



# METROPOLITAN PLANNING COMMISSION

## MINUTES

**December 10, 2020**  
**4:00 pm Regular Meeting**

Meeting to be held via Teleconference

Metro Nashville Network will broadcast the December 10th 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:  
Jessica Farr, Vice Chair  
Jeff Haynes  
Ron Gobbell  
Lillian Blackshear  
Dr. Pearl Sims  
Brian Tibbs  
Jim Lawson  
Mina Johnson  
Councilmember Kathleen Murphy

Commissioners Absent:  
Greg Adkins

Staff Present:  
Lucy Kempf, Executive Director  
Bob Leeman, Deputy Director  
Kelly Adams, Admin Services Officer IV  
Lisa Milligan, Planning Manager II  
Shawn Shepard, Planning Manager I  
Joni Williams, Planning Manager I  
Alex Dickerson, Legal  
Latisha Birkeland, Planner I  
Katherine Herrmann, Planner III  
Amelia Lewis, Planner I  
Stephanie McCullough, Planner II  
Patrick Napier, Planner I  
Jason Swaggart, Planner II

### Lucy Alden Kempf

Secretary and Executive Director, Metro Planning Commission  
**Metro Planning Department of Nashville and Davidson County**  
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## SPECIAL NOTICE TO THE PUBLIC

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Out of an abundance of caution, and pursuant to recommendations from federal, state and local health agencies regarding avoiding group gatherings due to the COVID-19 Coronavirus, the December 10, 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, December 8<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 December 10, 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 4:00 p.m.

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

Mr. Lawson moved and Mr. Gobbell seconded the motion to establish the meeting agenda constitutes essential business of this body and that meeting electronically is necessary to protect the health, safety, and welfare of Tennesseans in light of the COVID-10 outbreak. (9-0)

## C: ADOPTION OF AGENDA

Ms. Johnson moved and Ms. Blackshear seconded the motion to adopt the agenda. (9-0)

## D: APPROVAL OF NOVEMBER 12, 2020 MINUTES

Mr. Lawson moved and Ms. Johnson seconded the motion to approve the November 12, 2020 minutes. (9-0)

## E: RECOGNITION OF COUNCILMEMBERS

Councilmember Sledge spoke in favor of Items 27a and 27b.

## F: ITEMS FOR DEFERRAL / WITHDRAWAL 1, 2a, 2b, 3, 4, 5, 6, 7, 8, 9, 12, 14, 16, 17, 18, 29, 30

Mr. Tibbs moved and Ms. Johnson seconded the motion to approve the Deferred and Withdrawn items. (9-0)  
Ms. Blackshear recused herself from Items 2a, 2b, and 29.

## G: CONSENT AGENDA ITEMS 10a, 10b, 11, 13, 15, 19, 20, 21, 22, 23, 24, 25, 26, 31, 32, 37

Mr. Tibbs moved and Mr. Gobbell seconded the motion to approve the Consent Agenda. (9-0)  
Ms. Blackshear recused herself from Items 13, 19, and 20.

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

#### **BILLBOARD ORIENTATION**

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 Indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2020Z-012TX-001. (9-0)**

**2a. 2007SP-037-002**  
**BELL ROAD/BLUE HOLE ROAD SP AMENDMENT**  
Council District 31 (John Rutherford)  
Staff Reviewer: Logan Elliott

A request to amend a Specific Plan located at Bell Road (unnumbered) and 5439 Blue Hole Road and 7000 Harris Hills Lane, at the corner of Bell Road and Harris Hills Lane (101.91 acres), zoned AR2a, R15, RS20, RS7.5, and SP, to permit a mixed-use development, requested by Lose Design, applicant; Forest View Residences, LLC and Richland South, LLC, owners. (See associated case #95P-025-007).

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

**The Metropolitan Planning Commission deferred 2007SP-037-002 to the January 21, 2021, Planning Commission meeting. (8-0-1)**

**2b. 95P-025-007**  
**MILLWOOD COMMONS PUD CANCELATION**  
Council District 31 (John Rutherford)  
Staff Reviewer: Logan Elliott

A request to cancel a portion of a Planned Unit Development Overlay District located at 5439 Blue Hole Road and Bell Road (unnumbered), approximately 560 feet north of W Oak Highland Drive (54.81 acres), zoned R15, RS20, and RS7.5, requested by Lose Design, applicant; Richland South, LLC, owner. (See associated case #2007SP-037-002).

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

**The Metropolitan Planning Commission deferred 95P-025-007 to the January 21, 2021, Planning Commission meeting. (8-0-1)**

**3. 2020SP-051-001**  
**1411 DICKERSON PIKE SP**  
Council District 05 (Sean Parker)  
Staff Reviewer: Amelia Lewis

A request to rezone from CL and RS5 to SP zoning for properties located at 1411 and 1413 Dickerson Pike and 198, 200, and 204 Gatewood Avenue, approximately 260 feet east of Dickerson Pike, (6.77 acres), to permit a multi-family residential development, requested by Smith Gee Studio, applicant; Donald E. & Michael E. Wall and Tony Ray Clouse, owners.

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

**The Metropolitan Planning Commission deferred 2020SP-051-001 to the January 21, 2021, Planning Commission meeting. (9-0)**

**4. 2004UD-002-011**  
**VILLAGES OF RIVERWOOD - SECTION M (MODIFICATION)**  
Council District 14 (Kevin Rhoten)  
Staff Reviewer: Logan Elliott

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

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

**The Metropolitan Planning Commission deferred 2004UD-002-011 to the January 21, 2021, Planning Commission meeting. (9-0)**

**5. 2020S-145-001**

**BORDEAUX AGRIFOOD**

Council District 01 (Jonathan Hall); 02 (Kyonzte Toombs)  
Staff Reviewer: Logan Elliott

A request for concept plan approval to permit a maximum of 368 single-family lots and 44 two-family lots for a maximum of 456 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 (129.2 acres), requested by Dewey Engineering, applicant; Wildflower Partners LLC, owner.

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

**The Metropolitan Planning Commission deferred 2020S-145-001 to the January 21, 2021, Planning Commission meeting. (9-0)**

**6. 2020Z-096PR-001**

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

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

**Staff Recommendation: Defer Indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2020Z-096PR-001. (9-0)**

**7. 2020Z-108PR-001**

Council District 02 (Kyonzte Toombs)  
Staff Reviewer: Jason Swaggart

A request to rezone from R8 and RS10 to RM20-A zoning for properties located at 1105 and 1107 W Trinity Lane, W Trinity Lane (unnumbered), and Old Buena Vista Road (unnumbered), approximately 390 feet south of Stokers Lane (14.46 acres), requested by D & M Development LLC, applicant; Aubrey Gregory, Doss Hill, Amon Ringemann, and Anna Ringemann, owners.

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

**The Metropolitan Planning Commission deferred 2020Z-108PR-001 to the January 21, 2021, Planning Commission meeting. (9-0)**

**8. 2020Z-138PR-001**

Council District 01 (Jonathan Hall)  
Staff Reviewer: Abbie Rickoff

A request to rezone from RS15 to R15 zoning for properties located at 4019 and 4020 Meadow Road, on either side of Meadow Road and approximately 220 feet south of Cedar Circle (0.72 acres), requested by Phillip Nesmith, applicant; Phillip Nesmith and Michael Thompson, owners.

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

**The Metropolitan Planning Commission deferred 2020Z-138PR-001 to the January 21, 2021, Planning Commission meeting. (9-0)**

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

**The Metropolitan Planning Commission deferred 2020S-176-001 to the January 21, 2021, Planning Commission meeting. (9-0)**

**10a. 2020CP-005-003**

**EAST NASHVILLE COMMUNITY PLAN AMENDMENT**

Council District 05 (Sean Parker)

Staff Reviewer: Anna Grider

A request to amend the East Nashville Community Plan by changing from D IN District Industrial policy to T4 MU Urban Mixed Use Neighborhood policy for properties located at 900 and 914 East Trinity Lane, at the southeast corner of Ellington Parkway and East Trinity Lane, zoned IR (5.88 acres), requested by Fulmer Lucas Engineering, applicant; Joseph William Suave, owner (see associated case 2020Z-134PR-001).

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

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

Minor Plan Amendment

A request to amend the East Nashville Community Plan by amending the Community Character Policy from District Industrial (D IN) to T4 Urban Mixed Use Neighborhood (T4 MU) on property located at 900 and 914 East Trinity Lane, at the southeast corner of Ellington Parkway and East Trinity Lane, zoned Industrial Restrictive (IR) (approximately 5.88 acres).

**EAST NASHVILLE COMMUNITY PLAN**

**Current Policy**

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

**Requested Policy**

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.

**BACKGROUND**

The community plan amendment was requested in conjunction with zone change application 2020Z-134PR-001, a request to change the zoning from Industrial Restrictive (IR) to Mixed Use General-Alternative (MUG-A) zoning to permit a mix of uses on 5.88 acres at 900 and 914 East Trinity Lane. As part of the application process, the Executive Director determined the plan amendment is minor with a required community meeting.

The proposed plan amendment area (site) consists of an industrial warehouse and a converted gas station. The site is in East Nashville, directly adjacent to Ellington Parkway and the on and off ramps to East Trinity Lane. The site abuts Ellington Parkway to the west and the East Police Precinct to the east. Highland Heights neighborhood is located on the other side of Ellington Parkway, and the East Hill neighborhood is to the south and east of the site. Gallatin Pike is a half-mile to the east and Dickerson Pike is one mile to the west along Trinity Lane.

The applicant has applied for MUG-A zoning to permit a mix of uses. Mixed uses are not supported by the existing D IN policy. As a result, the applicant has proposed a policy change to T4 MU, which is intended to create urban mixed-use neighborhoods.

### **COMMUNITY PARTICIPATION**

On November 18, 2020, a Planning-led virtual community meeting was held to discuss the applicant's plan amendment and zoning requests. Notices were mailed to 200 property owners in a 1,000 foot buffer of the plan amendment area. Councilmember Parker shared details of the meeting on his social media and meeting information was also available on Planning's webpage. Approximately 12 people attended, including Councilmember Sean Parker, the applicant and development team, and staff from the Planning Department. The meeting was available via WebEx and streamed live on Metro Nashville Network's Facebook page. The recording was subsequently uploaded to Metro Planning's YouTube channel to be viewed by those who were unable to attend the live meeting. To date the recording has received 74 unique views.

Planning staff spoke and answered questions regarding the plan amendment request. The applicant presented plans and renderings for the rezoning. Following these presentations questions from attendees were taken. The questions centered on two main themes: traffic and access and types of uses proposed by the applicant team. No concerns about the proposed T4 MU policy were raised.

### **ANALYSIS OF T4 URBAN MIXED USE NEIGHBORHOOD POLICY**

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

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

The Growth & Preservation Concept Map reflects Nashvillians' desires for growth and preservation in the future. The concept map designates the plan amendment area as within a "Tier Two Center" and a half-mile from a "Tier One Center" on Gallatin Pike. The area is also one mile from a Tier Two Center at Dickerson Pike and Trinity Lane. The Highland Heights Study recommends updating the center around Trinity Lane to Tier One. Centers are intended to be pedestrian-friendly areas with frequent transit service that contain a dense mix of homes, shops, jobs, and parks. The *NashvilleNext* planning process applied the concept map designations generally rather than at the parcel-specific level. Sometimes they include areas used and zoned for uses that may be incompatible with surrounding uses and that should transition to more compatible uses over time. In this case, the current zoning of IR and the industrial buildings currently occupying the site are unusual within the surrounding area as East Trinity Lane; the surrounding area has transitioned to a residential and mixed use corridor in recent years.

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

#### Key Findings

- The plan amendment area is identified as a Tier Two Center on the Growth & Preservation Concept Map and is appropriate for T4 MU policy because of its location within this center and proximity to two additional Centers.
- The current IR zoning and industrial use are no longer compatible with the surrounding residential and mixed use character that has developed along Trinity Lane.
- Providing additional housing at strategic locations is a key element of *NashvilleNext*.

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

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

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

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

Residents in urban neighborhoods are generally within a five- to ten-minute walk of neighborhood-scaled commercial and mixed-use centers. Urban centers are often mixed use, accommodating commercial and residential land uses. Mixed use buildings with residential or office on upper floors and commercial uses on the ground floor promote active uses at the pedestrian level, adding to the bustling atmosphere of the neighborhood.

The requested T4 MU policy encourages a greater mix of higher-density residential and mixed use development along and near corridors. T4 MU policy is intended to enhance and create high-intensity 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. The intent of T4 MU policy to encourage the provision of additional homes, new businesses, and employment opportunities to support residents, businesses, and transit is appropriate for this area.

#### Key Findings

- T4 MU's intent of creating urban mixed use areas that provide a mix of land uses that create high-intensity urban mixed use neighborhoods make this an appropriate application of the policy.
- Applying T4 MU is appropriate at this densely populated location.

