

Metropolitan Planning Commission



Staff Reports

September 23, 2021



Metro Planning Commission Meeting of 09/23/21

Mission Statement: The Planning Commission is to guide the future growth and development for Nashville and Davidson County to 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.



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NO SKETCH



Metro Planning Commission Meeting of 09/23/21

Item # 1
Project Name

Text Amendment 2020Z-013TX-001
Owner Occupied Short Term Rental
Overlay District

Council Bill No.
Council District
School District
Requested by

BL2020-504
Countywide
Countywide
Councilmember Freddie O'Connell

Deferrals

This item was deferred at the January 21, 2021, March 25, 2021, April 22, 2021, June 24, 2021, July 22, 2021, and August 26, 2021, Planning Commission meetings. No public hearing was held.

Staff Reviewer
Staff Recommendation

Shepard
Defer to the October 28, 2021, Planning Commission meeting.

APPLICANT REQUEST

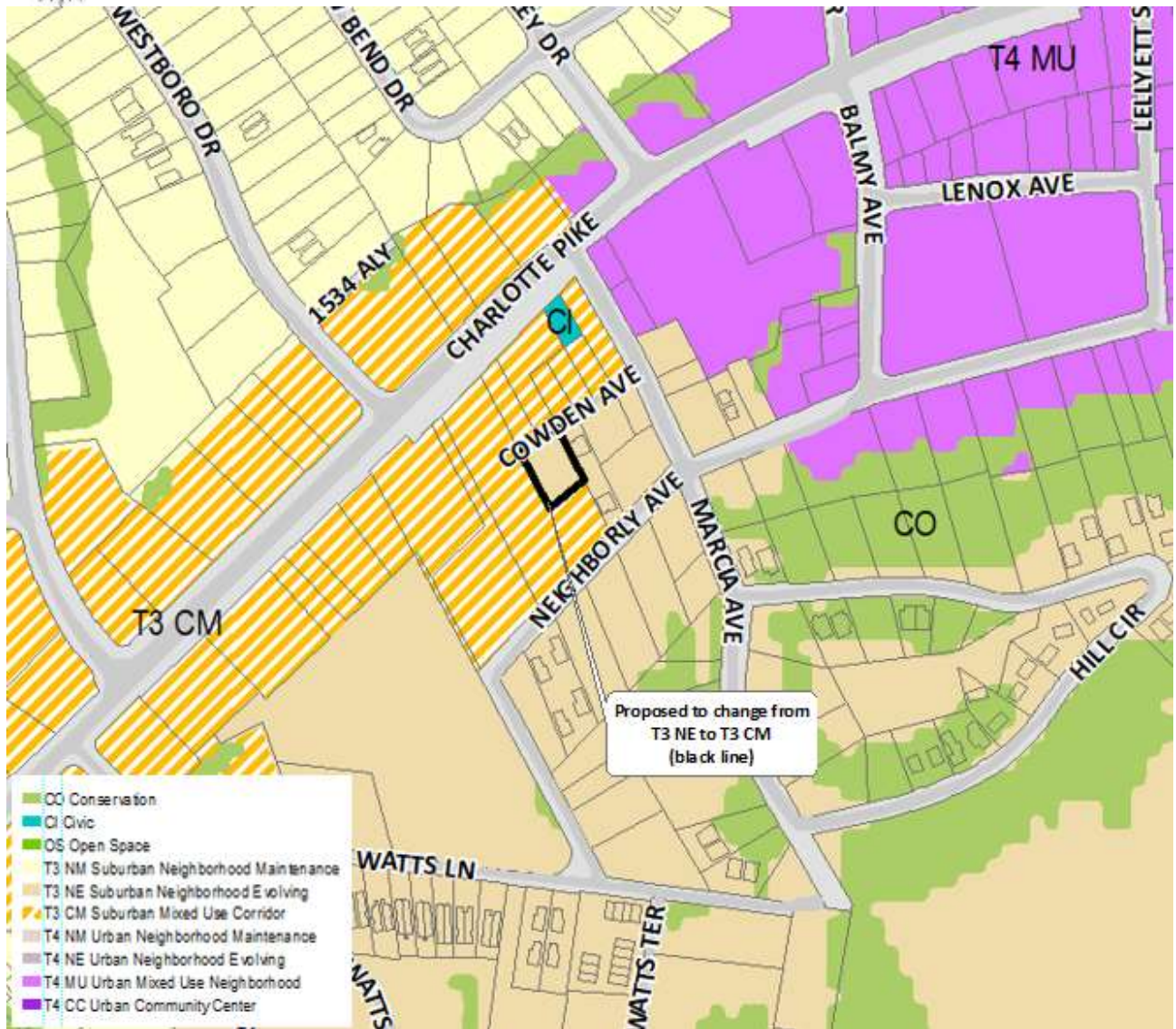
Amend the Zoning Code to create an Owner Occupied Short Term Rental Overlay District.

STAFF RECOMMENDATION

Staff recommends deferral to the October 28, 2021, Planning Commission meeting at the request of the applicant.



Metro Planning Commission Meeting of 09/23/21



2021CP-007-003

WEST NASHVILLE COMMUNITY PLAN AMENDMENT

Map 103-01, Parcel(s) 036

07, West Nashville

20, (Mary Carolyn Roberts)



Metro Planning Commission Meeting of 09/23/21

Item #2a
Project Name

Major Plan Amendment 2021CP-007-003
West Nashville Community Plan
Amendment

Associated Case
Council District
School District
Requested by

2021Z-077PR-001
20 – Roberts
09 – Tylor
Barge Cauthen & Associates, applicant; JJZ Realty
Partnership, GP, owner.

Deferrals

This request was deferred at the August 26, 2021 and
September 9, 2021 Planning Commission meetings. No
public hearing was held.

Staff Reviewer
Staff Recommendation

Clark
*Defer to the October 14, 2021, Planning Commission
meeting.*

APPLICANT REQUEST

Amend West Nashville Community Plan to change the policy.

Major Plan Amendment

A request to amend the West Nashville Community Plan by changing from T3 Suburban
Neighborhood Evolving (T3 NE) policy to T3 Suburban Mixed Use Corridor (T3 CM) policy on
property located at 6111 Cowden Avenue (approximately 0.29 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the October 14, 2021, Planning Commission meeting at the request
of the applicant.



Metro Planning Commission Meeting of 09/23/21



2021Z-077PR-001

Map 103-01, Parcel(s) 036

07, West Nashville

20 (Mary Carolyn Roberts)



Metro Planning Commission Meeting of 09/23/21

Item #2b

Associated Case No.

Council District

School District

Requested by

Zone Change 2021Z-077PR-001

2021CP-007-003

20 – Roberts

09 – Tylor

Barge Cauthen & Associates, applicant; JJZ Realty Partnership, G.P., owner.

Deferrals

This item was deferred from the August 26, 2021, Planning Commission meeting. No public hearing was held.

Staff Reviewer

Staff Recommendation

Swaggart

Defer to the October 14, 2021, Planning Commission meeting.

APPLICANT REQUEST

Zone change from R6 to OR20.

Zone Change

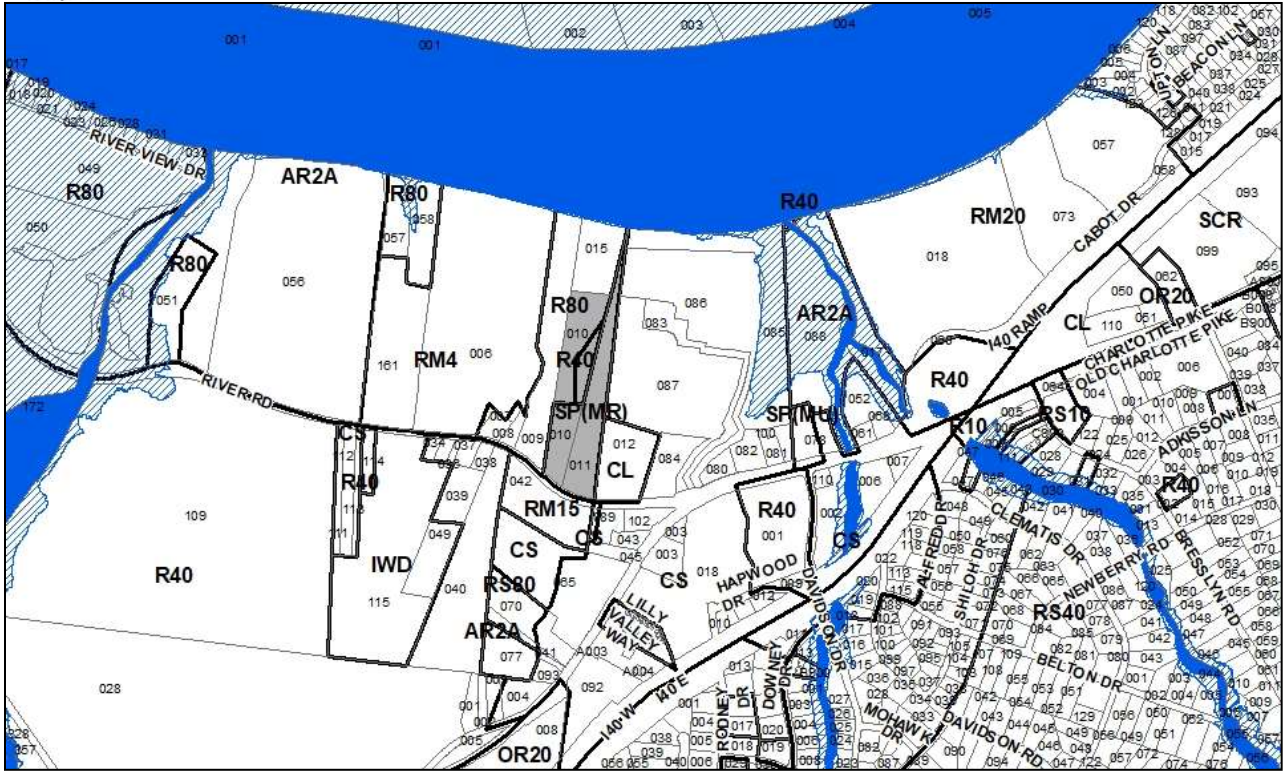
A request to rezone from One and Two-Family Residential (R6) to Office and Residential (OR20) zoning for property located at 6111 Cowden Avenue, at the current terminus of Cowden Avenue (0.29 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the October 14, 2021, Planning Commission meeting.



Metro Planning Commission Meeting of 09/23/21



2018SP-009-003
SAGE RUN (AMENDMENT)
Map 102, Parcel(s) 010.01, 010-011
06, Bellevue
35 (Dave Rosenberg)



Metro Planning Commission Meeting of 09/23/21

Item #3	Specific Plan 2018SP-009-003
Project Name	Sage Run (Amendment)
Council District	35 – Rosenberg
School District	09 – Tylor
Requested by	Dale and Associates, applicant; Sage Run Development, LLC, owners.
Staff Reviewer	Lewis
Staff Recommendation	<i>Defer to the October 14, 2021, Planning Commission meeting.</i>

APPLICANT REQUEST

Amend previously approved SP to permit 160 multi-family units.

