted there is not clear consensus among the HOA and listed several terms she would like added into the plan.

Councilmember Withers requested approval.

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

Ms. Farr spoke in favor of the application and the direction this is going.

Mr. Haynes spoke in favor of the application.

Ms. Johnson stated that she would like to have heard more neighborhood comments before moving forward.

Mr. Lawson spoke in favor of the application with the chance to tweak a little at council.

Dr. Sims recused herself.

Ms. Blackshear spoke in favor of the application and encouraged the councilmember to continue to listen to the neighbors and their concerns.

**Ms. Farr moved and Mr. Haynes seconded the motion to approve. (6-0-1) Dr. Sims recused herself.**

**Resolution No. RS2020-283**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-125PR-001 is **approved. (6-0-1)**

**I: OTHER BUSINESS**

27. Contract renewal for Marty Sewell & Shawn Shepard

**Resolution No. RS2020-284**

"BE IT RESOLVED by The Metropolitan Planning Commission that a contract renewal for Maty Sewell & Shawn Shepard is **approved. (7-0)**

28. Bonus Height Certification for 801 and 900 Church Street

**Resolution No. RS2020-285**

"BE IT RESOLVED by The Metropolitan Planning Commission that a Bonus Height Certification for 801 and 900 Church Street is **approved. (7-0)**

29. Contract renewals for Anna Grider and Michelle Hollingsworth

**Resolution No. RS2020-286**

"BE IT RESOLVED by The Metropolitan Planning Commission that a contract renewal for Anna Grider & Michelle Hollingsworth is **approved. (7-0)**

30. Historic Zoning Commission Report

31. Board of Parks and Recreation Report

32. Executive Committee Report

33. Accept the Director's Report

**Resolution No. RS2020-287**

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

34. Legislative Update

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

**December 10, 2020**

MPC Meeting

4 pm, via remote teleconference

**January 21, 2021**

MPC Meeting

4 pm, location to be determined

## **K: ADJOURNMENT**

The meeting adjourned at 7:00 p.m.