#### **Transportation and Connectivity**

The subject property is located on a key corridor in East Nashville, Trinity Lane, and is adjacent to an interchange with Ellington Parkway. Gallatin Pike is within a half-mile and Dickerson Pike is one mile from the site. Ellington Parkway, which hugs the west side of the site, is a heavily trafficked highway. Trinity Lane is classified as a three-lane arterial boulevard by the Major & Collector Street Plan. Dickerson and Gallatin Pikes are both classified as arterial boulevards on the Major & Collector Street Plan and as immediate need, high capacity transit corridors in *NashvilleNext*. High capacity transit corridors represent a framework of more intense housing and commercial areas along major roadways with more frequent transit service. The immediate need priority means the street is slated for near-term improvements to transit service. The Concept Map designates Trinity Lane as a long-term need high capacity transit corridor recommended for improvements to transit service.

WeGo provides bus service along Gallatin Pike, Lischey Avenue, Dickerson Pike, and Ellington Parkway, all within close proximity of the site. Sidewalks exist on both sides of Trinity Lane and a bikeway is planned along Trinity Lane. Allowing a mix of land uses, supported by T4 MU policy, in locations with convenient access to major transportation and transit networks (existing and planned) near a primary corridor to downtown Nashville is appropriate.

#### Key Findings

- Gallatin Pike and Dickerson Pike are classified as immediate need high capacity transit corridors, and Trinity Lane is identified as a long-term high capacity transit corridor. All three streets call for future frequent transit.
- The existing and planned transportation infrastructure surrounding this location make it an accessible multimodal site and suitable for T4 MU policy.

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

The site's relationship to surrounding policies is as follows:

- D IN policy is applied to the site and is the only location with District Industrial (D IN) policy in this area.
- T4 MU policy is applied to the property directly to the south.
- Civic (C) policy is applied to Metro Government-owned property (East Police Precinct and East Convenience Center) to the east and northeast.
- District Employment Center (D EC) is applied to a large area to the north of the site.
- A range of corridor and neighborhood policies within the T4 Urban Transect are applied to the Trinity Lane corridor and neighborhoods off the corridor.

T4 MU policy is applied to two large parcels directly to the south. Extension of T4 MU policy to the site would allow the opportunity for additional services for the neighborhood that can develop in a compatible manner consistent with mixed use development.

#### Key Finding

- T4 MU policy would allow the opportunity for compatible development to occur as an extension of existing T4 MU policy to the north along Trinity Lane.

#### **Analysis Summary**

Amending the Community Character Policy from D IN to T4 MU is appropriate at this location. In summary, the change in policy for the study area is appropriate due to the following:

- The plan amendment area is identified as a Tier Two Center on the Growth & Preservation Concept Map and is appropriate for T4 MU policy because of its location within this center and proximity to two additional Centers.
- The current IR zoning and industrial use are no longer compatible with the residential and mixed use character that has developed along Trinity Lane.



- Providing additional housing at strategic locations is a key element of *NashvilleNext*.
- T4 MU's intent of creating urban mixed use areas that provide a mix of land uses that create high-intensity urban mixed use neighborhoods make this an appropriate application of the policy.
- Applying T4 MU policy is appropriate at this densely populated location.
- Gallatin Pike and Dickerson Pike are classified as immediate need high capacity transit corridors, and Trinity Lane is identified as a long-term high capacity transit corridor. All three streets call for future frequent transit.
- The existing and planned transportation infrastructure surrounding this location make it an accessible multimodal site and suitable for T4 MU policy.
- T4 MU policy would allow the opportunity for compatible development to occur as an extension of existing T4 MU policy to the north along Trinity Lane.

**STAFF RECOMMENDATION**

Staff recommends approval of T4 Urban Mixed Use Neighborhood (T4 MU) policy.

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

**Resolution No. RS2020-288**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020CP-005-003 is **approved. (9-0)**

**10b. 2020Z-134PR-001**

Council District 05 (Sean Parker)

Staff Reviewer: Jason Swaggart

A request to rezone from IR to MUG-A-NS zoning for properties located at 900 and 914 E Trinity Lane, at the southeast intersection of Ellington Parkway and E Trinity Lane, (5.88 acres), requested by Fulmer Lucas Engineering, applicant; Joseph William Suave, owner (see associated case 2020CP-005-003).

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

**APPLICANT REQUEST**

**Zone change from IR to MUG-A-NS.**

Zone Change

A request to rezone from Industrial Restrictive (IR) to Mixed Use General - Alternative - No Short Term Rentals (MUG-A-NS) zoning for properties located at 900 and 914 E. Trinity Lane, at the southeast intersection of Ellington Parkway and E. Trinity Lane, (5.88 acres).

**Existing Zoning**

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

**Proposed Zoning**

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

**EAST NASHVILLE COMMUNITY PLAN**

**Existing Policy**

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

**Proposed Policy**

T4 Urban Mixed Use Neighborhood (T4 MU) policy 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.

**ANALYSIS**

The existing industrial policy does not support the proposed MUG-A-NS zoning district. The industrial policy is intended to support industrial uses and MUG-A-NS permits residential as well as nonresidential uses. MUG-A-NS does not permit industrial uses. MUG-A-NS is consistent with the proposed mixed use policy as it permits uses supported by the policy. Given the location of the site, at the intersection of Ellington Parkway and E. Trinity Lane, the intensity permitted by MUG-A-NS is appropriate.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

- Limited building or construction details provided. Subject to full and complete plan review for compliance with adopted building and fire code.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

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)	5.88	0.6 F	153,679 SF	289	44	47

Maximum Uses in Proposed Zoning District: **MUG-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	2.94	3.0 F	384 U	2863	172	196

Maximum Uses in Proposed Zoning District: **MUG-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	1.47	3.0 F	192,099 SF	12193	611	1314

Maximum Uses in Proposed Zoning District: **MUG-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (931)	1.47	3.0 F	192,099 SF	16106	141	1499

Traffic changes between maximum: **IR and MUG-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+30873	+880	+2962

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed MUG-A-NS district: 21 Elementary 24 Middle 18 High

The proposed MUG-A-NS district would generate 63 more student than the existing IR zoning district. Students would attend Hattie Cotton Elementary School, Gra-Mar Middle School, and Maplewood High School.

**STAFF RECOMMENDATION**

Staff recommends approval subject to the approval of the associated community plan amendment. If the associated community plan amendment is disapproved, then staff recommends disapproval.

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

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-134PR-001 is **approved. (9-0)**

**11. 2020SP-045-001**  
**KUBOTA 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 a mixed use development, requested by Dale and Associates, applicant; Ronald Waller and Debora Waller, owners.

**Staff Recommendation: Approve with conditions and disapprove without all conditions for the portion of the SP associated with farm equipment sales.**

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

Zone Change

A request to rezone from One and Two-Family Residential (R40) and Commercial Limited (CL) to Specific Plan-Mixed Use (SP-MU) zoning for properties located at 7215, 7221 and 7227 Whites Creek Pike, approximately 210 feet south of Gifford Place (9.26 acres), to permit a mixed use development.

**Existing Zoning**

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

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

**Proposed Zoning**

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

**SITE CONTEXT AND PLAN DETAILS**

The approximately nine-acre site is comprised of three properties along the west side of Whites Creek Pike. The site is just south of the on/off ramps to Interstate 24. Portions of the site are developed, and some areas have been cleared of trees and consist of open field. The site also includes a densely wood area and possible wetland. Long Creek also bisects the site. Fuel station/convenience markets are located immediately to the north and south of the site and are both zoned Commercial Limited (CL). Properties on the east side of Whites Creek Pike include commercial development and are zoned Commercial Services (CS). There is also a commercial Planned Unit Development overlay on the opposite side of Whites Creek Pike. The property immediately west of the site is zoned SP and is approved for a single-family home and wedding event space.

Site Plan

The plan proposes a farm and equipment sales and service facility and an outparcel that would allow for all uses permitted by the MUN-A zoning district. The farm equipment facility is located at the back of the site and the outparcel is located along Whites Creek Pike. As shown the plan includes an 18,000 square foot farm equipment facility, equipment display area, storage area and associated parking. No development is shown on the outparcel, but could develop in the future under the SP standards. The plan limits the building height to one story in 30 feet and permits a floor area ratio of 0.6 and an impervious surface ratio of 0.9. These standards apply to the farm equipment sales and service facility as well as the outparcel.

Access for both the farm equipment facility and the outparcel are shown from a single private drive on Whites Creek Pike; however, the plan allows for up to two driveways. The drive to the farm equipment facility crosses Long Creek. The plan includes a ten-foot tall monument sign along Whites Creek Pike. The plan requires that the frontage along Whites Creek Pike be improved consistent with the Major and Collector Street Plan (MCSP). In addition to possible right-of-way dedication, the MCSP requires an eight-foot wide sidewalk, four-foot wide planting strip and six-foot wide bikeway.

**JOELTON COMMUNITY PLAN**

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

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

**ANALYSIS**

The majority of the site is in CO policy. The CO policy recognizes Long Creek, associated stream buffers and soils that are designated as problem soils. Development in CO policy areas is typically not appropriate. In this case the soil type recognized by the CO policy is not problematic at this location. The Taft Silt Loam soil that covers the site is prone to slippage on slopes. The subject site is relatively flat; therefore, the soil type should not be an issue. The site plan provides the appropriate buffers along Long Creek with one crossing.

Areas outside of the CO policy are in T2 NC policy. The T2 NC policy recognizes the rural character of the surrounding area. The maintenance of a harmonious development pattern, the preservation of prime agricultural lands, and the conservation of sensitive environmental resources and rural character is the key focus of any T2 Rural development. Rural centers provide services and a mixture of uses for surrounding rural areas. A primary purpose of rural areas is to promote and encourage agricultural activity in a supportive environment. This existing center is larger and more intense than typical rural neighborhood centers, primarily due to its proximity to an interstate interchange. Currently, the center contains underutilized land that could provide additional services. A design-based zoning to allow agricultural equipment sales supports agricultural activity in the area. This use is appropriate in this location since it serves a large, surrounding rural area.

Staff is recommending that the SP be limited to the area necessary for farm equipment sales and service as shown on the plan and that the area shown as an outparcel remain its current R40 zoning. Farm equipment sale and services is defined as “The retail or wholesale sale, rental, maintenance and repair of farm equipment and yard equipment including sales of parts, incidental and related merchandize. The maximum weight of any farm or yard equipment shall be no more than 25,000 pounds (lbs.)”.

**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**

- Approved as a Preliminary SP only. Private water and/or sanitary sewer site utility construction plans must be submitted and approved prior to Final SP approval. The approved site utility plans must match the Final Site Plan/SP plans. A Capacity Study has taken place and the 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. Private hauler will be required for waste/recycle disposal for site.
- Comply with MPW traffic comments.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approved with conditions**

- TIS may be required for outparcel at time of development.
- Vehicular access to outparcel shall be limited to proposed farm equipment sales and services access. No access shall be permitted on Whites Creek Pike for outparcel.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	4.39	0.6 F	114,737 SF	7,283	365	785

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (210)	4.87	1.089 D	6 U	79	10	7

\*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
Tractor Supply (810)	7.66	-	18,000 SF	3,655	78	42

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)	0.80	1.0 F	34 U	249	16	20

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.40	1.0 F	17,424 SF	1,106	56	120

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (931)	0.40	1.0 F	17,424 SF	1,461	13	136

Traffic changes between maximum: **CL, R40 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-891	-212	-474

**STAFF RECOMMENDATION**

Approve with conditions and disapprove without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited farm equipment sales and service.
2. On the corrected copy add the following definition: "The retail or wholesale sale, rental, maintenance and repair of farm equipment and yard equipment including sales of parts, incidental and related merchandise. The maximum weight of any farm or yard equipment shall be no more than 25,000 pounds (lbs.)".
3. An access easement shall be provided along the private commercial drive from Whites Creek Pike to the stream buffer. The easement shall allow access to Whites Creek Pike for any future development north of the drive.

4. The SP boundary shall be modified so that the area shown as a 1.6 acre outparcel is not within the SP and remains as currently zoned.
5. 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.
6. 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.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. 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 MUN zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved plan.
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. 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.

**Approve with conditions and disapprove without all conditions for the portion of the SP associated with farm equipment sales. Consent Agenda (9-0)**

**Resolution No. RS2020-290**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2020SP-045-001 is **approved with conditions and disapprove without all conditions for the portion of the SP associated with farm equipment sales. (9-0) CONDITIONS**

1. Permitted uses shall be limited farm equipment sales and service.
2. On the corrected copy add the following definition: "The retail or wholesale sale, rental, maintenance and repair of farm equipment and yard equipment including sales of parts, incidental and related merchandise. The maximum weight of any farm or yard equipment shall be no more than 25,000 pounds (lbs.)".
3. An access easement shall be provided along the private commercial drive from Whites Creek Pike to the stream buffer. The easement shall allow access to Whites Creek Pike for any future development north of the drive.
4. The SP boundary shall be modified so that the area shown as a 1.6 acre outparcel is not within the SP and remains as currently zoned.
5. 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.
6. 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.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. 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 MUN zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved plan.
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. 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.