Preliminary SP

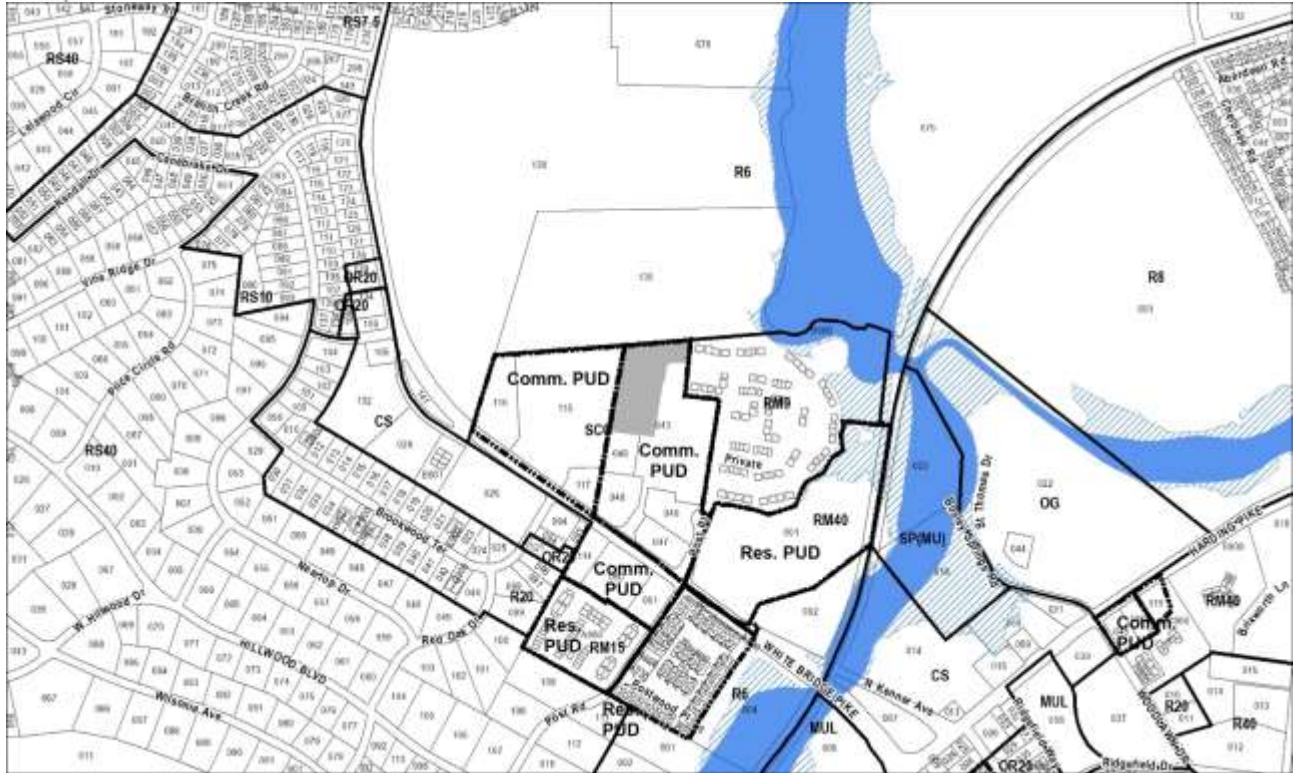
A request to amend a Specific Plan - Residential (SP-R) for properties located at 5754 River Road and River Road (unnumbered), approximately 750 feet west of Charlotte Pike, zoned Specific Plan – Residential (SP-R) (16.47 acres), to add 5.9 acres to the SP and permit 160 multi-family residential units within the entirety of the SP.

STAFF RECOMMENDATION

Staff recommends deferral to the October 14, 2021, Planning Commission meeting.



Metro Planning Commission Meeting of 09/23/21



2021SP-009-001

CRESCENT LIONS HEAD

Map 103-15, Part of Parcel(s) 043

07, WEST NASHVILLE

24 (Kathleen Murphy)



Metro Planning Commission Meeting of 09/23/21

Item #4a	Specific Plan 2021SP-009-001
Project Name	Crescent Lions Head
Associated case	78-74P-003
Council District	24 - Murphy
School District	09 - Frogge
Requested by	Barge Cauthen and Associates, applicant; SCG Lion's Head LLC, owner.

Deferrals This item was deferred at the August 26, 2021, Planning Commission meeting. No public hearing was held.

Staff Reviewer	Elliott
Staff Recommendation	<i>Defer to the October 14, 2021, Planning Commission meeting.</i>

APPLICANT REQUEST

Preliminary SP to permit a mixed-use development.

Zone Change

A request to rezone from Shopping Center Community (SCC) to Specific Plan (SP) zoning for a portion of property located at 40 White Bridge Pike, about 375 feet west of Post Place and located within a Commercial Planned Unit Development Overlay District (3.50 acres), to permit a mixed use development.

STAFF RECOMMENDATION

Staff recommends deferral to the October 14, 2021, Planning Commission meeting at the request of the applicant.



Metro Planning Commission Meeting of 09/23/21



78-74P-003

LIONS HEAD VILLAGE (AMENDMENT)

Map 103-15, Parcel(s) 043

07, West Nashville

24 (Kathleen Murphy)



Metro Planning Commission Meeting of 09/23/21

Item #4b

Project Name

Associated case

Council District

School District

Requested by

Planned Unit Development 78-74P-003

Lions Head Village (Amendment)

2021SP-009-001

24 - Murphy

09 - Frogge

Barge Cauthen and Associates, applicant; SCG Lion's Head LLC, owner.

Deferrals

This item was deferred at the August 26, 2021 Planning Commission meeting. No public hearing was held.

Staff Reviewer

Elliott

Staff Recommendation

Defer to the October 14, 2021, Planning Commission meeting.

APPLICANT REQUEST

Amend preliminary plan for a portion of a Planned Unit Development.

Amend Preliminary PUD

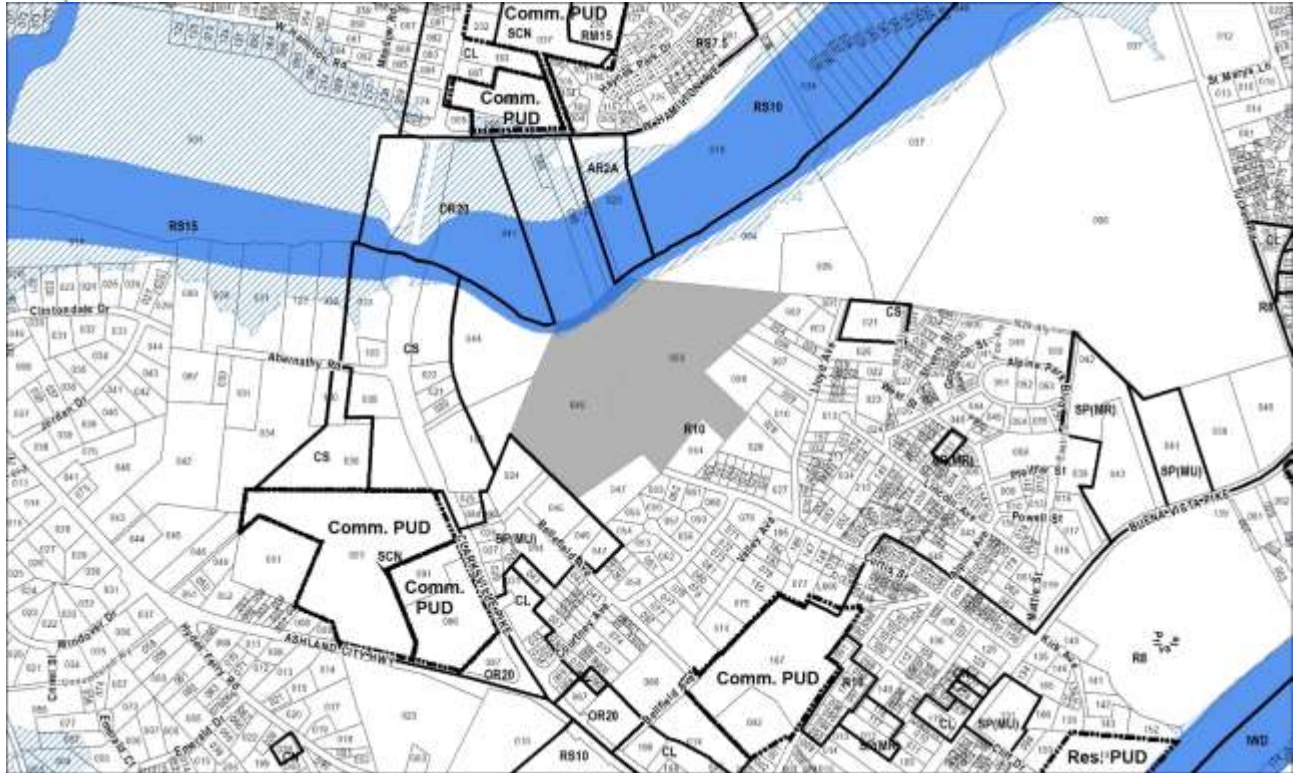
A request to amend a portion of a Commercial Planned Unit Development Overlay District on a portion of property located at 40 White Bridge Pike, about 375 feet west of Post Place, zoned Shopping Center Community (SCC) (3.50 acres), to add multi-family residential as a permitted use and to permit a maximum of 300 multi-family units.

STAFF RECOMMENDATION

Staff recommends deferral to the October 14, 2021, Planning Commission meeting at the request of the applicant.



Metro Planning Commission Meeting of 09/23/21



2021SP-041-001

CURTIS PROPERTY SP

Map 069, Parcel 045; Map 069-08, Parcel 003
03, Bordeaux - Whites Creek - Haynes Trinity
02 (Kyonzté Toombs)



Metro Planning Commission Meeting of 09/23/21

Item #5	Specific Plan 2021SP-041-001
Project Name	Curtis Property SP
Associated Case	2019SP-066-001
Council District	02 - Toombs
School District	1 – Gentry
Requested by	ESP Associates, Inc., applicant; Jerry and Curtis Partners, LLC, owners.
Staff Reviewer	Shane
Staff Recommendation	<i>Defer to the October 14, 2021, Planning Commission Meeting.</i>

APPLICANT REQUEST

Rezone from R10 to Specific Plan to permit a multi-family residential development.

Preliminary SP

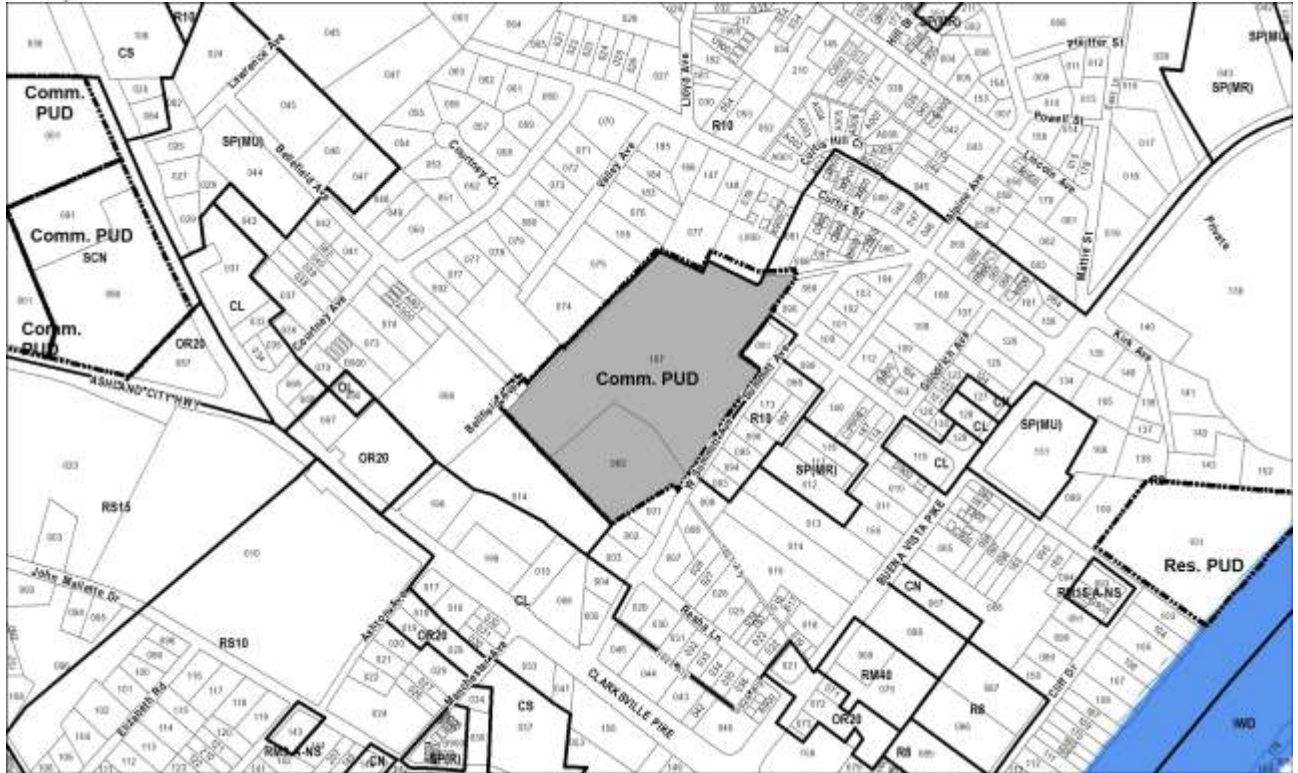
A request to rezone from One and Two-Family Residential (R10) to Specific Plan–Mixed Residential (SP-MR) zoning for properties located at Curtis Street (unnumbered) and Lincoln Avenue (unnumbered), approximately 800 feet northeast of Clarksville Pike (31.58 acres), to permit 300 multi-family residential units.