**12. 2020SP-050-001**

**2512 RASCOE STREET**

Council District 16 (Ginny Welsch)

Staff Reviewer: Abbie Rickoff

A request to rezone from RS10 to SP zoning for property located at 2512 Rascoe Street, approximately 260 feet south of Jay Street, (0.28 acres), to permit a detached accessory dwelling unit and all other uses permitted under RS10 zoning, requested by XE Development Company, LLC, applicant; Nathan Jones, owner.

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

**The Metropolitan Planning Commission deferred 2020SP-050-001 to the January 21, 2021, Planning Commission meeting. (9-0)**

### 13. 2020SP-054-001

#### 3808 CLEGHORN SENIOR LIVING

Council District 25 (Russ Pulley)

Staff Reviewer: Amelia Lewis

A request to rezone from SCR to SP zoning for property located at 3808 Cleghorn Avenue, approximately 215 feet south of Crestmoor Road, (0.99 acres), to permit 205 multi-family units, and amenity and leasing space, requested by Catalyst Design Group, applicant; RC Battleship Partners, owner.

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

#### APPLICANT REQUEST

**Preliminary SP to permit assisted care living and multi-family residential.**

#### Zone Change

A request to rezone from Shopping Center Regional (SCR) to Specific Plan – Mixed Use (SP-MU) zoning for property located at 3808 Cleghorn Avenue, approximately 215 feet south of Crestmoor Road, (0.99 acres), to permit assisted care living and 115 multi-family units, with associated amenity and leasing space.

#### **Existing Zoning**

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

#### **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.

#### **GREEN HILLS - MIDTOWN COMMUNITY PLAN**

T5 Regional Center (T5 RG) is intended to enhance and create regional centers, encouraging their redevelopment as intense mixed use areas that serve multiple communities as well as the County and the surrounding region with supporting land uses that create opportunities to live, work, and play. T5 RG areas are pedestrian friendly areas, generally located at the intersection of two arterial streets, and contain commercial, mixed use, residential, and institutional land uses.

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

The 0.99 acre site is located on the east side of Cleghorn Avenue, south of Crestmoor Road. The western property line abuts Cleghorn Avenue and the east property line abuts a private alley. The site has been developed with a two-story restaurant. If this plan is approved, this structure would be demolished.

The properties along the east side of Cleghorn Avenue, and the areas north and south of the site, are primarily zoned SCR and have been developed with hotel uses and structured parking associated with the nearby Green Hills Mall. The west side of Cleghorn Avenue is zoned SP-MU and Office/Residential (OR20) and has been developed with hotel and non-residential and office uses.

#### Site Plan

The proposed development is for a 12-story structure to permit assisted living, 115 multi-family units, and associated amenity and leasing space. The intent of the development is to create a senior living building with various programming elements. The proposed site plan identifies the following specific programming elements by floor levels including memory care, several assisted living levels, and independent living levels.

There is an overall maximum building height of 12 stories in 144 feet for the proposed structure. The first floor of the development includes a double story lobby, amenity space, and structured parking. There is an additional lower level of parking, which can be access by the private alley on the east side of the site. There is an existing easement that allows for the use of the alley. The structured parking extends to the second floor, which is the upper level of the amenity space on the first floor. The third through twelfth floors are intended for assisted living. On the sixth floor, the front of the building along Cleghorn Avenue, includes a 19-foot setback to provide for outdoor amenity space on this level. Floors 7-12 are stepped back 12 feet from the first-floor building façade. This creates a building overhang, but a larger amenity space on this level. This level also includes varying building setbacks along the northern building façade to continue the amenity space along the sixth level. This creates a reduced building floorplate as the building height increases, to minimize the bulk of the building.

The front of the building, along Cleghorn Avenue, features a porte cochere and building overhang above the circular drive entrance, and an entrance to the structured parking along the southwest portion of the building. There is a

proposed eight-foot wide sidewalk and four-foot wide grass strip along Cleghorn Avenue, in accordance with the Major and Collector Street Plan (MCSP).

**ANALYSIS**

The intent of the T5 RG Policy is to enhance and create regional centers with mixed-uses to serve the region and to create opportunities to live, work, and recreate. The proposed use of the building would create 205 residential units within an existing commercial center. The provision of living units within proximity to the surrounding commercial uses, creates the opportunities to live, work, and recreate within the area, as intended for by the policy.

The proposed SP meets the design principles including massing, orientation, setbacks, height, and parking, of the T5 RG Policy. The proposed massing of the building reflects the moderate to high lot coverage indicated by the policy. Given the smaller lot size, the proposed building extends vertically with a series of varying step-backs along the northern and western building façade to minimize a towering effect. The open space for residents is also incorporated into the vertical building design and proposed building stepbacks. By stepping the upper stories of the building back from Cleghorn Avenue, an elevated open space for residents is created and the footprint of the building is reduced, contributing to the reduction of the building massing. A reduced building mass prevents a towering effect along Cleghorn Avenue. Cleghorn Avenue is a constrained Collector Avenue as classified by the MCSP. The proposed building articulation create an appropriate relationship of the height of the building with Cleghorn Avenue.

The building is oriented to Cleghorn Avenue, which features a large drop off entrance for residents. This creates a prominent entrance along the public right-of-way. The area at the southwest corner of the building provides one of two entrances to the parking garage. This area of the building is adjacent to an existing parking garage associated with the Green Hills Mall. The proposed site plan takes advantage of the existing infrastructure around the site to provide a second garage entrance from the existing private alley. The proposed design will reduce the visual impact of a large surface parking lot by locating a new parking structure for the development adjacent to an existing parking structure. Ample parking for residents and visitors will still be provided without negatively impacting the view from the public right-of-way.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve with conditions**

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

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Preliminary or New SP only. Private water and/or sanitary sewer 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. On the final SP, show/label sidewalks, ramps, curb & gutter, etc. per MPW standards and specifications.
- Provide cross access easement agreement for waste/loading off alley.
- Comply w/ MPW prelim traffic comments.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Install a pedestrian crossing with a raised refuge median across Cleghorn Avenue on the east leg of the T-intersection with Crestmoor Road. Advanced warning flashers may be necessary.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.99	0.5 F	21,562 SF	1369	69	148



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)	0.99	-	205 U	1509	95	112

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+140	+26	-36

**METRO SCHOOL BOARD REPORT**

Given the proposed uses of the SP Assisted Care Living, it is not likely to result in any additional students. Any students generated as a result of this project would attend Julia Green Elementary, J.T. Moore Middle School, and Hillsboro High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to assisted care living, 115 multi-family units, and associated amenities and leasing space. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. Parking at Final SP shall meet the minimum amounts proposed with the Preliminary SP.
3. With the submittal of the final site plan, the applicant shall provide architectural elevations complying with the elevations submitted with the Preliminary SP for review and approval.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. A corrected copy of the Preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
7. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**Approve with conditions and disapprove without all conditions including a modified Condition 2 as follows: Parking at Final SP shall meet the minimum amounts proposed with the Preliminary SP. Consent Agenda (8-0-1)**

**Resolution No. RS2020-291**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-054-001 is **approved with conditions and disapprove without all conditions including a modified Condition 2 as follows: Parking at Final SP shall meet the minimum amounts proposed with the Preliminary SP. (8-0-1)**

**CONDITIONS**

1. Permitted uses shall be limited to assisted care living, 115 multi-family units, and associated amenities and leasing space. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. Parking at Final SP shall meet the minimum amounts proposed with the Preliminary SP.
3. With the submittal of the final site plan, the applicant shall provide architectural elevations complying with the elevations submitted with the Preliminary SP for review and approval.
4. Comply with all conditions and requirements of Metro reviewing agencies.

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

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

**The Metropolitan Planning Commission deferred 2019S-109-001 to the January 21, 2021, Planning Commission meeting. (9-0)**

**15. 2020S-188-001**

**RIVERGATE VIEW**

Council District 10 (Zach Young)

Staff Reviewer: Abbie Rickoff

A request for concept plan approval for property located at Marsha Drive (unnumbered), at the current terminus of Marsha Drive, zoned R6 (1.87 acres), to permit 9 single family residential lots, requested by Civil Site Engineering, applicant; Elidee Properties, LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Request for concept plan approval to create nine lots.**

Concept Plan

A request for concept plan approval for property located at Marsha Drive (unnumbered), at the current terminus of Marsha Drive, zoned One and Two-Family Residential (R6) to permit nine single-family residential lots (1.87 acres).

**SITE DATA AND CONTEXT**

**Location:** The site is located on the north side of Marsha Drive, west of Northside Drive, approximately 0.27 miles southeast of Gallatin Pike in Madison.

**Street type:** Marsha Drive is a local street with 50 feet of existing right-of-way. Marsha Drive terminates at the western boundary.

**Approximate Acreage:** 1.87 acres or 81,457 feet.

**Parcel/Site History:** This site is comprised of a single parcel. The parcel was created by deed in 1994.

**Zoning History:** This site has been zoned R6 since 1986. The site was previously proposed to be included in a Commercial PUD Overlay that was adopted in 1986, but the PUD was amended at Council to remove the site from the overlay. Surrounding properties to the north remain in the PUD, as adopted by Council.

**Existing land use and configuration:** The site is vacant.

**Surrounding land use and zoning:**

- North: commercial (R6 and Commercial PUD Overlay)
- South: single-family residential (R20)
- East: single-family residential (R6)
- West: multi-family residential (R6 and Residential PUD Overlay)

**Zoning:** One and Two-family Residential (R6)

Min. lot size: 6,000 square feet

Max. height: 3 stories

Min. street setback: 20'

Min. rear setback: 20'

Min. side setback: 5'

Max. building coverage: 0.50

**PROPOSAL DETAILS**

**Number of lots:** 9 single-family lots

**Lot sizes:** Lots range from approximately 6,013 square feet (0.14 acres) to 9,079 square feet (0.21 acres).

**Access:** Access is provided from a new public street that forms a cul-de-sac north of Marsha Drive, providing access to all lots. No vehicular access is proposed from Marsha Drive. The new street contains a proposed right-of-way width of 46 feet at the entrance, which widens around the cul-de-sac consistent with the standard access requirements of Public Works.

**Subdivision Variances or Exceptions Requested:** None

**APPLICABLE SUBDIVISION REGULATIONS**

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

**3-1 General Requirements**

This subdivision is required to meet the standards of Chapter 3. Staff finds that all standards are met.

**3-2 Monument Requirements**

Permanent monuments, in accordance with this section of the regulations, shall be placed in all subdivisions when new streets are to be constructed.

**3-3 Suitability of the Land**

This site does not contain FEMA floodway or floodplain, rock formations, problem soils, sinkholes, other adverse earth formations or topography, utility easements, or other features which may be harmful to the safety, health and general welfare of the inhabitants of the land and surrounding areas. Based on available data, this site may contain steeper slopes at the rear of the site, as identified on Metro's topographical maps. Two of the proposed lots (lot 4 and lot 5) have been identified as critical lots, as these lots contain areas of natural slopes greater than 20 percent. The steeper slopes are located at the back of both lots, leaving ample space for building envelopes on the remaining portion of these lots. Critical lots are reviewed with a future phase, prior to issuance of building permits, consistent with the requirements of Section 17.28.030 of the Metro Zoning Code.

**3-4 Lot Requirements**

All proposed lots comply with the minimum lot size of the zoning code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of R6 zoning at the time of building permit. All proposed lots have frontage on a proposed public street.

**3-5 Infill Subdivisions**

In order to ensure compatibility with the General Plan, the Commission has adopted specific regulations applicable to infill subdivisions, defined as residential lots resulting from a proposed subdivision within the R, R-A, RS, and RS-A zoning districts on an existing street. The proposed subdivision is not located on an existing street; therefore, it is not classified as an infill subdivision.

**3-6 Blocks**

The existing block network located north and west of Marsha Drive was established when the surrounding commercial and multi-family residential uses developed several years ago. The proposed subdivision introduces a new public street and block. The length, width, and shape of the proposed block provides efficient use of land, given the surrounding, established block pattern of the area.

**3-7 Improvements**

Construction plans for any required public improvements (public infrastructure, including stormwater, water and sewer lines and connections) will be reviewed with the final site plan.

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

Sidewalks are required in association with new streets. The proposed public street includes sidewalks located within the right-of-way, on both sides of the street. A sidewalk is also proposed along the north side of Marsha Drive, east of the new street.