STAFF RECOMMENDATION

Staff recommends deferral to the October 14, 2021, Planning Commission meeting.



Metro Planning Commission Meeting of 09/23/21



2021SP-046-001

SUMMITT VIEW

Map 070-09, Parcels 092-167

03, Bordeaux – Whites Creek – Haynes Trinity

02 (Kyonzte Toombs)



Metro Planning Commission Meeting of 09/23/21

Item #6a

Specific Plan 2021SP-046-001

Project Name

Summitt View

Associated Case

27-79P-001

Council District

02 – Toombs

School District

01 – Gentry

Requested by

Kimley-Horn, applicant; Comcast of Nashville I LLC, owner.

Deferrals

This item was deferred at the September 9, 2021, Planning Commission meeting. No public hearing was held.

Staff Reviewer

Swaggart

Staff Recommendation

Defer to the October 14, 2021, Planning Commission meeting.

APPLICANT REQUEST

Preliminary SP to permit up to 96 multifamily residential units and maintain an existing telecommunication facility.

Zone Change

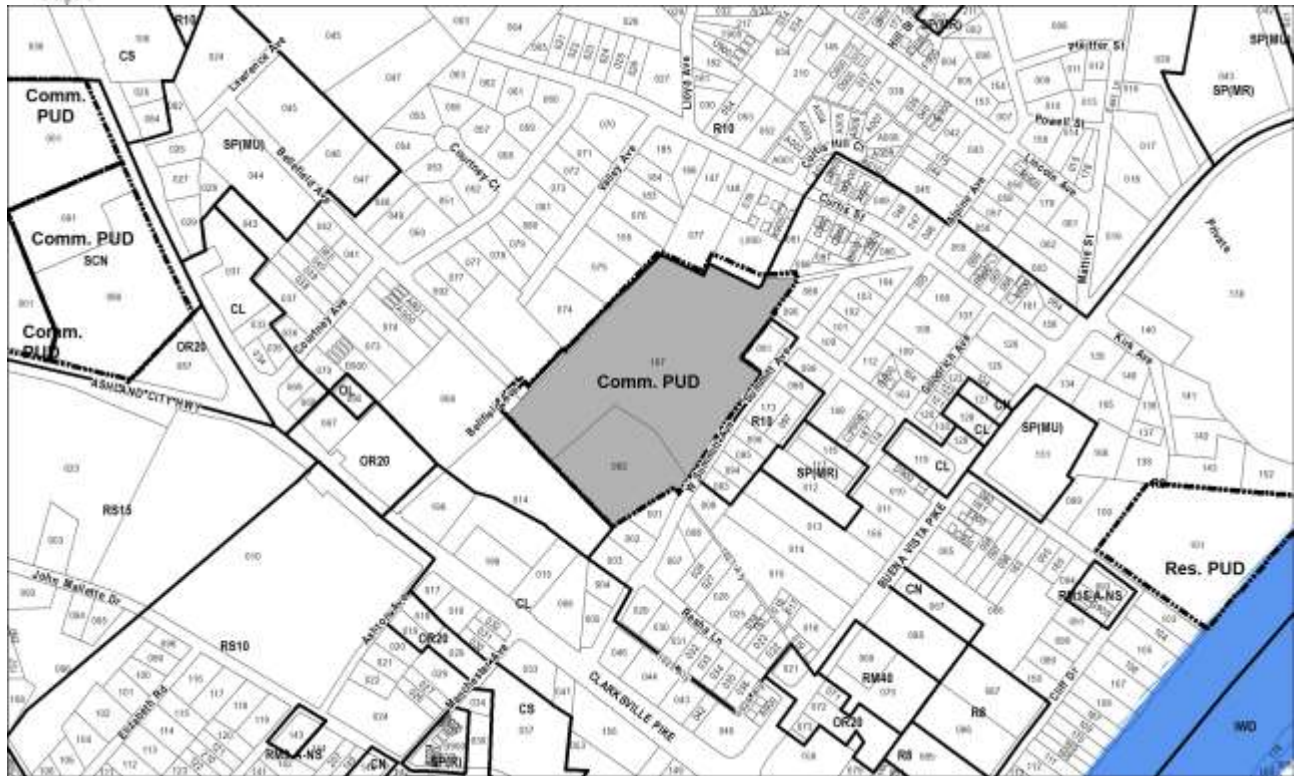
A request to rezone from One and Two-Family Residential (R8) to Specific Plan-Residential (SP-R) zoning for properties located at 2111 and 2115 W Summitt Avenue, approximately 330 feet northeast of Reshna Lane and located within a Commercial Planned Unit Development Overlay District (14.56 acres), to permit up to 96 multi-family residential units and maintain an existing telecommunication facility.

STAFF RECOMMENDATION

Staff recommends deferral to the October 14, 2021, Planning Commission meeting.



Metro Planning Commission Meeting of 09/23/21



27-79P-001

COMMUNICATIONS TOWER PUD (CANCELLATION)

Map 070-09, Parcels 092-167

03, Bordeaux – Whites Creek – Haynes Trinity

02 (Kyonzte Toombs)



Metro Planning Commission Meeting of 09/23/21

Item #6b

Project Name

Associated Case

Council District

School District

Requested by

Planned Unit Development 27-79P-001

Communications Tower PUD (Cancellation)

2021SP-046-001

02 – Toombs

01 – Gentry

Kimley-Horn, applicant; Comcast of Nashville I LLC, owner.

Deferrals

This item was deferred at the September 9, 2021, Planning Commission meeting. No public hearing was held.

Staff Reviewer

Swaggart

Staff Recommendation

Defer to the October 14 2021, Planning Commission meeting.

APPLICANT REQUEST

Cancel a Planned Unit Development Overlay District (PUD).

PUD Cancellation

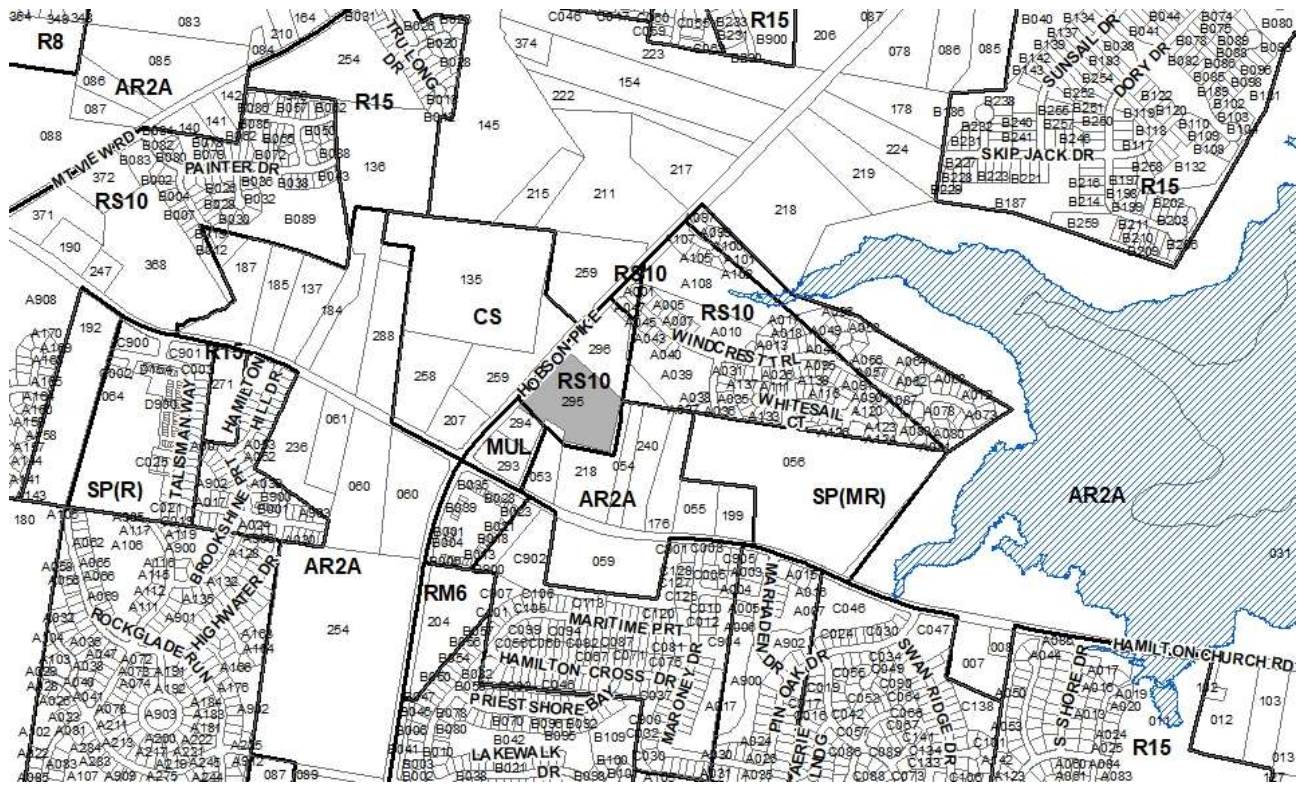
A request to cancel a Planned Unit Development on properties located at 2111 and 2115 W Summitt Avenue, approximately 330 feet northeast of Reshna Lane (14.56 acres), zoned One and Two-Family Residential (R8).

STAFF RECOMMENDATION

Staff recommends deferral to the October 14, 2021, Planning Commission meeting.



Metro Planning Commission Meeting of 09/23/21



2021SP-057-001
MARINA GROVE
Map 164, Parcel(s) 295
13, Antioch – Priest Lake
33 (Antoinette Lee)



Metro Planning Commission Meeting of 09/23/21

Item #7	Specific Plan 2021SP-057-001
Project Name	Marina Grove
Council District	33 – Lee
School District	06 – Bush
Requested by	Civil Design Consultants, LLC, applicant; FAM Properties, LLC, owners.
Staff Reviewer	Lewis
Staff Recommendation	<i>Defer to the October 14, 2021, Planning Commission meeting.</i>

APPLICANT REQUEST

Preliminary SP to permit a mixed-use development.

Zone Change

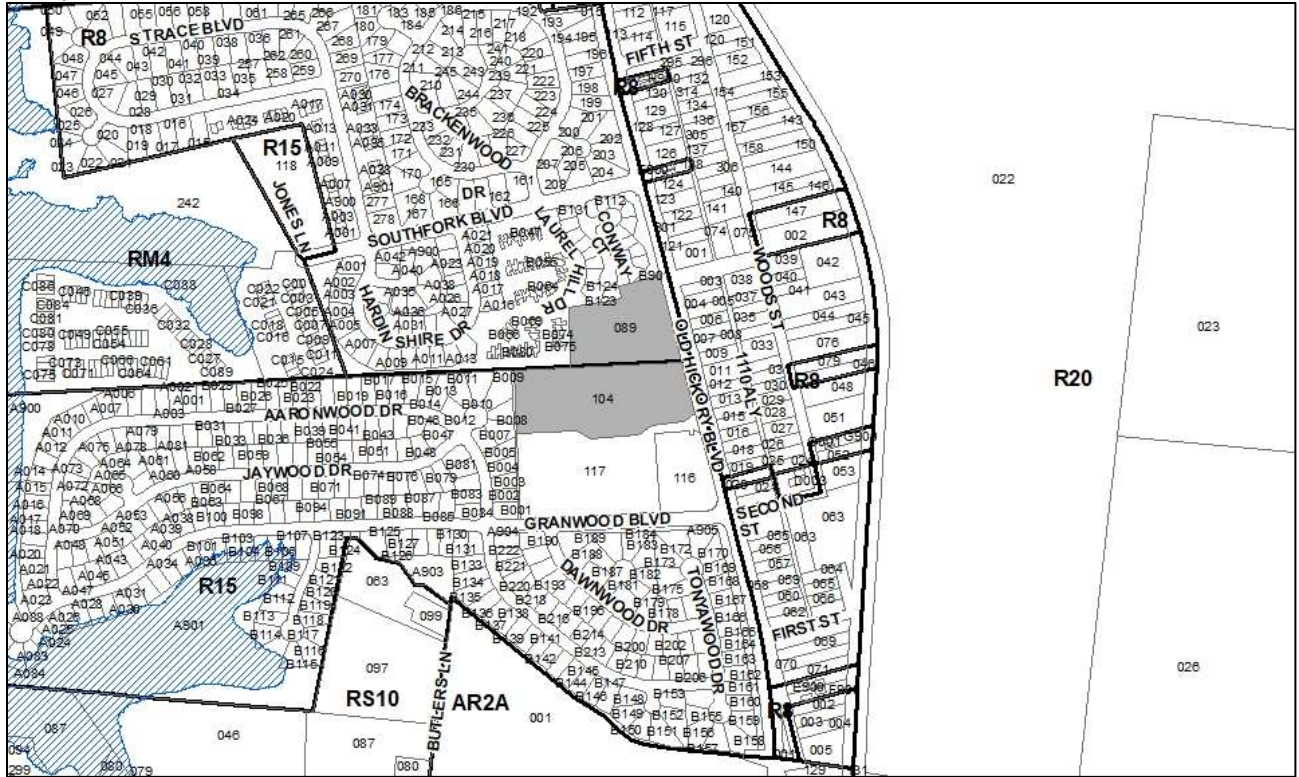
A request to rezone from Single-Family Residential (RS10) to Specific Plan – Mixed Use (SP-MU) zoning for property located at Hobson Pike (unnumbered), approximately 460 feet northeast of Hamilton Church Road, (5.94 acres), to permit a mixed-use development.

STAFF RECOMMENDATION

Staff recommends deferral to the October 14, 2021, Planning Commission meeting.



Metro Planning Commission Meeting of 09/23/21



2021SP-062-001

4321 OLD HICKORY BLVD

Map 064, Parcel(s) 089, 104

14, Donelson - Hermitage – Old Hickory

11 (Larry Hagar)



Metro Planning Commission Meeting of 09/23/21

Item #8a	Specific Plan 2021SP-062-001
Project Name	4321 Old Hickory Boulevard
Associated Case(s)	123-84P-001, 45-86P-003
Council District	11 - Hagar
School District	04 – Little
Requested by	SWS Engineering, Inc., applicant; William L. Butler, owner.

Deferrals This item was deferred from the September 9, 2021, Planning Commission meeting. No public hearing was held.

Staff Reviewer	Shane
Staff Recommendation	<i>Defer to the October 14, 2021, Planning Commission Meeting.</i>

APPLICANT REQUEST

Rezone from R15 and R8 to Specific Plan to permit a multi-family residential development.

Preliminary SP

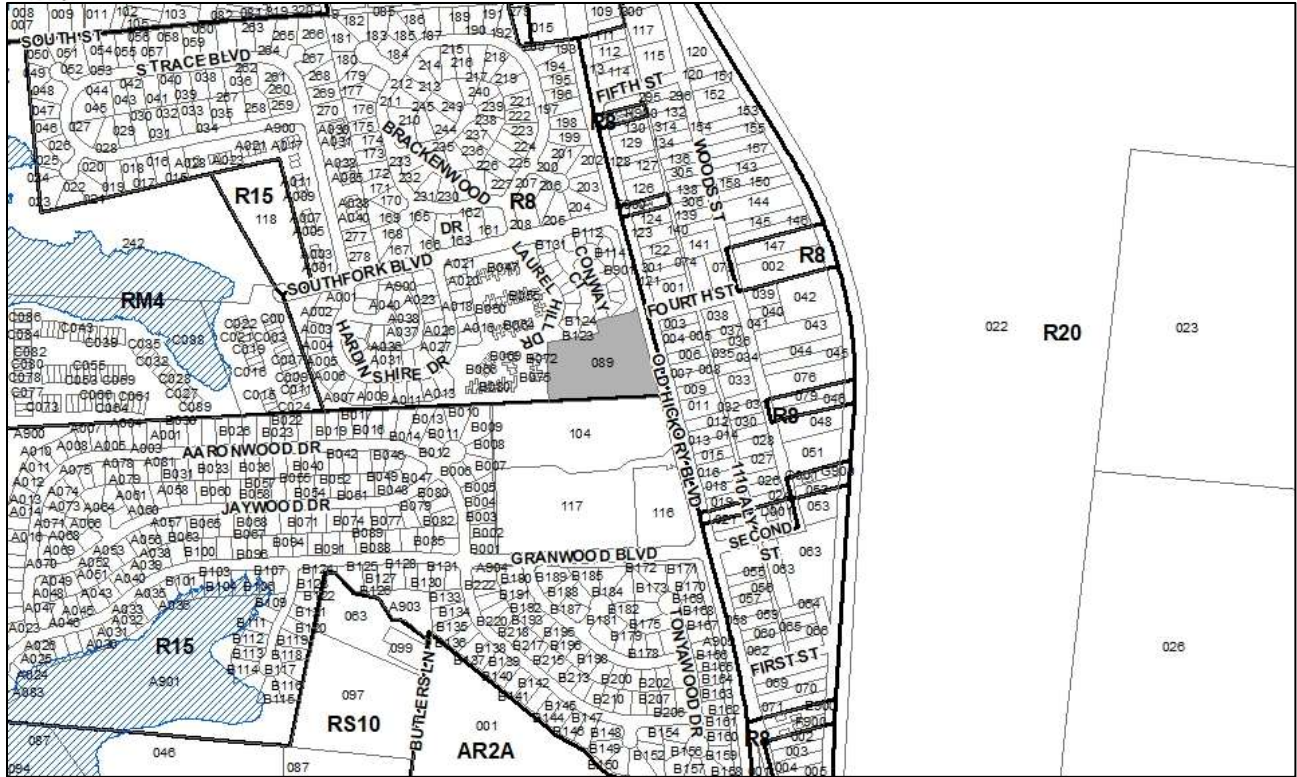
A request to rezone from One and Two-Family Residential (R15) and One and Two-Family Residential (R8) to Specific Plan–Residential (SP-R) zoning for properties located at Old Hickory Boulevard (unnumbered) and 4321 Old Hickory Boulevard, approximately 470 feet north of Granwood Boulevard and located within a Planned Unit Development Overlay District (8.52 acres), to permit 73 multi-family residential units.

STAFF RECOMMENDATION

Staff recommends deferral to the October 14, 2021, Planning Commission meeting at the request of the applicant.



Metro Planning Commission Meeting of 09/23/21



123-84P-001

SOUTH FORK COMMERCIAL PUD (CANCELLATION)

Map 064, Parcel(s) 089

14, Donelson – Hermitage – Old Hickory

11 (Larry Hagar)



Metro Planning Commission Meeting of 09/23/21

Item #8b	Planned Unit Development 123-84P-001
Project Name	South Fork Commercial PUD (Cancellation)
Associated Case(s)	2021SP-062-001; 45-86P-003
Council District	11 - Hagar
School District	04 – Little
Requested by	SWS Engineering, Inc., applicant; William L. Butler, owner.

Deferrals This item was deferred from the September 9, 2021, Planning Commission meeting. No public hearing was held.

Staff Reviewer Shane
Staff Recommendation *Defer to the October 14, 2021, Planning Commission meeting.*

APPLICANT REQUEST

Cancel a portion of a Planned Unit Development.

Cancel Portion of PUD

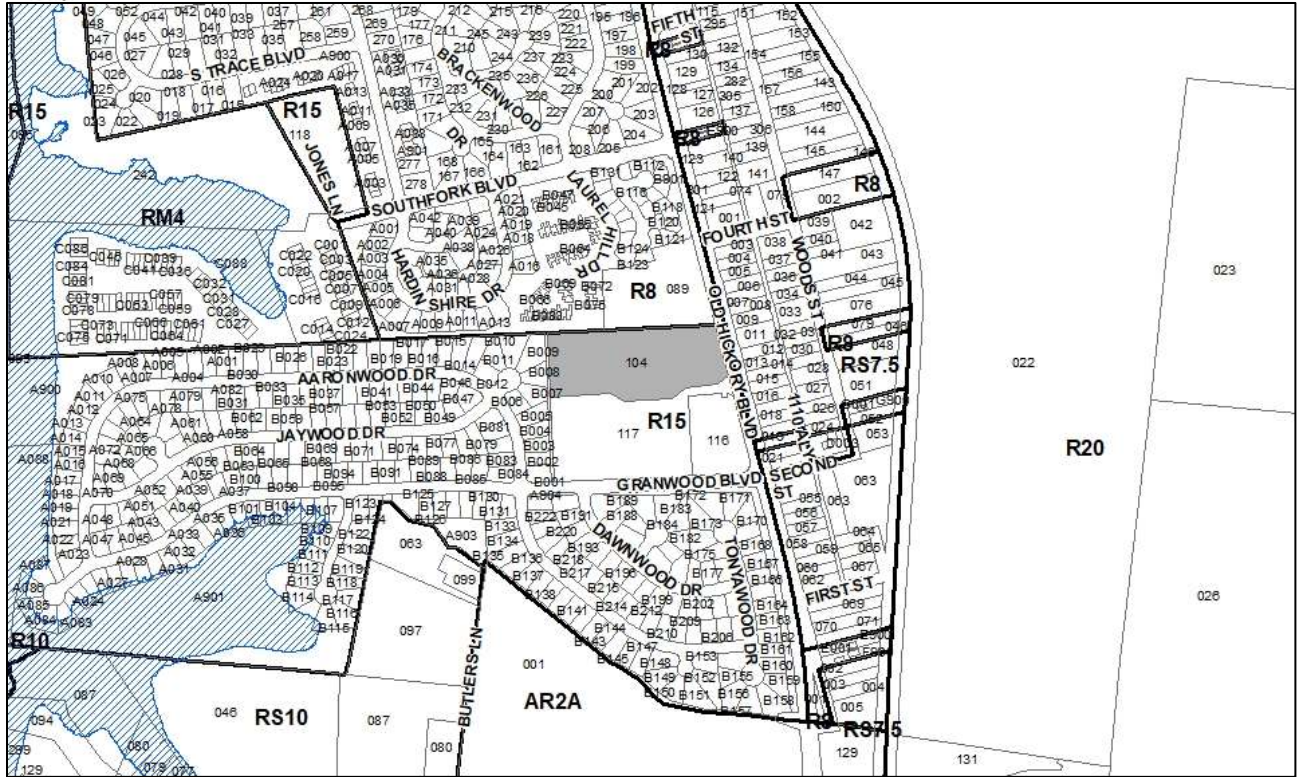
A request to cancel a portion of a Planned Unit Development Overlay District (PUD) for property located at Old Hickory Boulevard (unnumbered), approximately 400 feet south of Southfork Boulevard (3.6 acres), zoned One and Two-Family Residential (R8).

STAFF RECOMMENDATION

Staff recommends deferral to the October 14, 2021, Planning Commission meeting at the request of the applicant.



Metro Planning Commission Meeting of 09/23/21



45-86P-003

GRANWOOD VILLAGE PUD (CANCELLATION)

Map 064, Parcel(s) 104

14, Donelson – Hermitage – Old Hickory

11 (Larry Hagar)



Metro Planning Commission Meeting of 09/23/21

Item #8c
Project Name **Planned Unit Development 45-86P-003**
Associated Case(s) **Granwood Village PUD (Cancellation)**
Council District 2021SP-062-001; 123-84P-001
School District 11 - Hagar
Requested by 04 – Little
SWS Engineering, Inc., applicant; William L. Butler,
owner.