**3-9 Requirements for Streets**

The concept plan proposes construction of a new public road that forms a cul-de-sac north of Marsha Drive. Although cul-de-sacs are generally discouraged, they are permitted in certain situations, including when property boundaries prevent street connections. The Marsha Drive right-of-way currently terminates at the western boundary, where a fence separates the site from an existing multi-family residential development served by private drives, preventing street connectivity to the west. The northern site boundary abuts existing commercial development, where a northern connection is not feasible due to an existing building and parking lot. Public street requirements, including the arrangement of streets, are reviewed by Metro Public Works. Public Works has reviewed the concept plan and found it to be in compliance with the standards of this section.

**3-10 Requirements for Dedication, Reservations, or Improvements**

The plan proposes right-of-way dedication for the new public street to meet the standard right-of-way required for local streets. Along Marsha Drive, no additional right-of-way dedication is required.

**3-11 Inspections During Construction**

This section is applicable at the time of construction, which for this proposed subdivision, will occur only after approval of a final site plan by all reviewing agencies. Required public infrastructure must be inspected and accepted for dedication prior to recording of a final plat, or the applicant may choose to post a bond securing the required public improvements.

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

No new street names are proposed with this concept plan. Public Works reviews street names and signage requirements for public roads and has recommended approval of the plan.

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

Not applicable to this case. The proposal does not include private streets.

**3-14 Drainage and Storm Sewers**

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

**3-15 Public Water Facilities**

Public water is available to this site from Metro Water Services. Water Services has reviewed the plan and found it to be in compliance with all requirements of this section, subject to conditions. Those conditions are listed in the recommendations from all agencies section below.

**3-16 Sewerage Facilities**

Public sewer is available to this site from Metro Water Services. Water Services has reviewed the plan and found it to be in compliance with all requirements of this section, subject to conditions. Those conditions are listed in the recommendations from all agencies section below.

**3-17 Underground Utilities**

Utilities in residential subdivisions are required to be located underground whenever a new street is proposed. The concept plan identifies utilities to be buried along the proposed public street.

**PLANNING STAFF COMMENTS**

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

**COMMENTS FROM OTHER REVIEWING AGENCIES**

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Approve**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Concept plan only. Public Water and Sewer construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/SP approval.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. Any critical lots shall be subject to the hillside development standards of Section 17.28.030 of the Metro Zoning Code.
2. Comply with all conditions and requirements of Metro reviewing agencies.
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. The final site plan/building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
5. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

**RECOMMENDED ACTION**

Motion to approve proposed subdivision Case No. 2020S-188-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

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

**Resolution No. RS2020-292**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020S-188-001 is **approved with conditions.** (9-0)

**CONDITIONS**

1. Any critical lots shall be subject to the hillside development standards of Section 17.28.030 of the Metro Zoning Code.
2. Comply with all conditions and requirements of Metro reviewing agencies.
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. The final site plan/building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
5. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

**16. 2020S-203-001**

**OLD MATTHEWS AND WEBSTER**

Council District 02 (Kyonzté Toombs)  
Staff Reviewer: Patrick Napier

A request for concept plan approval to create eight lots and open space on properties located at 2504 and 2506 Webster Road, 2528 Old Matthews Road and Old Matthews Road (unnumbered), and Toney Drive (unnumbered), approximately 275 feet north of Yokley Road, zoned RS7.5 (5.21 acres), requested by Dale & Associates, applicant; REI615, LLC, owner.

**Staff Recommendation: Approve with conditions.**

**The Metropolitan Planning Commission deferred 2020S-203-001 to the January 21, 2021, Planning Commission meeting. (9-0)**

**17. 2020S-204-001**

**REDD HEIGHTS**

Council District 17 (Colby Sledge)  
Staff Reviewer: Logan Elliott

A request to amend a previously approved plat to remove the platted setback for properties located at 356 and 358 Glenrose Avenue (0.61 acres) approximately 330 feet west of Sadler Avenue, zoned MUL-A; requested by William & Hamilton G.P., owner; Duane Cuthbertson, applicant.

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

**The Metropolitan Planning Commission deferred 2020S-204-001 to the January 21, 2021, Planning Commission meeting. (9-0)**

**18. 2020S-207-001**

**CHANDLER RESERVE**

Council District 11 (Larry Hagar)  
Staff Reviewer: Patrick Napier

A request for concept plan approval to create 253 lots on property located at Chandler Road (unnumbered), approximately 2,500 feet east of Tulip Grove Road, zoned R10 (107.14 acres), requested by CSDG, applicant; JD Eatherly Revocable Living Trust and Desperado Partners, owners.

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

**The Metropolitan Planning Commission deferred 2020S-207-001 to the January 21, 2021, Planning Commission meeting. (9-0)**

**19. 2020S-210-001**

**NOVEL HARPETH HEIGHTS**

Council District 22 (Gloria Hausser)  
Staff Reviewer: Logan Elliott

A request for final plat approval to create three lots on property located at 615 Old Hickory Blvd, approximately 435 feet north of Tolbert Road, zoned CL and SCR (21.23 acres), requested by Barge Design Solutions, applicant; Sam's Real Estate Business Trust, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Final plat approval to create 3 lots.**

Final Plat

A request for final plat approval to create three lots on property located at 615 Old Hickory Boulevard, approximately 435 feet north of Tolbert Road, zoned Commercial Limited (CL) and Shopping Center Regional (SCR) (21.23 acres).

**SITE DATA AND CONTEXT**

**Location:** The site is located along the west side of Old Hickory Boulevard, approximately 800 feet south of I-40.

**Street Type:** The site has frontage onto Old Hickory Boulevard. Old Hickory Boulevard is an Arterial Boulevard Scenic roadway with varying widths of existing right-of way.

**Approximate Acreage:** 21.23 acres or 924,778 square feet

**Parcel/Site History:** This site is comprised of one parcel: 11400031800. The parcel has existed since 1993 when the parcel was subdivided from the remainder of Commercial PUD 88P-040G. A Sam's Club previously occupied the building on site.

**Zoning History:** The parcel has been zoned CL and SCR since at least 1998 when the zoning map was re-established for Davidson County. The parcel was a part of Commercial PUD 88P-040G and was removed from this PUD in 2019 (BL2019-1666).

**Existing land use and configuration:** The parcel contains a vacant big-box retail store and an expansive surface parking lot.

**Surrounding land use and zoning:**

North: Shopping Center Regional (SCR) and Commercial PUD

South: Commercial Service (CS), Multi-Family Residential (RM4), and Residential PUD

East: Commercial Limited (CL), Multi-Family Residential (RM4), and One and Two-Family Residential (R20)

West: I-40 Interstate

**Zoning:** Commercial Limited (CL)

Min. lot size: None

Max. height: 30 feet

Min. street setback for properties on Old Hickory Boulevard: 15 feet in addition to the 75-foot scenic easement from the centerline of the Old Hickory Boulevard right-of-way.

Min. rear setback for all properties: 20 feet

Min. side setback for all properties: None

Maximum Building Coverage: 0.60

Shopping Center Regional (SCR)

Max. height: 30 feet

Min. street setback: 20 feet (not applicable; no street frontage within SCR)

Min. rear setback for all properties: 20 feet

Min. side setback for all properties: None

Maximum Building Coverage: 1.0

**PROPOSAL DETAILS**

This proposal is for a subdivision of a single parcel under existing zoning entitlements. No rezoning is proposed with this application.

**Number of lots:** 3

**Lot sizes:** Lot 1 - 15.06 acres, lot 2 - 3.95 acres, lot 3 - 2.86

**Access:** Lot 1 draws access from Old Hickory Boulevard, an existing Scenic Arterial Boulevard. Lots 2 and 3 draw access from Old Hickory Boulevard through an access easement over the existing private drive on lot 1.

**Open space:** Not applicable to a commercial subdivision.

**Subdivision Variances or Exceptions Requested:** None.

**APPLICABLE SUBDIVISION REGULATIONS**

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

**3-1 General Requirements**

This subdivision is required to meet all standards of Chapter 3. Staff finds that all standards are met.

### **3-2 Monument Requirements**

New streets are not included with this application, so this section of the Subdivision Regulations does not apply.

### **3-3 Suitability of the Land**

Based on available data, this site contains steep slopes as identified on Metro's topographical maps and the plat has identified Lot 3 as a critical lot. The development of this lot will be reviewed for compliance with the Hillside Development Standards.

### **3-4 Lot Requirements**

All proposed lots comply with the minimum lot size of the zoning code pursuant to Section 17.12.020. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of SCR and CL zoning at the time of building permit. Lots 2 and 3 do not have street frontage, but are served by an access easement that permits access to Old Hickory Boulevard through the existing private drive.

### **3-5 Infill Subdivisions**

In order to ensure compatibility with the General Plan, the Commission has adopted specific regulations applicable to infill subdivisions, defined as residential lots resulting from a proposed subdivision within the R, R-A, RS, and RS-A zoning districts on an existing street. If a proposed infill subdivision meets all the adopted applicable regulations, then the subdivision is found to be harmonious and compatible with the goals of the General Plan. An exception to the compatibility criteria may be granted by the Planning Commission for a SP, UDO or cluster lot subdivision by approval of the rezoning or concept plan.

Not applicable to this case. This site is in an area of T3 Mixed-Use Corridor policy.

### **3-6 Blocks**

The proposed final plat does not establish new blocks or streets, so this section of the Subdivision Regulations does not apply.

### **3-9 Requirements for Streets**

New streets are not included with this application, so this section of the Subdivision Regulations does not apply.

### **3-10 Requirements for Dedication, Reservations, or Improvements**

Old Hickory Boulevard is classified as a Scenic Arterial Boulevard that is planned for multi-modal transportation. The planned right-of-way is 98 feet wide and the current half right-of-way is about 60 feet but varies. This parcel recently dedicated right-of-way to allow for a sidewalk and no additional dedications are required or proposed with this application.

### **3-11 Inspections During Construction**

This section is applicable at the time of construction. Required public infrastructure must be inspected and accepted for dedication prior to recording of a final plan, or the applicant may choose to post a bond securing the required public improvements.

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

No new street names are proposed with this plan. Public Works reviews street names and signage requirements for public roads and has recommended approval of this final plat. See comments in the recommendations from all agencies section below.

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

Not applicable to this case. The proposal does not include private streets.

### **3-14 Drainage and Storm Sewers**

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

### **3-15 Public Water Facilities**

Public Water is provided to this site by Harpeth Valley Utility District (HVUD). HVUD has reviewed this plan and has recommended approval.

### **3-16 Sewerage Facilities**

Public sewer is available to this site from Harpeth Valley Utility District (HVUD). HVUD has reviewed the plat and found it to be in compliance with all requirements of this section subject to conditions.

### **3-17 Underground Utilities**

Utilities are required to be located underground whenever a new street is proposed. New streets are not included with this application, so this section of the Subdivision Regulations does not apply.



**PLANNING STAFF COMMENTS**

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

**COMMENTS FROM OTHER REVIEWING AGENCIES**

**STORMWATER RECOMMENDATION**

**Approve with conditions**

- DRC/LTMP instrument number to be placed on plat before recording.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**PUBLIC WORKS RECOMMENDATION**

**Approve**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

**HARPETH VALLEY UTILITY DISTRICT RECOMMENDATION**

**Approve**

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. The final site plan/building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

**RECOMMENDED ACTION**

Motion to approve proposed subdivision Case No. 2020S-210-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

**Approve. Consent Agenda (8-0-1)**

**Resolution No. RS2020-293**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020S-210-001 is **approved. (8-0-1)**

**CONDITIONS**

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. The final site plan/building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

**20. 2020S-213-001**

**OLD BURKITT MIXED USE**

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

A request for concept plan approval to create six lots and dedicate right-of-way on properties located at 6944 Nolensville Pike and 7236 Old Burkitt Road, at the corner of Old Burkitt Road and Nolensville Pike, zoned CL-A and MUL-A (8.56 acres), requested by Kimley-Horn, applicant; Brentwood United Methodist, Ralph Jenkins, and Edward Johnson, owners.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Request for concept plan approval to create six lots and dedicate right-of-way.**

Concept Plan

A request for concept plan approval to create six lots and dedicate right-of-way on properties located at 6944 Nolensville Pike and 7236 Old Burkitt Road, at the corner of Old Burkitt Road and Nolensville Pike, zoned Commercial Limited-Alternative (CL-A) and Mixed Use Limited-Alternative (MUL-A) (8.56 acres).

**SITE DATA AND CONTEXT**

**Location:** The site is located on the east side of Nolensville Pike, at the corner of Nolensville Pike and Old Burkitt Road.

**Street type:** The site has frontage on Nolensville Pike, Old Burkitt Road, and a new public street. Nolensville Pike is an arterial boulevard with approximately 70 feet of existing right-of-way, Old Burkitt Road is a local street with approximately 40 feet of exiting right-of-way, and the new public street is a local street with a minimum proposed right-of-way width of 46 feet.

**Approximate Acreage:** 8.56 acres or 372,874 square feet.

**Parcel/Site History:** This site is comprised of two parcels. The northern parcel (002) was created by deed in 1973. The southern parcel (003) was created by deed in 2020 to reflect right-of-way dedication along Old Burkitt Road.

**Zoning History:** The site was recently rezoned to MUL-A and CL-A on September 4, 2020. The portion zoned CL-A is located on the front half of the site, and the portion zoned MUL-A is located to the rear. The site had previously been zoned AR2a since 1974.

**Existing land use and configuration:** Each parcel contains a single-family land use. Parcel 002 has frontage on Nolensville Pike. Parcel 003 has frontage primarily on Old Burkitt Road.

**Surrounding land use and zoning:**

North: Two-Family Residential (AR2a)  
South: Single-Family Residential and Vacant (SP-Commercial)  
East: Multi-Family Residential and Vacant (SP-Residential and AR2a)  
West: N/A (Williamson County)

**Zoning:** Commercial Limited-Alternative (CL-A) and Mixed Use Limited-Alternative (MUL-A)

Min. lot size: None  
Max. density: N/A  
Max. FAR (CL-A): 0.60  
Max. FAR (MUL-A): 1.00  
Max. ISR: 0.90  
Min. rear setback: 20'  
Min. side setback: None required  
Max. height in build-to zone: 3 stories in 45 feet  
Min. stepback: 15 feet  
Max. height: 4 stories in 60 feet  
Built-to Zone: 0-15 in the UZO, 0-80 outside of the UZO

**PROPOSAL DETAILS**

**Number of lots:** 6

**Lot sizes:** Lots range from approximately 28,314 square feet (0.65 acres) to 84,071 square feet (1.93 acres).

**Access:** Access is provided from a proposed public road (Public Road 'A') that extends from Nolensville Pike to the east, separating the 3 proposed northern lots from the 3 southern lots. Public Road A is proposed as a local street with a minimum right-of-way width of 46 feet, extending to the eastern property line where a temporary turnaround has been included. No access is proposed from Nolensville Pike.

**Subdivision Variances or Exceptions Requested:** None

### **APPLICABLE SUBDIVISION REGULATIONS**

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

#### **3-1 General Requirements**

This subdivision is required to meet the standards of Chapter 3. Staff finds that all standards are met.

#### **3-2 Monument Requirements**

Permanent monuments, in accordance with this section of the regulations, shall be placed in all subdivisions when new streets are to be constructed.

#### **3-3 Suitability of the Land**

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

#### **3-4 Lot Requirements**

All proposed lots comply with the minimum lot size of the zoning code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of CL-A and MUL-A zoning at the time of building permit. All proposed lots have frontage on a public street, including Nolensville Pike, Public Road A, and/or Old Burkitt Road. In order to minimize curb cuts when property is divided along an existing street, the Planning Commission may require that lots not derive access from arterial or collector streets. No access is proposed from the arterial street (Nolensville Pike). Vehicular access to all lots will be limited to the Public Road A and Old Burkitt Road.

#### **3-5 Infill Subdivisions**

In order to ensure compatibility with the General Plan, the Commission has adopted specific regulations applicable to infill subdivisions, defined as residential lots resulting from a proposed subdivision within the R, R-A, RS, and RS-A zoning districts on an existing street.

The proposed subdivision is not located within a residential zoning district; therefore, it is not classified as an infill subdivision.

#### **3-6 Blocks**

The proposed street pattern improves the existing block structure in the area. The inclusion of a new public street will provide future connectivity the east, setting up an east-west block structure that aligns with the approved road network included in the adjacent Southgate SP residential development, currently under construction. A temporary turnaround will be provided until the road is extended to the east. Old Burkitt Road, which currently intersects Nolensville Pike at an angle, will be widened and realigned to a T-type intersection, providing for better access management. The realignment is proposed in conjunction with TDOT plans to widen Nolensville Pike.

#### **3-7 Improvements**

Construction plans for any required public improvements (public infrastructure, including stormwater, water and sewer lines and connections) will be reviewed with the final site plan.

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

Sidewalks are required in association with new streets. Proposed Public Road A includes sidewalks located within the right-of-way, on both sides of the street. On Nolensville Pike and Old Burkitt Road, which are existing streets, sidewalk requirements will be reviewed at the time of building permit, pursuant to Section 17.20.120 of the Zoning Code.

#### **3-9 Requirements for Streets**

The concept plan proposes construction of a new public road with a temporary turnaround, until the future road extension is developed to the east. Public street requirements are reviewed by Metro Public Works. Public Works has reviewed the concept plan and found it to be in compliance with the standards of this section subject to several conditions. Those conditions are listed in the recommendations from all agencies section below.

**3-10 Requirements for Dedication, Reservations, or Improvements**

Nolensville Pike is classified by the Major and Collector Street Plan as an arterial boulevard with 100 feet of required right-of-way. The current right-of-way is approximately 70 feet. Approximately 15 feet of right-of-way is proposed for dedication along Nolensville Pike to meet the 50' half of standard right-of-way requirement. Along Old Burkitt Road, right-of-way will be dedicated in conjunction with the proposed realignment. In addition to the proposed dedication areas, right-of-way reservation has also been identified along Nolensville Pike in accordance with proposed TDOT construction plans.

**3-11 Inspections During Construction**

This section is applicable at the time of construction, which for this proposed subdivision, will occur only after approval of a final site plan by all reviewing agencies. Required public infrastructure must be inspected and accepted for dedication prior to recording of a final plat, or the applicant may choose to post a bond securing the required public improvements.

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

No new street names are proposed with this concept plan. Public Works reviews street names and signage requirements for public roads and has recommended approval of this concept plan. See comments in the recommendations from all agencies section below.

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

Not applicable to this case. The proposal does not include private streets.

**3-14 Drainage and Storm Sewers**

Drainage and storm sewer requirements are reviewed by Metro Stormwater. Metro Stormwater has reviewed the proposed plan and found it to be in compliance with all applicable standards of this section, subject to conditions. Those conditions are listed in the recommendations from all agencies section below.

**3-15 Public Water Facilities**

Public water is available to this site from Metro Water Services. Water Services has reviewed the plan and found it to be in compliance with all requirements of this section, subject to conditions. Those conditions are listed in the recommendations from all agencies section below.

**3-16 Sewerage Facilities**

Public sewer is available to this site from Metro Water Services. Water Services has reviewed the plan and found it to be in compliance with all requirements of this section, subject to conditions. Those conditions are listed in the recommendations from all agencies section below.

**3-17 Underground Utilities**

Utilities in subdivisions are required to be located underground whenever a new street is proposed.

**PLANNING STAFF COMMENTS**

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

**COMMENTS FROM OTHER REVIEWING AGENCIES**

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve with conditions**

- Must comply with all regulations in the Stormwater Management Manual at the time of final submittal.

**PUBLIC WORKS RECOMMENDATION**

**Approve**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Realign Old Burkitt Road at the intersection of Nolensville Pike per the approved plans (remove skew).
- Widen Old Burkitt Road to one lane in each direction and a center turn lane from Nolensville Pike to east of project frontage.

- Install 2-2' conduit along Nolensville Pike outside of proposed future roadway travel area from south of Old Burkitt Road to north of project frontage with pull boxes on each end for future Public Works traffic communication.
- Driveway locations on Proposed Road A are not finalized or approved.

#### **WATER SERVICES RECOMMENDATION**

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

- Approved as a Concept Plan only. Public water and/or sanitary sewer construction plans must be submitted and approved prior to Final Site/Development Plan approval. The approved construction plans must match the Final Site/Development Plans. Any required capacity fee balance must be paid prior to Final Site/Development Plan approval.

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

#### **CONDITIONS**

1. With the submittal of the final site plan, the developer shall work with Public Works and community groups to evaluate and identify the appropriate tools to address concerns about traffic and safety impacts on the adjacent residential streets to which this project will connect. The tools to be evaluated will include a signage plan that is consistent with accepted Federal, State, and Local standards.
2. Vehicular access to all lots shall be limited to Public Road A and Old Burkitt Road.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. The final site plan/building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
6. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

#### **RECOMMENDED ACTION**

Motion to approve proposed subdivision Case No. 2020S-213-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

**Approve with conditions including the following additional condition: With the submittal of the final site plan, the developer shall work with Public Works and community groups to evaluate and identify the appropriate tools to address concerns about traffic and safety impacts on the adjacent residential streets to which this project will connect. The tools to be evaluated will include a signage plan that is consistent with accepted Federal, State, and Local standards. Consent Agenda (8-0-1)**

#### **Resolution No. RS2020-294**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2020S-213-001 is approved with conditions including the following additional condition: With the submittal of the final site plan, the developer shall work with Public Works and community groups to evaluate and identify the appropriate tools to address concerns about traffic and safety impacts on the adjacent residential streets to which this project will connect. The tools to be evaluated will include a signage plan that is consistent with accepted Federal, State, and Local standards. (8-0-1)**

#### **CONDITIONS**

1. With the submittal of the final site plan, the developer shall work with Public Works and community groups to evaluate and identify the appropriate tools to address concerns about traffic and safety impacts on the adjacent residential streets to which this project will connect. The tools to be evaluated will include a signage plan that is consistent with accepted Federal, State, and Local standards.
2. Vehicular access to all lots shall be limited to Public Road A and Old Burkitt Road.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. The final site plan/building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

6. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

**21. 69-83P-004**

**HICKORY VILLAGE COMMERCIAL PUD (REVISION AND FINAL)**

Council District 14 (Kevin Rhoten)

Staff Reviewer: Amelia Lewis

A request to revise the preliminary plan and for final site plan approval for property located at 5055 Old Hickory Boulevard, at the northwest corner of Old Hickory Boulevard and Juarez Drive, zoned SCR and within a Commercial Planned Unit Development Overlay District (1.52 acres), to permit a restaurant, requested by Kimley-Horn; applicant; Appalachian Land and Leasing Company LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Revise preliminary plan and final site plan to permit a restaurant.**

PUD Revision and Final Site Plan

A request to revise the preliminary plan and for final site plan approval for property located at 5055 Old Hickory Boulevard, at the northwest corner of Old Hickory Boulevard and Juarez Drive, zoned Shopping Center Regional (SCR) and within a Commercial Planned Unit Development Overlay District (1.52 acres), to permit a restaurant.

**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 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 1.52 acre site is located at the intersection of Juarez Drive and Old Hickory Boulevard. The site has been developed with an existing restaurant and surface parking. The Hickory Village PUD was last amended in 2017 under BL2017-962, to permit two restaurants and create an access drive off of Juarez Drive. This approved plan was never constructed. This proposal would revise the preliminary PUD plan and approve a final site plan for the site.

The site is a part of a commercial center which features a strip mall building and several stand-alone buildings. These parcels are all connected by surface parking and private drives that are accessed from Old Hickory Boulevard. The subject site is the most southern parcel in this commercial center.

Site Plan

The proposed site plan includes a 3,751 square foot restaurant (fast-food) located at the southeast portion of the site. If approved, the existing restaurant on the site would be demolished. The proposed location of the new building is closer to the intersection of Old Hickory Boulevard and Juarez Drive, with surface parking located behind the building on the northern portion of the site. There is one new vehicular entrance to the site from Juarez Drive. The other vehicular entrance from the site is through the existing commercial development to the west of the site, which is currently serving the site.

**ANALYSIS**

Section 17.40.120.F 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.F, and is provided below for review.

F. Changes to a Planned Unit Development District (PUDs).

1. Modification of a Master Development Plan. Applications to modify a master development plan in whole or in part shall be filed with and considered by the planning commission according to the provisions of subsection A

of this section. If approved by the commission, the following types of changes shall require concurrence by the metropolitan council in the manner described:

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

The request does not expand the boundary of the PUD, nor does it include any new access points. As proposed, the plan is consistent with the Council approved plan to provide a commercial use. 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 SCR zoning district. Restaurant is a permitted use by the Council approved plan and by the SCR zoning district. 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.

There is a previously approved sidewalk waiver for this property. There are no sidewalks along the Old Hickory Boulevard frontage. There is an existing sidewalk along Juarez Drive that does not meet the MCSP Standards. Due to the topography on the site, a sidewalk meeting the MCSP specifications would be challenging to construct on the site. The waiver on this site is still applicable. The plans reflect the existing sidewalk with no changes proposed.

#### **FIRE MARSHAL RECOMMENDATION**

**Approve**

#### **STORMWATER RECOMMENDATION**

**Approve with conditions**

- Approved plans must match approved grading plans.

#### **PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

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

#### **TRAFFIC & PARKING RECOMMENDATION**

**Approve**

#### **WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Private water and/or sanitary sewer site utility construction plans must be submitted and approved prior to Building Permits. The approved construction plans must match the Final Site Plan/SP plans/PUD Amendment. Any additional capacity requirements will be accounted for prior to issuance of any building permit.