Deferrals This item was deferred from the September 9, 2021, Planning Commission meeting. No public hearing was held.

Staff Reviewer Shane
Staff Recommendation *Defer to the October 14, 2021, Planning Commission Meeting.*

APPLICANT REQUEST

Cancel a portion of a Planned Unit Development.

Cancel Portion of PUD

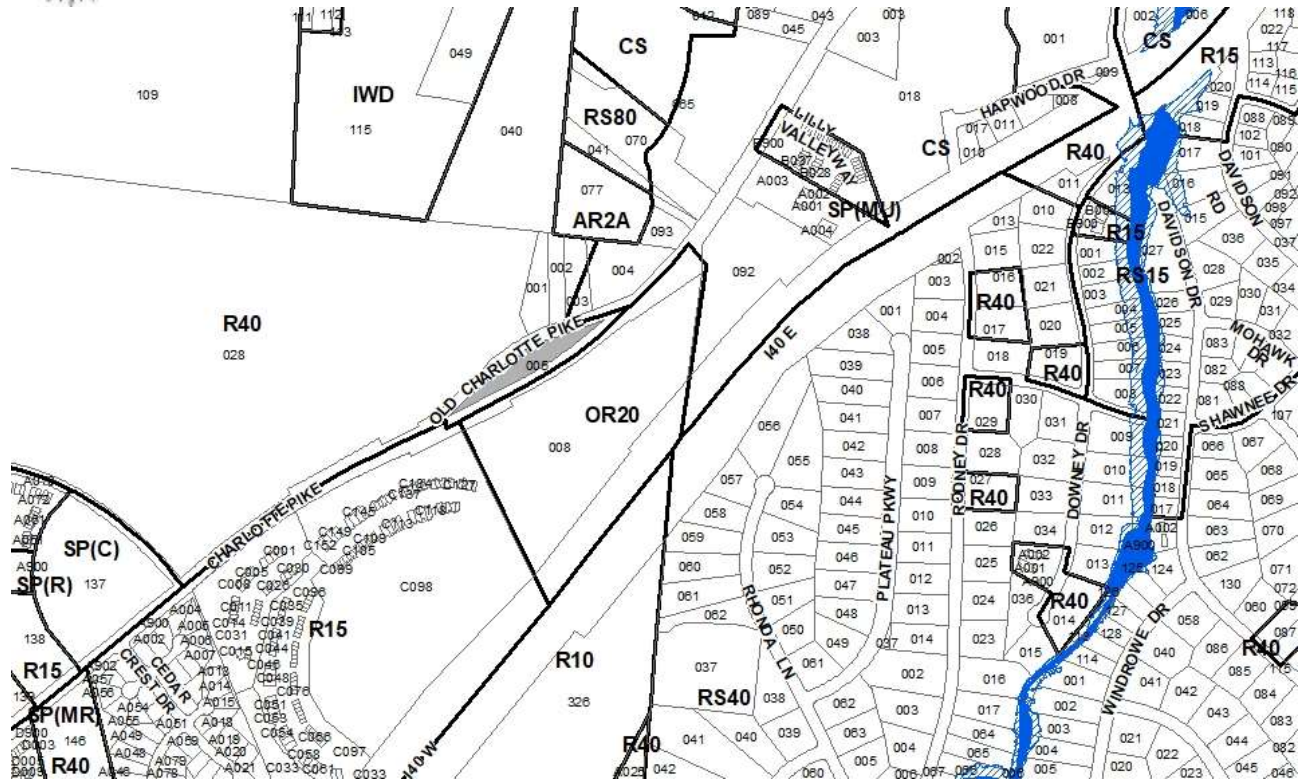
A request to cancel a portion of a Planned Unit Development Overlay District (PUD) for property located at 4321 Old Hickory Boulevard, approximately 430 feet north of Granwood Boulevard (4.92 acres), zoned One and Two-Family Residential (R15).

STAFF RECOMMENDATION

Staff recommends deferral to the October 14, 2021, Planning Commission meeting at the request of the applicant.



Metro Planning Commission Meeting of 09/23/21



2021SP-063-001
CHARLOTTE VIEW WEST
Map 115, Parcel(s) 005
06, Bellevue
35 (Dave Rosenberg)



Metro Planning Commission Meeting of 09/23/21

Item #9	Specific Plan 2021SP-063-001
Project Name	Charlotte View West
Council District	35 – Rosenberg
School District	09 – Tylor
Requested by	Dale & Associates, applicant; Robert B. Beck, ET UX, owner.
Staff Reviewer	Elliott
Staff Recommendation	<i>Defer to the October 14, 2021, Planning Commission meeting.</i>

APPLICANT REQUEST

Preliminary SP to permit 57 multi-family units.

Zone Change

A request to rezone from One and Two-Family Residential (R40) to Specific Plan (SP) zoning for property located at Charlotte Pike (unnumbered), at the corner of Charlotte Pike and Old Charlotte Pike, (1 acre), to permit 57 multi-family residential units.

STAFF RECOMMENDATION

Staff recommends deferral to the October 14, 2021, Planning Commission meeting at the request of the applicant.



Metro Planning Commission Meeting of 09/23/21



2020Z-119PR-001

Various Maps, Various Parcels

08, North Nashville

17 (Freddie O'Connell)



Metro Planning Commission Meeting of 09/23/21

Item #10**Council Bill No.****Council District****School District****Requested by****Zone Change 2020Z-119PR-001**

BL2020-479

19 – O’Connell

1 – Gentry

Councilmember Freddie O’Connell, applicant; various property owners.

Deferrals

This item was deferred at the October 22, 2020, November 12, 2020, January 21, 2021, March 25, 2021, April 22, 2021, June 24, 2021, July 22, 2021, and August 26, 2021 Planning Commission meeting. No public hearing was held.

Staff Reviewer

Elliott

Staff Recommendation

Defer to October 28, 2021, Planning Commission meeting.

APPLICANT REQUEST

Zone change from MUN, MUN-A, MUL-A, MUG, OR20, CS, and CF to MUN-NS, MUN-A-NS, MUL-A-NS, MUG-NS, OR20-NS, CS-NS, and CF-NS.

Zone Change

A request to rezone from Mixed Use Neighborhood (MUN), Mixed Use Neighborhood - Alternative (MUN-A), Mixed Use Limited - Alternative (MUL-A), Mixed Use General (MUG), Office/Residential (OR20), Commercial Service (CS) and Commercial Core Frame (CF) to Mixed Use Neighborhood - No Short Term Rentals (MUN-NS), Mixed Use Neighborhood - Alternative - No Short Term Rentals (MUN-A-NS), Mixed Use Limited - Alternative - No Short Term Rentals (MUL-A-NS), Mixed Use General - No Short Term Rental (MUG-NS), Office/Residential - No Short Term Rental (OR20-NS), Commercial Service - No Short Term Rental (CS-NS), and Commercial Core Frame - No Short Term Rental (CF-NS) zoning for various properties located between Rosa L. Parks Boulevard and 2nd Avenue North, from Hume Street, south to Jefferson Street, and located within the Germantown Historic Preservation District Overlay and the Phillips - Jackson Street Redevelopment District Overlay (68.61 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the October 28, 2021, Planning Commission meeting.



Metro Planning Commission Meeting of 09/23/21



2021Z-070PR-001

Map 075-05, Parcel(s) 044-045

14, Donelson – Hermitage – Old Hickory

14 (Kevin Rhoten)



Metro Planning Commission Meeting of 09/23/21

Item #11
Council District
School District
Requested by

Zone Change 2021Z-070PR-001

14 - Rhoten

4 - Little

Catalyst Design Group, applicant; Irene G. Patton, Ruth E. Patton, Trilby D. Patton, and Aubrey S. Pratt Sr., owners.

Deferrals

This item was deferred at the July 22, 2021, and August 26, 2021, Planning Commission meetings. No public hearing was held.

Staff Reviewer
Staff Recommendation

Swaggart

Defer to the October 14, 2021, Planning Commission meeting.

APPLICANT REQUEST

Zone change from R10 and RS10 to RM15-A-NS.

Zone Change

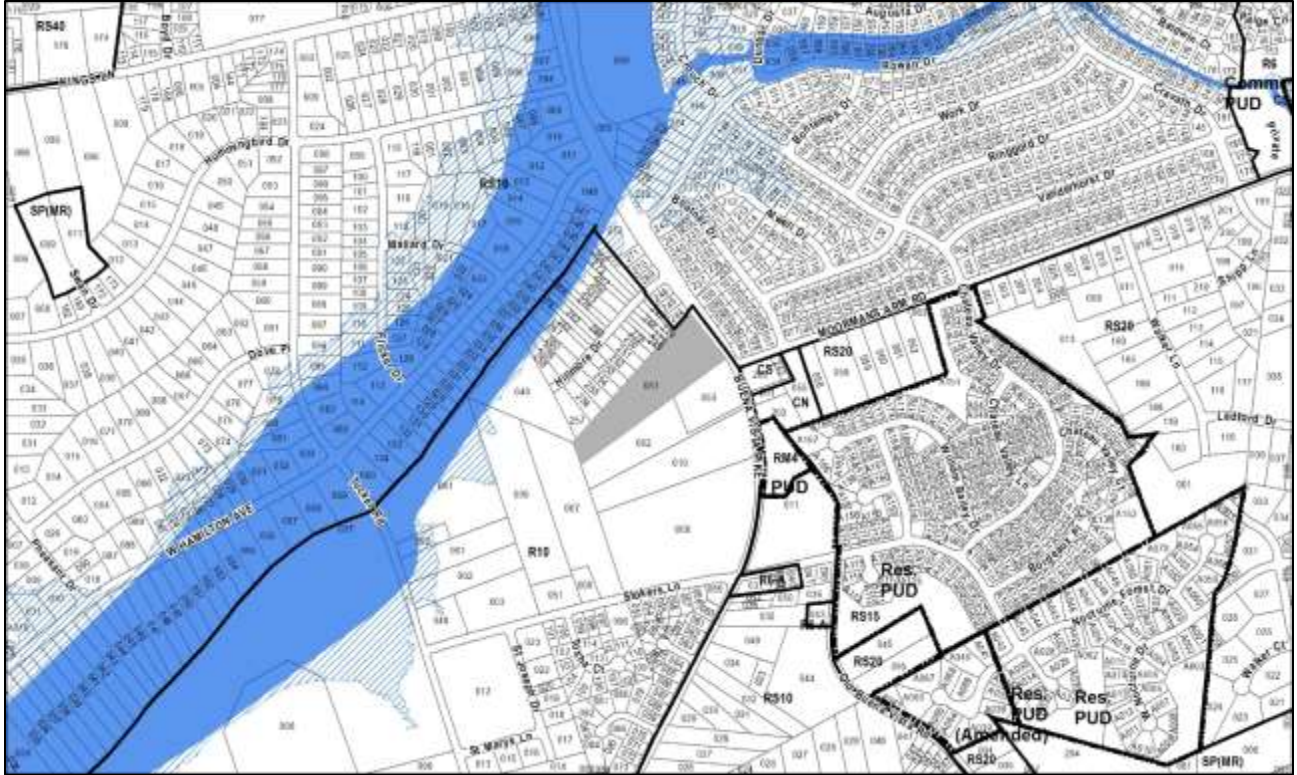
A request to rezone from One and Two-Family Residential (R10) and Single-Family Residential (RS10) to Multi-family Residential-Alternative-No Short Term Rentals (RM15-A-NS) zoning for properties located at Hills Lane (unnumbered), at the southwest corner of Old Hickory Boulevard and Hills Lane (9.58 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the October 14, 2021, Planning Commission meeting at the request of the applicant.