#### **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. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.
4. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.

5. Prior to the issuance of any permits, confirmation of PUD 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.
6. 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.
7. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
8. The PUD 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 (9-0)**

**Resolution No. RS2020-295**

"BE IT RESOLVED by The Metropolitan Planning Commission that 69-83P-004 is **approved with conditions. (9-0) 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. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.
4. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
5. Prior to the issuance of any permits, confirmation of PUD 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.
6. 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.
7. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
8. The PUD 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.

**22. 2020HL-008-001**

BL2020-575/Freddie O'Connell  
 Council District 19 (Freddie O'Connell)  
 Staff Reviewer: Patrick Napier

A request to apply a Historic Landmark Overlay District to property located at 161 Rosa L Parks Boulevard, approximately 130 feet north of Commerce Street, zoned DTC (0.28 acres), requested by Councilmember Freddie O'Connell, applicant; Uptown Property Holdings LLC, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

Apply a Historic Landmark Overlay District.

Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to property located at 161 Rosa L. Parks Boulevard, approximately 130 feet north of Commerce Street, zoned Downtown Code (DTC) (0.28 acres).

**Existing Zoning**

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



**Proposed Zoning**

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

**DOWNTOWN COMMUNITY PLAN**

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

**REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) considered this application at its May 16, 2018, meeting. Historic Zoning Commission staff recommends approval of this application. Metro Historic Commission staff provided the following background information:

The Frost Building, constructed in 1913, was listed in the National Register in 1980 for its significant architecture. (The former address was 161 Eighth Avenue North.) According to the nomination, the building figures prominently in the history of the Southern Baptist Convention, the largest Protestant denomination in the United States at the time of the nomination. The Frost Building was the first structure designed and built exclusively to serve as the headquarters building of the Sunday School Board, the denomination’s educational and publishing agency organized in 1891. The building was used intermittently by the same denominational publishing house for a period of 63 years as office space for professional and clerical workers.

The building is a Neo-classical Revival style of architecture, popular in urban buildings of the early 1900’s. The stone columns with ornate Corinthian capitals at the top represent the Greek style of architecture. The building was remodeled in the late 1970s without destroying the original atmosphere and décor. The Metro Historical Commission recognized the remodel in May of 1980 with an architectural award. Since then there have been no alterations that would warrant removal of the building from the National Register, according to MHZC Staff.

**Analysis & Findings:**

The Frost Building is significant as an excellent example of its style of architecture and retains its historic character and features. The property is listed in the National Register of Historic Places and so meets criterion 5 of Section 17.36.120 of the Ordinance.

**METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On May 16, 2018, the Metro Historic Zoning Commission reviewed the request and recommended approval of the Historic Landmark designation. Staff suggests the Commission recommend to City Council that the Frost Building be adopted as a Historic Landmark and the existing design guidelines for Historic Landmarks be used to guide future changes.

**STAFF RECOMMENDATION**

The proposed Historic Landmark Overlay District is intended to preserve the historic structures on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and Staff. The T6 Downtown Core policy encourages the protection and preservation of historic features. Staff recommends approval of the Historic Landmark Overlay District.

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

**Resolution No. RS2020-296**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020HL-008-001 is **approved. (9-0)**”

## 23. 2020Z-135PR-001

Council District 16 (Ginny Welsch)

Staff Reviewer: Abbie Rickoff

A request to rezone from RS5 to RM20-A-NS zoning for property located at 323 Whitsett Road, at the southwest corner of Fannie Williams Street and Whitsett Road (0.17 acres), requested by S+H Group, applicant; Martha Carter and Gwendolyn D. Murphy et al, owners.

**Staff Recommendation: Approve.**

### APPLICANT REQUEST

**Zone change from RS5 to RM20-A-NS.**

#### Zone Change

A request to rezone from Single-Family Residential (RS5) to Multi-Family Residential-Alternative-No STRP (RM20-A-NS) zoning for property located at 323 Whitsett Road, at the southwest corner of Fannie Williams Street and Whitsett Road (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 1 unit.*

#### **Proposed Zoning**

Multi-Family Residential-Alternative-No STRP (RM20-A-NS) 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. The -NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property - Not-Owner Occupied uses from the district. *RM20-A-NS would permit a maximum of 3 units.*

### **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.

### **ANALYSIS**

The 0.17 acre site is located on the south side of Whitsett Road, at the corner of Whitsett Road and Fannie Williams Street. The site is vacant and is located approximately 380 feet east of Nolensville Pike, which is designated as an arterial-boulevard by the Major and Collector Street Plan. The surrounding development pattern to the north and east includes primarily single and two-family residential uses with a larger cluster of industrial uses located further to the east, near and along Foster Avenue. West of the site and towards Nolensville Pike, the surrounding development pattern includes a two-family residential unit, properties that were recently rezoned to RM20-A-NS, and non-residential uses that wrap the Whitsett Road/Nolensville Pike corner.

The site is located on a corner near the western edge of a T4 NE policy area, in proximity to properties zoned for higher intensity development, including the RM20-A-NS-zoned parcels located approximately 50 feet to the west, and commercial and non-residential development located along the Nolensville Pike corridor. The site is located approximately 230 feet east of the T4 CC, Urban Community Center, policy area near the corner of Whitsett Road and along Nolensville Pike, where additional intensity would be appropriate. The area along the corridor is also within an area identified by NashvilleNext as a Tier 1 Center. Areas identified as centers contain pedestrian-friendly areas with frequent transit services that contain a dense mixture of land uses.

Rezoning to RM20-A-NS will create more opportunity for housing choice, consistent with the T4 NE policy, in a manner that transitions from the existing residential development interior to the neighborhood to the more intense land uses along the corridor. The bulk and building placement standards associated with the RM20-A-NS district ensure that development addresses the pedestrian realm and limits the amount of parking between the building and the street, and the surrounding street network and public transportation service allows for improved pedestrian, bicycle and vehicular connectivity.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

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	2.178 D	1 U	10	1	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	0.17	20 D	3 U	22	2	2

Traffic changes between maximum: **RS5 and RM20-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+2 U	+12	+1	+1

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed RM20-A-NS district: 0 Elementary 0 Middle 0 High

The proposed RM20-A-NS zoning is not expected to generate any additional students than what would be generated under the existing RS5 zoning. Students would attend Whitsitt Elementary School, Cameron College Prep Middle School, and Glencliff High School.

**STAFF RECOMMENDATION**

Staff recommends approval.

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

**Resolution No. RS2020-297**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-135PR-001 is **approved. (9-0)**

**24. 2020Z-136PR-001**

Council District 17 (Colby Sledge)

Staff Reviewer: Amelia Lewis

A request to rezone from RS5 to R6-A zoning for property located at 2201 Fox Avenue, at the corner of Glenrose Avenue and Fox Avenue (0.25 acres), requested by Armando Alvarado, applicant and owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

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

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential Alternative (R6-A) zoning for property located at 2201 Fox Avenue, at the corner of Glenrose Avenue and Fox Avenue (0.25 acres).

**Existing Zoning**

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

**Proposed Zoning**

One and Two-Family Residential Alternative (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-A would permit a maximum of one lot with two units based on acreage alone. Final determinations regarding duplex eligibility would be determined by the Metro Codes Department.*

**SOUTH NASHVILLE COMMUNITY PLAN**

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

**ANALYSIS**

The 0.25 acre site is located at the southwest corner of Fox Avenue and Glenrose Avenue. The site has frontage along both public streets. The site has been developed with an existing single-family residence oriented to Fox Avenue. The properties on the north side of Glenrose Avenue are zoned Mixed-Use Limited Alternative (MUL-A) and Commercial Services (CS) and have been developed with industrial uses and a parking lot. The properties to the east, west, and south of the site are zoned RS5 and R6 and have been developed with single-family residential uses.

The intent of the T4 MU Policy is to maintain, enhance, and create urban, mixed use neighborhoods with a diverse mix of moderate to high density residential, commercial, office, and light industrial land uses. When considering rezoning properties in this policy area, the size of the site, environmental conditions, the character of adjacent transect and policy areas, as well as locational characteristics and surrounding context of the subject property should be considered. There are several factors to support a rezoning on this site including the size of the site meeting the minimum lot size of R6-A, the location at a corner with frontage along two streets, and no environmental features that would be negatively impacted with any future development. The proposed zoning district is consistent with the existing residential development on the south side of Glenrose Avenue and increasing intensity at a level compatible with the surrounding residential development.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**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)	0.25	8.712 D	2 U	19	2	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (210)	0.25	7.26 D	2 U	19	2	2

\*Based on two-family lots

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

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

**METRO SCHOOL BOARD REPORT**

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

The proposed R6-A zoning district is not anticipated to generate any additional students than what could be generated under the existing RS5 zoning. Students would attend Whitsitt Elementary, Cameron College Preparatory Middle School, and Glencliff High School.

**STAFF RECOMMENDATION**

Staff recommends approval.

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

**Resolution No. RS2020-298**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-136PR-001 is **approved. (9-0)**”

**25. 2020Z-140PR-001**

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Logan Elliott

A request to rezone from RS5 to RM20-A-NS zoning for property located at 18 Willis Street, approximately 315 feet north of Baptist World Center Drive (0.13 acres), requested by Build Nashville, applicant and owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from RS5 to RM20-A-NS.**

Zone Change

A request to rezone from Single-Family Residential (RS5) to Multi-Family Residential-Alternative-No Short Term Rentals (RM20-A-NS) zoning for property located at 18 Willis Street, approximately 315 feet north of Baptist World Center Drive (0.13 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 1 unit.*

**Proposed Zoning**

Multi-Family Residential (RM20-A-NS) 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. The -NS designation prohibits owner occupied short-term residential uses and not-owner occupied short term residential uses. *RM20-A-NS would permit a maximum of 2 units.*

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

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

Supplemental Policy

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

**SITE AND CONTEXT**

The approximately 0.13 acre site is located on the east side of Willis Street near Baptist World Center Drive and Brick Church Pike. The Major and Collector Street Plan classifies both Baptist World Center Drive and Brick Church Pike as Arterial Boulevards and Willis Street is a dead-end local street. The property is currently vacant and the surrounding land uses are a mixture of single-family residential, multi-family residential, industrial, and vacant.

**ANALYSIS**

The subject site is a single parcel within the Urban Mixed Use Neighborhood land use policy and the Haynes Trinity Small Area Plan. The proposed zoning district would permit a level of intensity and land uses that are consistent with

the land use policy. The alternative standards would ensure an urban building form that would enhance the area as an urban mixed-use district and is consistent with the guidance in the Haynes Trinity Small Area plan.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**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)	0.13	2.178 D	1 U	10	1	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	0.13	20 D	2 U	15	1	2

Traffic changes between maximum: **RS5 and RM20-A-NS**

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

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed RM20-A-NS district: 0 Elementary 0 Middle 0 High

The proposed RM20-A-NS zoning district would generate no more students than what is typically generated under the existing RS5 zoning district. Students would attend Alex Green Elementary School, Brick Church College Preparatory Middle School, and Whites Creek High School.

**STAFF RECOMMENDATION**

Staff recommends approval.

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

**Resolution No. RS2020-299**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-140PR-001 is **approved. (9-0)**

**26. 2020Z-142PR-001**

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Abbie Rickoff

A request to rezone from R8 to IWD zoning for property located at 309 Haynie Avenue, approximately 195 feet east of Brick Church Pike (0.18 acres), requested by Crunk Engineering, LLC, applicant; Start, LLC, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from R8 to IWD**

Zone Change

A request to rezone from One and Two-Family Residential (R8) to Industrial Warehousing/Distribution (IWD) zoning for property located at 309 Haynie Avenue, approximately 195 feet east of Brick Church Pike (0.18 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 for a total of 2 units. The Codes Department provides a final determination on duplex eligibility.

**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**

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

**ANALYSIS**

The site is located on the north side of Haynie Avenue, approximately 200 feet west of Brick Church Pike, which is designated as an arterial-boulevard identified by the Major and Collector Street Plan. Unimproved alley right-of-way forms the eastern boundary. The property currently contains a single-family residential use. Haynie Avenue is characterized by primarily vacant land uses, with scattered residential and industrial uses. Adjacent properties to the north, east, and west, are located in the IWD zoning district, as well as surrounding properties on the south side of Haynie Avenue and along both sides of Brick Church Pike. Many of the IWD-zoned properties contain larger parcels that have developed with industrial land uses, including mixed business parks.

The site is located within a much larger area of D IN policy that spans the majority of the length of the Brick Church Pike corridor, south of Interstate 24. The proposed IWD zoning would permit compatible light-industrial and non-industrial uses in an area dominated by industrially supported activities, consistent with policy guidance.

In general, permanent residential activities are not found in D IN areas. Rezoning the site from a residential zoning district to an industrial zoning district is consistent with policy guidance and with the surrounding developed character. In addition, the site is centrally located within a larger industrial policy area that is separated from the surrounding community, rather than located at the edge of a lower-intensity policy area, where transitions may be 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.

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)	0.18	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)	0.18	0.8 F	6,272 SF	11	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
-	-	-	-	-4	+1	0

**STAFF RECOMMENDATION**

Staff recommends approval.

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

**Resolution No. RS2020-300**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-142PR-001 is **approved. (9-0)**”

**27a. 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 Road, at the southeast corner of Factory Street and Geyser 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: Approve.**

**APPLICANT REQUEST**

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

Minor Plan Amendment

A request to amend the South Nashville Community Plan by changing from District Industrial (D IN) Policy to T4 Urban Mixed Use Neighborhood (T4 MU) Policy for properties located at 101 Factory Road and 525 Lester Avenue, bound by Factory Street, Lester Avenue, Culvert Street, and Geyser Street, zoned Industrial Warehousing/Distribution (IWD) (6.8 acres).

**SOUTH NASHVILLE COMMUNITY PLAN**

**Current Policy**

The current policies for the properties are District Industrial (D IN) and Conservation (CO).

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

Conservation Policy (CO) is intended to preserve environmentally sensitive land features through protection and remediation. This policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether they have already been disturbed. In this instance, the CO policy is applied to a man-made area with a 20 – 25% steep slope along Factory Street. As such, CO policy does not indicate an environmental feature that should be preserved.

**Proposed Policy**

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.

**BACKGROUND**

The two-parcel study area, approximately 6.8 acres, is located at 101 Factory Street and 525 Lester Avenue. It is bordered by Lester Street on the east, Geyser Street on the west, Factory Street to the north, and Culvert Street to



the south. It is south of the Trevecca Nazarene University Campus (located on the north side of Factory Street), and east of the Chestnut Hill neighborhood.

The study area is located adjacent to a block of properties on the western side of Geyser Street with T4 MU policy applied. The uses in this policy area are currently industrial; it should be noted that light industrial is an appropriate use in the proposed policy. Trevecca University, located north of the study area across Factory Street, is within the District Major Institutional (D MI) policy. D MI policy is intended to maintain, enhance, or create Districts where major institutional uses (such as colleges and universities) are predominant and where the development and redevelopment of such Districts occurs in a manner that is complementary of the varying character of surrounding communities.

This plan amendment request was made by the applicant in conjunction with Case # 2020SP-048-001: a request to rezone the property from Industrial Warehousing and Distribution (IWD) to Specific Plan (SP) zoning, to permit 204 residential multi-family units. The applicant's property is currently vacant, while the adjacent property is used for storage by its owner, who operates their business from a building on a parcel across Lester Street from the property in the study area. The adjacent property (525 Lester Avenue) has no current application on file for rezoning, but was included in the study area since it abuts the property that has requested the policy change.

### **COMMUNITY PARTICIPATION**

As part of the application process, the Executive Director determined the plan amendment request to be a minor amendment and required the applicant to hold a community meeting. Planning staff coordinated with the applicant and Councilmember to schedule a virtual community meeting for Tuesday, October 27. Notices were mailed to approximately 65 property owners in the 600 foot buffer area. Notice of the virtual meeting was on the Department's website calendar.

During the virtual meeting, Planning staff discussed the long-range planning process and the proposed amendment, and the applicant discussed their Specific Plan application. Approximately 15 people participated in the meeting, including staff, the applicant team, and the district councilmember. The meeting was streamed live to the Metro Nashville Network's Facebook page, and posted on the Planning Department's YouTube Channel so that additional people may watch.

None of the attendees of the online meeting expressed any opinions regarding the project. As a result, meeting attendees were encouraged to review the presentation and provide feedback via email or phone call to Planning staff. A link to the meeting video was provided on the South Nashville Community Plan webpage to encourage the community to provide feedback. Contact information for the staff reviewer was provided on the mailed meeting notice, in the online event notice, and within the presentation given during the meeting. No emails or phone calls have been received at that time of writing this report.

### **ANALYSIS OF URBAN MIXED USE NEIGHBORHOOD POLICY**

The expansion of T4 MU policy is appropriate considering the surrounding policy currently applied to properties to the west of the site along Factory Street, and the intent of Transition areas considered in *NashvilleNext*.

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

The Growth and Preservation Concept Map reflects Nashville's desires for future growth and preservation. The Concept Map designates the study area as a "Transition and Infill" area between a "Center" located at Trevecca University and the "Special Impact Area" to the south. All Centers are anticipated to grow, develop, and/or redevelop over time. The Transition and Infill area provides a buffer between the Center and Special Impact Area, which contains industrial uses that often should be kept separate from residential areas. In this case, the policy for the Special Impact Area is District Industrial (D IN), and its current uses are non-hazardous.

The *NashvilleNext* planning process applied the concept map designations generally rather than at the parcel-specific level. Transition or Infill areas support a variety of uses that serve as a transition in scale and intensity of use between areas. In this case, these areas are anticipated to provide a transition between the Center including Trevecca University (D MI policy) and the adjacent Special Impact Area with its D IN policy. Doing so gives Nashville the opportunity to locate more people close to key amenities, like transit lines and shopping, and to add more diverse housing types.

#### Key Finding

- The Concept Map's vision for the area to serve as Transition and Infill between a Center and Special Impact Area, supports the change in policy from D IN to T4 MU, extending this policy from the properties to the west of the study area.

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

Center, Transition and Infill, and Special Impact Areas are explained in greater detail through the Community Character Policies. These policies provide guidance for zoning decisions.

Community Plans provide history and context for Nashville's 14 Community Planning areas, along with community-specific issues, strategies, and sketches of how different places in the community could change over time. The South Nashville Community Plan uses Community Character Policies that are tailored to the urban and suburban character of neighborhoods throughout its geographic area. The plan's policies encourage additional housing options in strategic locations, generally in existing commercial centers or corridors, but also in transition areas. The plan also encourages the preservation and expansion of affordable housing options, enhancement of commercial centers and corridors to provide more desired retail and services, the preservation of established residential areas, protection of floodway/floodplain areas, and the addition of more connectivity for multiple means of mobility.

The Community Character Manual and the South Nashville Community Plan provide more refined guidance on the design of transition and infill areas in the T4 Urban Transect. Transition and infill areas may have moderately dense residential and small-scale offices that are appropriate along and around prominent corridors and centers to provide a harmonious connection to surrounding neighborhoods, or in this case, a transition to the special impact area with D IN policy. These transition areas provide housing and offices in proximity to transit and commercial services, increasing the likelihood that residents can walk or bike to meet some of their daily needs.

The T4 Urban Transect category fits between the T3 Suburban and T5 Center Transect areas. Historic, inner-ring neighborhoods as well as new neighborhoods intended to be developed in a more intense urban fashion are part of the T4 Urban Transect. Complete urban communities feature an integrated mixture of housing within walking distance of commercial and neighborhood-scaled open space. They feature highly connected street systems with sidewalks, bikeways, and facilities for mass transit providing many transportation options. In T4 Urban Transect areas, the balance tips toward the built environment, with buildings framing the street. By comparison, open space is the priority, with vegetation framing the street in T3 Suburban Transect areas.

T4 MU policy should be applied to areas that are zoned residential, commercial, and light industrial, where those are the primary land uses, or that are envisioned to become primarily mixed use with residential and ancillary commercial and light industrial. T4 MU is typically applied to areas that are in close proximity to evolving centers or corridors, areas with high vacancy rates, or where there is an expressed interest in the area's development pattern progressing to promote a mixture of housing types, commercial, light industrial land uses, and greater connectivity. Additionally, buildings at the edges of the T4 MU form transitions in scale and massing where it adjoins lower-intensity policy areas, with thoughtful attention given to the placement and orientation of buildings within these edges as they relate to their surroundings.

The South Nashville Community Plan also provides guidance on the design and location of residential development in Urban areas. While the area has a range of housing options, additional housing types should be provided in strategic locations, generally in existing commercial centers or corridors. The D IN policy is applied to the study area because of its previous use. The study area is at the edge of the policy. While there have been concerns countywide regarding the loss of industrial land across the county, the adjacency of the study area to D MI and T4 MU, as well as its proximity to Murfreesboro Pike, makes this area appropriate for extension of the T4 MU policy.

#### Key Findings

- The proximity of the study area to a center and evolving corridor is in accordance with the characteristics of T4 MU policy.
- The vacant property provides an opportunity for infill development that can serve as a transition between the D MI and D IN policies.
- Application of the T4 MU policy to the study area provides an opportunity for additional housing types in the larger area.

#### **Transportation and Connectivity**

The proposed expansion of the T4 MU policy to include the study area is appropriate, based on its proximity to an arterial-boulevard (Murfreesboro Pike), as well as its location on a collector-avenue (Factory Street). The study area is approximately one-half mile from Murfreesboro Pike, which is an evolving corridor with a variety of transit options. Arterial-boulevards are medium- to high-speed, high-volume streets that serve longer trips within and between different communities within the city, with access provided by driveways, alleys or frontage roads. Murfreesboro Pike has the infrastructure to accommodate a variety of mobility types, including bus rapid transit. Factory Street, which becomes Woodycrest east of Lester Avenue, is classified as a collector-avenue. Collector-avenues are streets which are low-speed, and low- to medium-volume that provide circulation within and between neighborhoods. The intent of the collector-avenue is to balance the mobility needs of multiple transportation modes, while providing access via driveways, alleys, or side streets to businesses and residences.

#### Key Finding

- Existing transportation infrastructure is adequate to support the change to T4 MU policy.

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

The study area is surrounded by three policy areas: T4 Urban Mixed Use Neighborhood (T4 MU), District Major Institutional (D MI), and District Industrial (D IN). There is a large area of Conservation (CO) west of the T4 MU area.

There are six types of Districts described in the Community Character Manual, some of which require greater separation or buffering from adjacent uses due to their potential significantly negative impact on surrounding neighborhoods, centers, corridors, and open spaces. The uses within the D IN policy adjacent to the study area, warehouse and distribution (east of study area) and paint manufacturing within an enclosed building (south of the study area) do not require separation from residential areas. The D MI policy applied to Trevecca University does not require a distinct border, and may interact with adjacent neighborhoods centers and corridors, and provide resources and positive benefits for the community. These areas are part of the fabric of the surrounding area.

#### Key Findings

- Expansion of the T4 MU policy to the study area is appropriate due to the proximity to the existing T4 MU area, the permeable nature of the D MI policy, and the evolving uses in the D IN policy.
- Extension of the T4 MU policy does not negatively impact the current uses within the adjacent policies, nor does it prohibit or interfere with uses within the adjacent D IN policy area.

#### **Analysis Summary**

Amending the Community Character Policy to T4 MU is appropriate at this location. This change in policy is appropriate due to the following:

- The Concept Map's vision for the area to serve as Transition and Infill between a Center and Special Impact Area, supports the change in policy from D IN to T4 MU, extending this policy from the properties to the west of the study area.
- The proximity of the study area to a center and evolving corridor is in accordance with the characteristics of T4 MU policy.
- The vacant property provides an opportunity for infill development that can serve as a transition between the D MI and D IN policies.
- Application of the T4 MU policy to the study area provides an opportunity for additional housing types in the larger area.
- Existing transportation infrastructure is adequate to support the change to T4 MU policy.
- Expansion of the T4 MU policy to the study area is appropriate due to the proximity to the existing T4 MU area, the permeable nature of the D MI policy, and the evolving uses in the D IN policy.
- Extension of the T4 MU policy does not negatively impact the current uses within the adjacent policies, nor does it prohibit or interfere with uses within the adjacent D IN policy area.

#### **STAFF RECOMMENDATION**

Staff recommends approval.

Ms. McCullough presented the staff recommendation of approval.

Items 27a and 27b were heard and discussed together.

Andrew Wolthers, Catalyst Design Group, spoke in favor of the application.

John Shepard, Elmington Capital, spoke in favor of the application.

Jeff Smith, 20 Culvert St, spoke in opposition to the application.

(Name unclear), 881 Tyne Blvd, spoke in favor of the application.

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

Ms. Blackshear spoke in favor of staff recommendation.

Mr. Gobbell spoke in favor of staff recommendation.

Mr. Haynes spoke in favor of staff recommendation.

Ms. Johnson spoke in favor of staff recommendation.

Mr. Lawson spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation.

Dr. Sims spoke in favor of staff recommendation.