Metro Planning Commission Meeting of 09/23/21



2021S-060-001

SCRUGGS ESTATE

Map 059-14, Parcel(s) 051

03, Bordeaux – Whites Creek – Haynes Trinity

02 (Kyontzé Toombs)



Metro Planning Commission Meeting of 09/23/21

Item #12

Project Name

Council District

School District

Requested by

Final Plat 2021S-060-001

Scruggs Estate

02 – Toombs

1 – Gentry

Daniels and Associates, applicant; Vonda R. Scruggs, owner.

Deferrals

This item was deferred at the April 8, 2021, April 22, 2021, May 13, 2021, June 10, 2021, July 22, 2021, and August 26, 2021, Planning Commission meetings. No public hearing was held.

Staff Reviewer

Lewis

Staff Recommendation

Defer indefinitely.

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 Buena Vista Pike (unnumbered), approximately 1,230 feet north of Stokers Lane, zoned One and Two-Family Residential (R10) (5.63 acres).

STAFF RECOMMENDATION

Staff recommends indefinite deferral at the request of the applicant.



Metro Planning Commission Meeting of 09/23/21



2021S-161-001
 RESUB OF TRACT 1 PLAN OF BRENTWOOD HALL SECTION 5
 Map 146-16, Parcel 139
 12, Southeast
 26 (Courtney Johnston)



Metro Planning Commission Meeting of 09/23/21

Item #13
Project Name

Final Plat 2021S-161-001
Resub Of Tract 1 Plan of Brentwood Hall
Section 5

Council District
School District
Requested by

26 – Johnston
02 – Elrod
Southern Precision, applicant; Michael Cunningham,
owner.

Deferrals

This item was deferred at the August 26, 2021,
Planning Commission meeting. No public hearing was
held.

Staff Reviewer
Staff Recommendation

Lewis
*Defer to the October 28, 2021 Planning Commission
hearing.*

APPLICANT REQUEST
Final plat to create three lots.

Final Plat

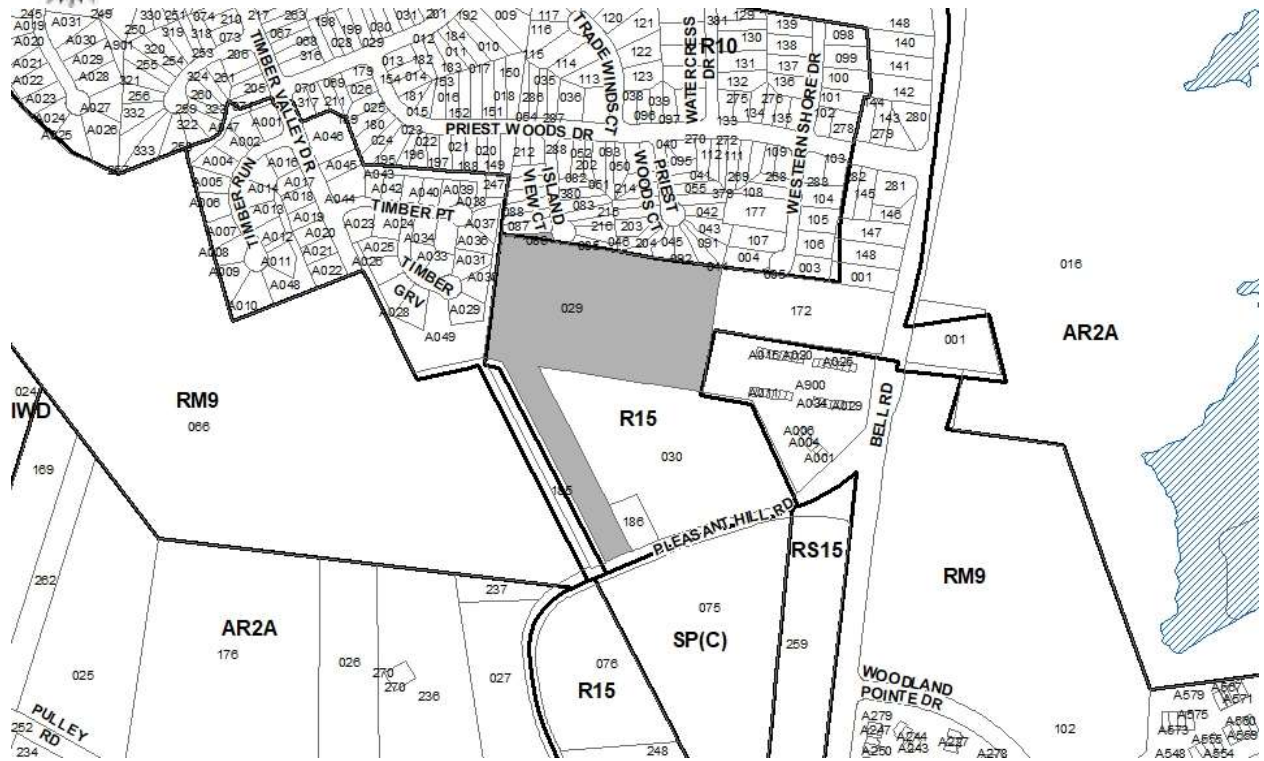
A request for final plat approval to create three lots on property located at 407 Landon Drive, at the southern corner of Landon Drive and Manley Drive, zoned Single-Family Residential (RS20) (2.67 acres).

STAFF RECOMMENDATION

Staff recommends the item be deferred to the October 28, 2021, Planning Commission hearing at the request of the applicant.



Metro Planning Commission Meeting of 09/23/21



2021S-174-001

PLEASANT COVE CONCEPT PLAN

Map 108-16, Parcel 086

Map 121, Parcel(s) 029

14, Donelson - Hermitage - Old Hickory

13 (Russ Bradford)



Metro Planning Commission Meeting of 09/23/21

Item #14

Project Name

Council District

School District

Requested by

Concept Plan 2021S-174-001

Pleasant Cove Concept Plan

13 - Bradford

7 - Player-Peters

Dale & Associates, applicant; Platinum Invest LLC, owner.

Staff Reviewer

Elliott

Staff Recommendation

Defer to the October 14, 2021, Planning Commission meeting.

APPLICANT REQUEST

Concept plan approval to create 22 cluster lots with 5 duplex lots for a total of 27 units.

Concept Plan

A request for concept plan approval to create 22 lots with 5 duplex lots for a total of 27 units on properties located at 1363 Pleasant Hill Road and Island View Court (unnumbered), approximately 780 feet southwest of Bell Road, zoned One and Two-Family Residential (R10 and R15) (8.97 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the October 14, 2021, Planning Commission meeting.



Metro Planning Commission Meeting of 09/23/21



2021HL-003-001

Map 042-12, Parcel(s) 066

04, Madison

08 (Nancy VanReece)



Metro Planning Commission Meeting of 09/23/21

Item #15a

Historic Landmark Overlay

2021HL-003-001

Associated Case

2021NL-003-001

Council Bill No.

BL2021-853/BL2021-889

Council District

08 – VanReece

School District

03 - Masters

Requested by

Councilmember Nancy VanReece, applicant; Brandon Thornberry, owner.

Deferrals

This item was deferred from the August 26, 2021, Planning Commission meeting. No public hearing was held.

Staff Reviewer

Harrison

Staff Recommendation

Defer to the October 28, 2021, Planning Commission meeting.

APPLICANT REQUEST

Apply a Historic Landmark Overlay District.

Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to property located at 435 Old Hickory Boulevard, at the southeast corner of Donna Drive and Old Hickory Boulevard, zoned RS20 (1.44 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the October 28, 2021, Planning Commission meeting.



Metro Planning Commission Meeting of 09/23/21



2021NL-003-001
435 OLD HICKORY BOULEVARD
Map 042-12, Parcel(s) 066
04, Madison
08 (Nancy VanReece)



Metro Planning Commission Meeting of 09/23/21

Item #15b	Neighborhood Landmark 2021NL-003-001
Project Name	435 Old Hickory Boulevard
Associated Case	2021HL-003-001
Council Bill No.	BL2021-854
Council District	08 – VanReece
School District	03 - Masters
Requested by	Councilmember Nancy VanReece, applicant; Brandon Thornberry, owner.

Deferrals This item was deferred from the August 26, 2021, Planning Commission meeting. No public hearing was held.

Staff Reviewer Harrison
Staff Recommendation *Defer to the October 28, 2021, Planning Commission meeting.*

APPLICANT REQUEST

Neighborhood Landmark Overlay District (NLOD) to allow the uses of commercial amusement and short-term rental, within an existing single-family residence.

Neighborhood Landmark Development Plan

A request to apply a Neighborhood Landmark Overlay District to property located at 435 Old Hickory Boulevard, at the southeast corner of Donna Drive and Old Hickory Boulevard, zoned RS20 (1.44 acres), to permit commercial amusement and not owner-occupied short-term rentals.

STAFF RECOMMENDATION

Staff recommends deferral to the October 28, 2021, Planning Commission meeting.



NO SKETCH



Metro Planning Commission Meeting of 09/23/21

Item #16**Project Name****Council Bill No.****Council District****School District****Requested by****Text Amendment 2021Z-012TX-001****Short Term Rental Property Parking**

BL2021-831

Countywide

Countywide

Councilmembers Freddie O'Connell, Russ Bradford,
and Sean Parker**Staff Reviewer**

Shane

Staff Recommendation*Approve amendments to Title 17.***APPLICANT REQUEST**

Amend the Zoning Code's definition of "Short term rental property (STRP)–Not owner-occupied" and amend parking requirements related to "Short term rental property (STRP)–Not owner-occupied."

PROPOSED AMENDMENTS TO TITLE 17

The proposed bill would amend the definition of STRP–Not owner-occupied in the Zoning Code and the parking requirements related to STRP–Not owner-occupied. The proposed text amendment modifies Section 6.28.030 ("Hotels and Boardinghouses" within the Metro Code of Ordinances) and Section 17.04.060 ("Definitions" within the Zoning Ordinance) to remove the word "residential" from the definition of STRP–Not owner-occupied. It would also amend Section 17.02.030 to create a minimum parking requirement for the STRP–Not owner-occupied use. Planning is making a recommendation on the changes to Title 17 only.

These proposed changes are shown below with text to be removed shown with strikethrough and text to be added shown in underline:

Section 1. That Section 6.28.030.B of the Metropolitan Code is hereby amended as follows:

B. "Short term rental property (STRP)-Not owner-occupied" means a ~~residential~~ dwelling unit that is not owner-occupied containing not more than four sleeping rooms that is used and/or advertised through an online marketplace for rent for transient occupancy by guests.

Section 2. That Subsection 17.04.060.B of the Metropolitan Code is hereby amended the definition of "Short term rental property - Not owner occupied" as follows:

"Short term rental property (STRP)-Not owner-occupied" means a ~~residential~~ dwelling unit that is not owner-occupied containing not more than four sleeping rooms that is used and/or advertised through an online marketplace for rent for transient occupancy by guests.



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Section 3. That Table 17.20.030 in Section 17.20.030 of the Metropolitan Code is hereby amended by adding the following under “Commercial Land Uses”:

Short Term Rental Property - Not Owner Occupied 1 space per bedroom/sleeping area

BACKGROUND

The Code of Ordinances, including the Metro Zoning Code (Article 17), identifies two classes of Short term rental property (STRP) uses—Owner-occupied and Not owner-occupied. Metro Nashville’s experience with STRP has confirmed that while Owner-occupied properties do not overly disrupt the character, congestion, and tempo of a neighborhood, Not owner-occupied properties have varying effects. STRP–Owner-occupied is allowed in all residential districts excluding NS (“No Short term rental”) districts while STRP–Not owner-occupied is only permitted with conditions in mixed use and commercial districts. Even so, Not owner-occupied STRPs are currently only required to provide the same number of parking spaces as a similarly sized non-transient residential unit. Because these STRPs are usually shared by multiple individuals or groups of individuals driving separate vehicles, the lack of an appropriate minimum parking requirement has led to spillover effects for surrounding businesses and residences.

ANALYSIS

The proposed amendments clarify the non-residential nature of Not owner-occupied STRPs (Sections 6.28.030.B and 17.04.060.B) and establish an appropriate minimum parking requirement for these uses (Section 17.20.030). The amendments removing the word “residential” from the definition of STRP–Not owner-occupied make clear that these uses are considered commercial ventures rather than accessory residential uses. This is a necessary preliminary step to establishing parking minimums for such uses under the “Commercial Land Uses” heading of Table 17.20.030. By defining them in commercial terms, STRP–Not owner-occupied uses can be classified as such with regard to parking requirements. The parking requirements proposed mirror those required of hotel/motels: one space per rooming unit (or in this case, one space per bedroom/sleeping area).

The proposed amendments correct an oversight that has impaired Metro’s attempt to control the STRP phenomenon. By adopting these amendments, surrounding businesses and residences will be protected from the externality that results from Not owner-occupied STRPs dispersing their parking needs across neighborhoods because of a lack of adequate parking provision on their own sites. The amendment will bring parking requirements more in line with market realities and result in less impact on surrounding sites and city streets. For these reasons planning staff recommends approval of the proposed text amendments to Title 17.

ZONING ADMINISTRATOR RECOMMENDATION

No exception taken.

FISCAL IMPACT RECOMMENDATION

The Metro Codes Department will implement this section of the Zoning Code at the time of permit review as is their current practice. The Codes Department anticipates the proposed amendment to be revenue neutral.



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STAFF RECOMMENDATION

Staff recommends approval of the proposed changes to Title 17.

ORDINANCE NO. BL2021-831

An ordinance amending Sections 6.28.030, 17.04.060, and 17.20.030 of the Metropolitan Code to amend the definition of “Short term rental property (STRP)-Not owner-occupied” and to amend parking requirements related to “Short term rental property (STRP)-Not owner-occupied” (Proposal No. 2021Z-012TX-001).

BE IT ENACTED BY THE METROPOLITAN COUNCIL OF NASHVILLE & DAVIDSON COUNTY:

Section 1. That Section 6.28.030.B of the Metropolitan Code is hereby amended as follows:

B. “Short term rental property (STRP)-Not owner-occupied” means a ~~residential~~ dwelling unit that is not owner-occupied containing not more than four sleeping rooms that is used and/or advertised through an online marketplace for rent for transient occupancy by guests.

Section 2. That Subsection 17.04.060.B of the Metropolitan Code is hereby amended the definition of “Short term rental property - Not owner occupied” as follows:

“Short term rental property (STRP)-Not owner-occupied” means a ~~residential~~ dwelling unit that is not owner-occupied containing not more than four sleeping rooms that is used and/or advertised through an online marketplace for rent for transient occupancy by guests.

Section 3. That Table 17.20.030 in Section 17.20.030 of the Metropolitan Code is hereby amended by adding the following under “Commercial Land Uses”:

Short Term Rental Property - Not Owner Occupied 1 space per bedroom/sleeping area

Section 4. That this Ordinance shall take effect five (5) days from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.



NO SKETCH



Metro Planning Commission Meeting of 09/23/21

Item #17
Project Name

Text Amendment 2021Z-016TX-001
Notice Requirements for Multi-family Properties

Council Bill No.
Council District
School District
Requested by

BL2021-844
Countywide
Countywide
Councilmember Sean Parker

Staff Reviewer
Staff Recommendation

Lewis
Approve the substitute ordinance.

APPLICANT REQUEST

Amend the Zoning Code to include notice requirements for multi-family and mobile home properties.

PROPOSED AMENDMENTS TO TITLE 17

The proposed text amendment would modify Section 17.40.720, Notice by Mail, regarding mail noticing for applications on multi-family properties. The proposed changes are outlined below:

Section 1. That Section 17.40.720 of the Metropolitan Code of Laws is hereby amended by adding the following new subsection D (shown in underline below)

- A. No public hearing shall be conducted unless, at least twenty-one days prior to the public hearing, the owner(s) of the subject property and all other property owners within one thousand feet of the subject property have been given notice of the time, date and place of the public hearing. Properties owned by the applicant shall not be included in the distance measurement for public notice. For a public hearing conducted by the board of zoning appeals, the appellant shall be notified by certified mail. In addition to notification of individual property owners, an incorporated condominium association registered with the metropolitan clerk as requesting notification shall also be notified. The provisions of this article shall not apply to the adoption or subsequent amendment of this title, or to amendments of the official zoning map involving floodplain or airport overlay districts.
- B. For the revision of existing design guidelines for historic overlays, property owners within one hundred and fifty feet shall be provided written notice.
- C. The planning department shall have the responsibility for the preparation and mailing of written notices regarding the public hearing for amendments to the official zoning map initiated by a member or members of council that fall within the fee waiver exceptions in Section 17.40.740.C of the Metropolitan Code. The planning department shall also be responsible for all costs associated with the preparation and mailing of such written notices for three zoning applications per councilmember applicant each fiscal year. The planning department shall make reasonable efforts to combine public hearing written notices into one mailing to limit postage costs.
- D. (New Section)
 - 1. For the subject property where the tax records reflect a mailing address that is different than the address of the subject property, then notification shall also be



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mailed to the address of the property. The following properties shall be exempt from this requirement:

- a. Properties included in the application of an Overlay District as listed in Chapter 17.36, excluding Planned Unit Development Overlays.
 - b. Properties included in an application to rezone 10 or more parcels filed by a member of the Metropolitan Council in their official capacity.
2. If the subject property is designated as multi-family or mobile home park, in the official tax record, one sign shall be posted by the applicant at each ingress/egress onto the multitenant property. The signage shall comply with the requirements of subsections 17.40.730.B, 17.40.730.C.3, and 17.40.730.D and must be positioned in a manner to best inform the public residing at the multi-tenant property without creating a safety hazard.

BACKGROUND

The requirement for public notices has long been a part of the public hearing process. Legislation to increase the distance required for public notices has been frequent in the last 17 years, with the most recent amendment changing the notice radius from 600 feet to 1,000 feet, which is the current standard in Section 17.40.720.A.

Planning staff has been coordinating with the applicant and Council staff to prepare and file a substitute ordinance, which was introduced on September 7. The substitute ordinance is at the end of this report. The analysis and recommendation in this report have been based on the substitute ordinance.

ANALYSIS

Metro Code Article XV “Public Notification” requires that when an application requiring a public hearing is filed that public notice shall be provided via the newspaper, by mail, and with public notice signs. Planning staff prepares and sends to the applicants the notices and list of property owners within the 1,000 feet as required by Section 17.40.720.A. Planning staff is responsible for the accurate preparation of these notices and distribution to the applicants, where the applicant is responsible for printing and returning the prepared notices to the Planning Department for them to be mailed.

The list of addresses provided to an applicant by Planning Staff is based on addresses provided by the Assessor’s Office. Notice is also sent to the property owner. There are times when the mailing address of the property owner of the subject property differs than the address of the property owner itself. The goal of the proposed legislation is to provide noticing to the property address and any tenants that may live on the subject property that otherwise would not have received notice.

The first change, as outlined in the new subsection D.1., would be that when the mailing address and property address of the subject property differ, an additional notice would be required to be sent to the subject property. Exemptions are provided for application of an overlay or applications filed by district councilmembers to rezone 10 or more properties.



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The second change is to provide additional signage in instances when the land use of the subject property is designated as multi-family or mobile home park. Each parcel within the county is assigned a land use in accordance with the use of the site. These land uses can include but are not limited to: vacant, commercial, institutional, residential (1 unit), residential (2 or 3 units), residential (4+ units). Multi-family properties are considered as those with three or more dwelling units within a single structure, or three or more units on one lot. As proposed, if the subject property is classified as multi-family or with multiple mobile homes on the site, additional signage would be required at each ingress/egress point on the property. The signage requirements of subsections 17.40 would still apply.

Providing multiple forms of public notice provides opportunities to inform surrounding property owners as decisions made in a public hearing can affect individual properties, properties all along a street, and even a larger scale such as a neighborhood. While the most recently adopted legislation related to noticing focused on expanding the boundaries to include a larger area, this legislation is focusing on a specific instance where individuals at a property may not receive notice of changes on the property. Planning staff is supportive of actions to improve public hearing notices to all residents. The proposed substituted ordinance is an attempt to improve notice for all residents of an area, including non-owner residents of a subject site. By providing additional requirements for notice by mail and signage on properties, the overall goal of improving notices to residents of a subject property is met.

ZONING ADMINISTRATOR RECOMMENDATION

No exception taken.

FISCAL IMPACT RECOMMENDATION

The Codes Department anticipates the proposed amendment to be revenue neutral.

STAFF RECOMMENDATION

Staff recommends approval of the substitute.

SUBSTITUTE ORDINANCE NO. BL2021-844 (as amended)

An Ordinance to amend Section 17.40.720 of the Metropolitan Code of Laws to require notice by mail to the address of a property in certain cases (Proposal No. 2021Z-016TX-001).

BE IT ENACTED BY THE METROPOLITAN COUNCIL OF NASHVILLE & DAVIDSON COUNTY:

~~Section 1. That Section 17.40.720 of the Metropolitan Code of Laws is hereby amended by deleting subsection A in its entirety and replacing it with the following:~~

- ~~A. No public hearing shall be conducted unless, at least twenty one days prior to the public hearing, the owner(s) of the subject property and all other property owners within one thousand feet of the subject property have been given notice of the time, date and place of the public hearing. Properties owned by the applicant shall not be included in the distance~~



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~~measurement for public notice. Where the tax records reflect a mailing address for a property owner to be different than the address of the property owned, then notification shall also be mailed to the address of the property itself. If the individual mailing addresses of tenants in any multi-tenant property are not readily available, the applicant shall comply with subsection D. For a public hearing conducted by the board of zoning appeals, the appellant shall be notified by certified mail. In addition to notification of individual property owners, an incorporated condominium association registered with the metropolitan clerk as requesting notification shall also be notified. The provisions of this article shall not apply to the adoption or subsequent amendment of this title, or to amendments of the official zoning map involving floodplain or airport overlay districts.~~

Section 1. That Section 17.40.720 of the Metropolitan Code of Laws is hereby amended by adding the following new subsection D:

D. 1. For the subject property where the tax records reflect a mailing address that is different than the address of the subject property, then notification shall also be mailed to the address of the property. The following properties shall be exempt from this requirement:

- a. ~~b.~~ Properties included in the application of an Overlay District as listed in Chapter 17.36, excluding Planned Unit Development Overlays.
- b. ~~e.~~ Properties included in an application to rezone 10 or more parcels filed by a member of the Metropolitan Council in their official capacity.

2. If the subject property is designated as multi-family or mobile home park, in the official tax record, one sign shall be posted by the applicant at each ingress/egress onto the multitenant property. The signage shall comply with the requirements of subsections 17.40.730.B, 17.40.730.C.3, and 17.40.730.D and must be positioned in a manner to best inform the public residing at the multi-tenant property without creating a safety hazard.

Section 2. That Section 17.40.720 of the Metropolitan Code of Laws is hereby further amended by adding the following new subsection D:

~~D. When notice is provided to a multi-tenant property pursuant to subsection A and the individual addresses of tenants in the multi-tenant property are not readily available, signage shall be posted by the applicant in front of the multi-tenant property. The signage shall comply with the requirements of 17.40.730, except that only one such sign shall be required to be posted at the multi-tenant property and must be positioned in a manner to best inform the public residing at the multi-tenant property without creating a safety hazard.~~

Section 32. That this Ordinance shall take effect five (5) days from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.



SEE NEXT PAGE



NO SKETCH



Metro Planning Commission Meeting of 09/23/21

Item #18**Project Name****Council Bill No.****Council District****School District****Requested by****Text Amendment 2021Z-017TX-001****Historic Landmark Signage District**

BL2021-843

Countywide

Countywide

Councilmember Mary Carolyn Roberts

Staff Reviewer

Shane

Staff Recommendation*Approve.***APPLICANT REQUEST**

Amend the Zoning Code to create a Historic Landmark Signage (HS) overlay district.

PROPOSED AMENDMENTS TO TITLE 17

The proposed bill would amend the Zoning Code to create a historic overlay district protecting Historic Landmark Signs (HS). The proposed text amendment would modify Section 17.36.110 by adding a section establishing the HS district as a historic overlay district and Section 17.36.120 by defining said district's purpose and parameters, in addition to its relation to allowable sign area calculations. Section 17.40.550 would be modified to include language more inclusive of the diversity of historic overlay districts within the Code and proposed by this amendment.