**Mr. Tibbs moved and Mr. Gobbell seconded the motion to approve. (9-0)**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020CP-011-001 is **approved with conditions and disapproved without all conditions. (9-0)**

**27b. 2020SP-048-001**

**101 FACTORY STREET MULTI-FAMILY**

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

**APPLICANT REQUEST**

**Rezoned from IWD to SP-R to permit 204 multi-family residential units.**

Preliminary SP

A request to rezone from Industrial Warehousing/Distribution (IWD) to Specific Plan – Residential (SP-R) zoning for property located at 101 Factory Street, at the southeast corner of Factory Street and Geyser Street (5.89 acres), to permit 204 residential multi-family units.

**Existing Zoning**

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

**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 residential uses in addition to office and/or commercial uses.

**SOUTH NASHVILLE COMMUNITY PLAN**

**Current Policy**

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

**Proposed Policy**

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

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

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed. In this instance, the conservation policy indicates the presence of steep slopes, which appear to be man made from previous grading on the site.

**PLAN DETAILS**

The site is located at 101 Factory Street, at the southeast corner of Factory Street and Geyser Street and contains 5.89 acres. The site is relatively flat and is currently vacant. Factory Street is classified as a Residential Collector on the Major and Collector Street Plan. Culvert Street and Geyser Street run along the site to the west and south respectively. Both streets are local streets. Trevecca Nazarene University is located across Factory Street to the north.

Site Plan

The plan proposed a multi-family residential development, including a maximum of 204 multi-family residential units. The plan consists of three structures. Buildings 1 and 2 are located along the primary frontage, Factory Street, in the northern portion of the site. Building 3 is located towards the rear of the site and fronts Culvert Street. The plan limits height for all structures to four stories in 65 feet. Parking, meeting the requirement of the Zoning Code, is provided in the form of surface parking spaces primarily on the interior of the site.

The plan calls for two points of access, one from Geyser Street and one from Factory Street. The plan includes an eight-foot wide sidewalk and four-foot wide planting strip along Factory Street. Sidewalks, which meet the standard for a local street, will be provided along Culvert and Geyser Streets. Sidewalk connections will be provided from the internal sidewalk network to the sidewalks proposed along each street frontage. The plan provides architectural standards pertaining to, but not limited to, glazing, materials, stoops and articulation.

**ANALYSIS**

The plan is inconsistent with the existing policy. The plan is consistent with the proposed T4-MU policy. The T4-MU policy is intended to enhance urban neighborhoods by providing a greater mix of higher density and mixed use development. While the policy allows for a mixture of uses, it is envisioned to lean towards higher intensity residential uses with commercial uses punctuating prominent locations within the policy area, such as the intersections of major streets. The plan calls for a multi-family development which will provide additional density and housing options as well as improvements to pedestrian connectivity along Factory Street. The plan and architectural standards are consistent with the urban nature of the policy. The form and location of the structure and sidewalks shown fronting each street will enhance the pedestrian realm and achieve the primary goals of the T4-MU policy.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Preliminary SP only. Private water and/or sanitary sewer site utility construction plans must be submitted and approved prior to Final SP approval. The approved site utility plans must match the Final Site Plan/SP plans. A Capacity Study has taken place and the required capacity must be reserved by confirmation of capacity fee payment prior to Final Site Plan/SP approval.

**STORMWATER RECOMMENDATION**

**Approve with conditions**

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

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- Final constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions.
- For final SP approval, show all public roadway infrastructure per MPW standards and specifications.
- Private hauler for waste/recycle disposal will be required for site.
- For final SP approval, additional mill and overlay may be required on Geyser and Culvert.
- Comply w/MPW traffic comments.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Adhere to the recommendations outlined within the TIS for off-site improvements along Factory Street.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	5.89	0.8 F	205,254 SF	370	50	53

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)	5.89	-	204 U	1402	94	112

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1032	+44	+59

**METRO SCHOOL BOARD REPORT**

Projected student generation existing IWD district: 0 Elementary 0 Middle 0 High  
 Projected student generation existing SP-R district: 32 Elementary 27 Middle 21 High

The proposed SP-R zoning is expected to generate 80 more students than the existing IWD zoning district. Students would attend Cockrill Elementary School, McKissack Middle School, and Pearl-Cohn High School.

**STAFF RECOMMENDATION**

Approve with conditions and disapprove without all conditions subject to the approval of the associated community plan amendment.

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 204 multi-family residential units. Short term rental property – owner occupied short-term rental property – not owner occupied shall be prohibited.
2. The submittal of the final site plan shall incorporate all the minimum standards of the Major and Collector Street Plan.
3. Comply with all conditions and recommendations of Metro agencies.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40 zoning district.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building.

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

Items 27a and 27b were heard and discussed together.

Andrew Wolthers, Catalyst Design Group, spoke in favor of the application.

John Shepard, Elmington Capital, spoke in favor of the application.

Jeff Smith, 20 Culvert St, spoke in opposition to the application.

(Name unclear), 881 Tyne Blvd, spoke in favor of the application.

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

Ms. Blackshear spoke in favor of staff recommendation.

Mr. Gobbell spoke in favor of staff recommendation.

Mr. Haynes spoke in favor of staff recommendation.

Ms. Johnson spoke in favor of staff recommendation.

Mr. Lawson spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation.

Dr. Sims spoke in favor of staff recommendation.

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

**Resolution No. RS2020-302**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-048-001 is **approved with conditions and disapproved without all conditions. (9-0)**

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 204 multi-family residential units. Short term rental property – owner occupied short-term rental property – not owner occupied shall be prohibited.
2. The submittal of the final site plan shall incorporate all the minimum standards of the Major and Collector Street Plan.
3. Comply with all conditions and recommendations of Metro agencies.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40 zoning district.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building.

**28. 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 a permitted use, requested by Barge Cauthen & Associates, applicant; SAI RAM 009 LLC, owner.

**Staff Recommendation: Disapprove.**

**APPLICANT REQUEST**

**Amend SP to add multi-family residential as a permitted use.**

SP Amendment

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 a permitted use.

**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**

D Office Concentration (D OC) is intended to maintain, enhance, and create Districts where office use is predominant and where opportunities for the addition of complementary uses are present. The development and redevelopment of such Districts occurs in a manner that is complementary of the varying character of surrounding communities.

### **Music Row Vision Plan**

The Music Row Vision Plan identifies the significance of and pressures facing Music Row. It contains a broad range of recommendations and action steps to pursue. The overarching theme of the Vision Plan is to ensure that Music Row continues to be a vital hub of music business and innovation and a unique creative cluster within Nashville. It is a planning document, but also a call to action for the public and private sectors, neighbors, and developers, and all those who support and strengthen the Row. The purpose of the Music Row Vision Plan is to guide and inform the preparation and consideration of implementation tools and development proposals.

The subject site is located in the Music Row Core character area of the Vision Plan, which is intended to focus on Class A office buildings that cater to music-related businesses. The site is

within Subdistrict 2A, which supports office and supporting ground floor retail and restaurants. Residential uses are not supported in this subdistrict.

### **PLAN DETAILS**

The site is located at 50 Music Square West, at the southeast corner of Music Square West and Chet Atkins Place. The site is approximately half an acre in size. The existing building on the site is known as the United Artist Tower and is currently nine stories in height. The 50 Music Square West Specific Plan (SP) was approved by the Planning Commission in 2016 and enacted in 2017. The SP allows for a mixed use building with a maximum height of eleven stories and rooftop amenities. Permitted uses in the approved SP include a maximum of 200 hotel units and a maximum of 6,270 square feet of restaurant space.

The purpose of this proposed amendment is to add multi-family residential as a permitted use. As proposed, the amended SP would permit 132 multi-family residential units or a hotel with a maximum of 180 rooms. It would also permit up to 6,270 sq. ft. of restaurant space that could be included with the residential use or the hotel use. The amendment would not permit a mixture of residential and hotel. The amendment also carries over previous requirements adopted with the enacting ordinance.

### **ANALYSIS**

The primary uses found in District Office Concentration (D OC) policy areas are office; however, the policy can also support auxiliary uses such as retail, restaurant and hotels. These type of uses support office areas by allowing employees and visitors options to stay, eat and shop without straying far from the office. These uses also help reduce vehicular traffic by making these areas more walkable. While residential uses can be found in these areas, the D OC policy nor the Music Row Vision plan support residential. Since residential is not supported by the Music Row Vision plan, staff is recommending disapproval.

This site is located within the Music Row Core character area of the Music Row Vision Plan. The Music Row Vision Plan was adopted by the Planning Commission in January of 2019 after approximately four years of analysis and public engagement in the neighborhood. The Vision Plan identifies Music Row as a key creative hub for Nashville, and also speaks to some of the pressures facing the neighborhood and obstacles to its continued success as an area of music industry collaboration and innovation. One of the pressures identified in the plan includes the intrusion of multi-family residential development, which reduces opportunities for music-related businesses by impacting affordability, exacerbating demands on constrained infrastructure, and creating conflicts between residents and business uses that are crucial to Music Row's atmosphere.

In order to minimize the pressures created by large-scale multi-family residential development, defined in the plan as sites greater than ½ acre containing more than 20 residential units, multi-family residential uses are identified as appropriate only in limited character areas and subdistricts of the plan. Multi-family residential is a supported use in the Music Row North character area, which has the greatest flexibility in terms of land use, building height and intensity, and there are opportunities for smaller scale residential in the Music Row Village and Music Row South character areas. This represents an attempt to balance uses across the Music Row area and to protect the Music Row Core from further intrusion by multi-family residential uses in order to preserve opportunities for office and music-related business uses. As multi-family residential is not a supported use in this area of the Music Row Vision Plan, staff recommends disapproval of the proposed SP amendment.

### **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**

- All previous conditions still required.
- Install a RRFB and crosswalk across the north leg of the intersection of 17th Avenue at Chet Atkins Place. Ensure curb ramps meet ADA standards.
- Coordinate with WeGo on upgrading bus stop / landing near the intersection of 17th Avenue at Chet Atkins Place.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

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

**STAFF RECOMMENDATION**

Staff recommends disapproval.

Mr. Swaggart presented the staff recommendation of disapproval.

Ms. Blackshear recused herself from this item.

John Gore, 6606 Charlotte Pike, spoke in favor of the application.

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

Mr. Haynes noted that staff has analyzed this well and spoke in favor of staff recommendation.

Ms. Johnson spoke in favor of staff recommendation.

Mr. Lawson spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation.

Dr. Sims spoke in favor of staff recommendation.

Mr. Tibbs spoke in favor of staff recommendation.

**Mr. Tibbs moved and Mr. Gobbell seconded the motion to disapprove. (8-0-1) Ms. Blackshear recused herself.**

**Resolution No. RS2020-303**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-083-003 is approved with conditions and disapproved without all conditions. (8-0-1)**

**29. 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 Indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2020Z-102PR-001. (8-0-1)**

**30. 2000P-003-002**

**RIVERWALK PUD PERIODIC REVIEW**

Council District 35 (Dave Rosenberg)

Staff Reviewer: Abbie Rickoff

A request for a periodic review for a portion of a Planned Unit Development on properties located at 6000 Rivervalley Drive and Newsom Station Road (unnumbered), at the corner of Rivervalley Drive and Newsom Station Road, zoned R80 and RM2, (approximately 86.16 acres), requested by Councilmember Dave Rosenberg, applicant; O.I.C Ridgecrest at Riverwalk and W. Brian Reames, owners.

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

**The Metropolitan Planning Commission deferred 2000P-003-002 to the January 21, 2021, Planning Commission meeting. (9-0)**

**I: OTHER BUSINESS**

31. Contract renewal for Greg Claxton, Abbie Rickoff, Kyle Lampert, Deborah Sullivan, Gene Burse & Joren Dunnivant

**Resolution No. RS2020-304**

“BE IT RESOLVED by The Metropolitan Planning Commission that a contract renewal for Greg Claxton, Abbie Rickoff, Kyle Lampert, Deborah Sullivan is **approved. (9-0)**”

32. New employee contract for Lisa Donahue

**Resolution No. RS2020-305**

“BE IT RESOLVED by The Metropolitan Planning Commission that a New Employee for Lisa Donahue is **approved. (9-0)**”

33. Set Public Hearing Date for Amendments to the Subdivision Regulations on January 21, 2021

**Resolution No. RS2020-306**

“BE IT RESOLVED by The Metropolitan Planning Commission that Set Public Hearing Date for Amendments to the Subdivision Regulations on January 21, 2021 is **approved. (9-0)**”

34. Historic Zoning Commission Report

35. Board of Parks and Recreation Report

36. Executive Committee Report

37. Accept the Director's Report

**Resolution No. RS2020-307**

“BE IT RESOLVED by The Metropolitan Planning Commission that the director’s report is **approved. (9-0)**”

38. Legislative Update

**J: MPC CALENDAR OF UPCOMING EVENTS**

**January 21, 2021**

MPC Meeting

4 pm, location to be determined

**K: ADJOURNMENT**

The meeting adjourned at 6:00 p.m.