These proposed changes are shown below with text to be added shown in underline:

Section 1. That Section 17.36.110 of the Metropolitan Code of Laws is hereby amended by adding a new subsection F as follows:

F. Historic Landmark Signage (HS) District. The boundaries shall be shown on the zoning map or on special overlays thereto that are made a part of this zoning code and noted by name on such maps, in which no signage shall be constructed, altered, repaired, relocated or demolished in whole or in part unless the action complies with the requirements set forth in this title.

Section 2. That Section 17.36.120 of the Metropolitan Code of Laws is hereby amended by adding a new subsection E as follows:

E. Historic Landmark Signage.

1. Signage must meet all of the following criteria to qualify as a Historic Landmark Sign (HS):

a. Materials, technology, and design. The signage must be representative of excellence in a particular period of construction; and/or must be unique in that it demonstrates extraordinary aesthetic quality, creativity or innovation.

b. Integrity. The signage must retain the majority of its character-defining features (materials, technologies, structure, colors, shapes, symbols, text, and/or art) that have historical significance, or are integral to overall sign design, or convey historical or



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regional context. If character-defining features have been altered or removed, the majority must be potentially restorable to their historic function and appearance.

c. Location. The sign shall not be an off-site sign or billboard, as defined in the Zoning Code.

d. An historic landmark sign must be constructed more than fifty years before the date of application.

2. Sign calculations for a landmark sign:

a. Where the landmark sign does not identify the business occupying the premises and is not used by an owner or occupant of the premises to advertise a business currently occupying the premises, the landmark sign shall not count against the total allowable sign area for the premises and shall not count against the number of signs allowed for the premises.

b. Where the landmark sign does identify the business occupying the premises or is used or adaptively reused by an owner or occupant of the premises to advertise a business currently occupying the premises, fifty percent of the square footage of the landmark sign shall count toward the total allowable sign area and shall count against the number of signs allowed for the premises.

c. Sign calculations shall be determined and confirmed by the Codes Department.

Section 3. That Section 17.40.550 of the Metropolitan Code of Laws is hereby modified as follows:

The zoning administrator shall not issue any zoning, building or demolition permit for the construction, alteration, repair, demolition or relocation of a building or other structure within ~~HP or HL~~ any historic overlay district, or for the construction, demolition, relocation or additions increasing habitable area of a building or other structure within an NC overlay district, without prior approval of the historic zoning commission.

BACKGROUND

The Metro Zoning Code establishes several historic zoning overlay districts for the purpose of preserving the built heritage of Nashville and Davidson County. Preservation provides aesthetic and economic benefits and increases the overall education, pleasure, and welfare of the citizens of the county. These overlay districts generally regulate construction, alteration, repair, relocation, and demolition of all structures within their bounds, which are reflected on the Official Zoning Map. The districts are further defined within the Zoning Code to specify what types of structures they are intended to preserve and any other conditions that apply. Finally, the Zoning Code requires that no zoning permits be issued within these districts without prior approval of the historic zoning commission.

ANALYSIS

The proposed amendments establish the HS overlay district (Section 17.36.110.F) and its parameters (Section 17.36.120.E) and clarify the language concerning which historic districts require prior approval by the historic zoning commission for the issuance of zoning permits (Section 17.40.550).



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Currently Section 17.32.145 of the Zoning Code allows exceptions to the sign regulations governing size, placement, spacing, and lighting for landmark, historic, vintage, and replica signs. The proposed amendment applies several of these provisions to all historic landmark signs within an HS overlay district. With the overlay in place, all historic landmark signs—those signs that demonstrate design fidelity to a particular period of construction or feature superior aesthetic quality, creativity, or innovation and are over fifty years old—are allowed to legally exist in their current configuration and location and will only count toward fifty percent of the total square footage of signage allowed on the property when the landmark sign identifies the existing on-site business. Landmark signs not identifying the current business on-site will not count against the total allowable sign area.

The proposed amendments further the cause of historic preservation planning in Nashville. This action recognizes the valuable aesthetic and sentimental contributions made to the built environment by signage. Establishing overlay zones wherein collections of signs can be protected in a comprehensive rather than piecemeal fashion will also strengthen the design integrity and consistency of the visual realm. Owners of such signs will be incentivized to preserve them because of the allowances for extra square footage the amendments include. Finally, the amendment to Section 17.40.550 clarifies that all permits in the existing historic overlay districts (and in the one proposed for adoption with this amendment) require prior approval by the historic zoning commission, thus heading off any confusion surrounding this process. For these reasons planning staff recommends approval of the proposed text amendments.

ZONING ADMINISTRATOR RECOMMENDATION

No exception taken.

FISCAL IMPACT RECOMMENDATION

The Metro Codes Department will implement this section of the Zoning Code at the time of permit review as is their current practice. The Codes Department anticipates the proposed amendment to be revenue neutral.

STAFF RECOMMENDATION

Staff recommends approval of the proposed changes to Title 17.

ORDINANCE NO. BL2021-843

An Ordinance to amend Sections 17.36.110, 17.36.120, and 17.40.550 of the Metropolitan Code of Laws relative to historic signage (Proposal No. 2021Z-017TX-001).

WHEREAS, under Metropolitan Code of Laws § 17.40.410, the Historic Zoning Commission is empowered to recommend the creation of historic overlays; and

WHEREAS, preserving historic signage meets the purpose and intent of an overlay, as outlined in § 17.36.100.

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



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Section 1. That Section 17.36.110 of the Metropolitan Code of Laws is hereby amended by adding a new subsection F as follows:

F. Historic Landmark Signage (HS) District. The boundaries shall be shown on the zoning map or on special overlays thereto that are made a part of this zoning code and noted by name on such maps, in which no signage shall be constructed, altered, repaired, relocated or demolished in whole or in part unless the action complies with the requirements set forth in this title.

Section 2. That Section 17.36.120 of the Metropolitan Code of Laws is hereby amended by adding a new subsection E as follows:

E. Historic Landmark Signage.

1. Signage must meet all of the following criteria to qualify as a Historic Landmark Sign (HS):

a. Materials, technology, and design. The signage must be representative of excellence in a particular period of construction; and/or must be unique in that it demonstrates extraordinary aesthetic quality, creativity or innovation.

b. Integrity. The signage must retain the majority of its character-defining features (materials, technologies, structure, colors, shapes, symbols, text, and/or art) that have historical significance, or are integral to overall sign design, or convey historical or regional context. If character-defining features have been altered or removed, the majority must be potentially restorable to their historic function and appearance.

c. Location. The sign shall not be an off-site sign or billboard, as defined in the Zoning Code.

d. An historic landmark sign must be constructed more than fifty years before the date of application.

2. Sign calculations for a landmark sign:

a. Where the landmark sign does not identify the business occupying the premises and is not used by an owner or occupant of the premises to advertise a business currently occupying the premises, the landmark sign shall not count against the total allowable sign area for the premises and shall not count against the number of signs allowed for the premises.

b. Where the landmark sign does identify the business occupying the premises or is used or adaptively reused by an owner or occupant of the premises to advertise a business currently occupying the premises, fifty percent of the square footage of the landmark sign shall count toward the total allowable sign area and shall count against the number of signs allowed for the premises.

c. Sign calculations shall be determined and confirmed by the Codes Department.

Section 3. That Section 17.40.550 of the Metropolitan Code of Laws is hereby modified as follows:

The zoning administrator shall not issue any zoning, building or demolition permit for the construction, alteration, repair, demolition or relocation of a building or other structure within ~~HP~~ ~~or HL~~ any historic overlay district, or for the construction, demolition, relocation or additions increasing habitable area of a building or other structure within an NC overlay district, without prior approval of the historic zoning commission.

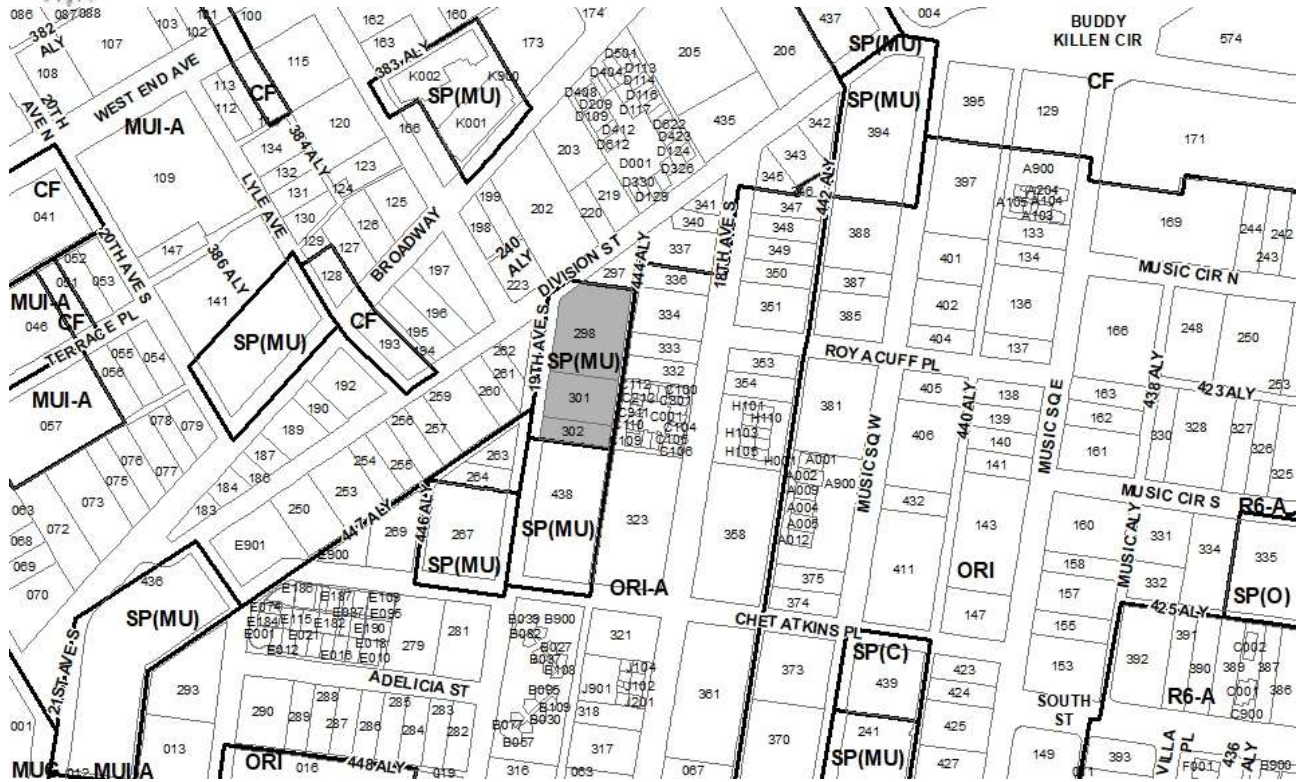
Section 4. This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring.



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2017SP-091-003
KENECT NASHVILLE (AMENDMENT)
 Map 092-16, Parcel(s) 298, 301-302
 10, Green Hills - Midtown
 19 (Freddie O'Connell)



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Item #19

Project Name

Council District

School District

Requested by

Specific Plan 2017SP-091-003

Kenect Nashville (Amendment)

19 – O’Connell

08 - Pupo-Walker

Nelson Mullins Riley & Scarborough LLP, applicant;
AP 1815 Division Nashville Property, LLC, owner.

Staff Reviewer

Elliott

Staff Recommendation

Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Amend the SP to permit Short Term Rental Property (STRP) - not owner occupied as a land use.

Zone Change

A request to amend a specific plan on properties located at 808, 812 19th Avenue South and 1815 Division Street, at the southeast corner of Division Street and 19th Avenue South, zoned Specific Plan (SP) (1.20 acres), to permit non-owner occupied short term rental property as a use in addition to the previously approved uses.

Existing Zoning

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

Proposed 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.

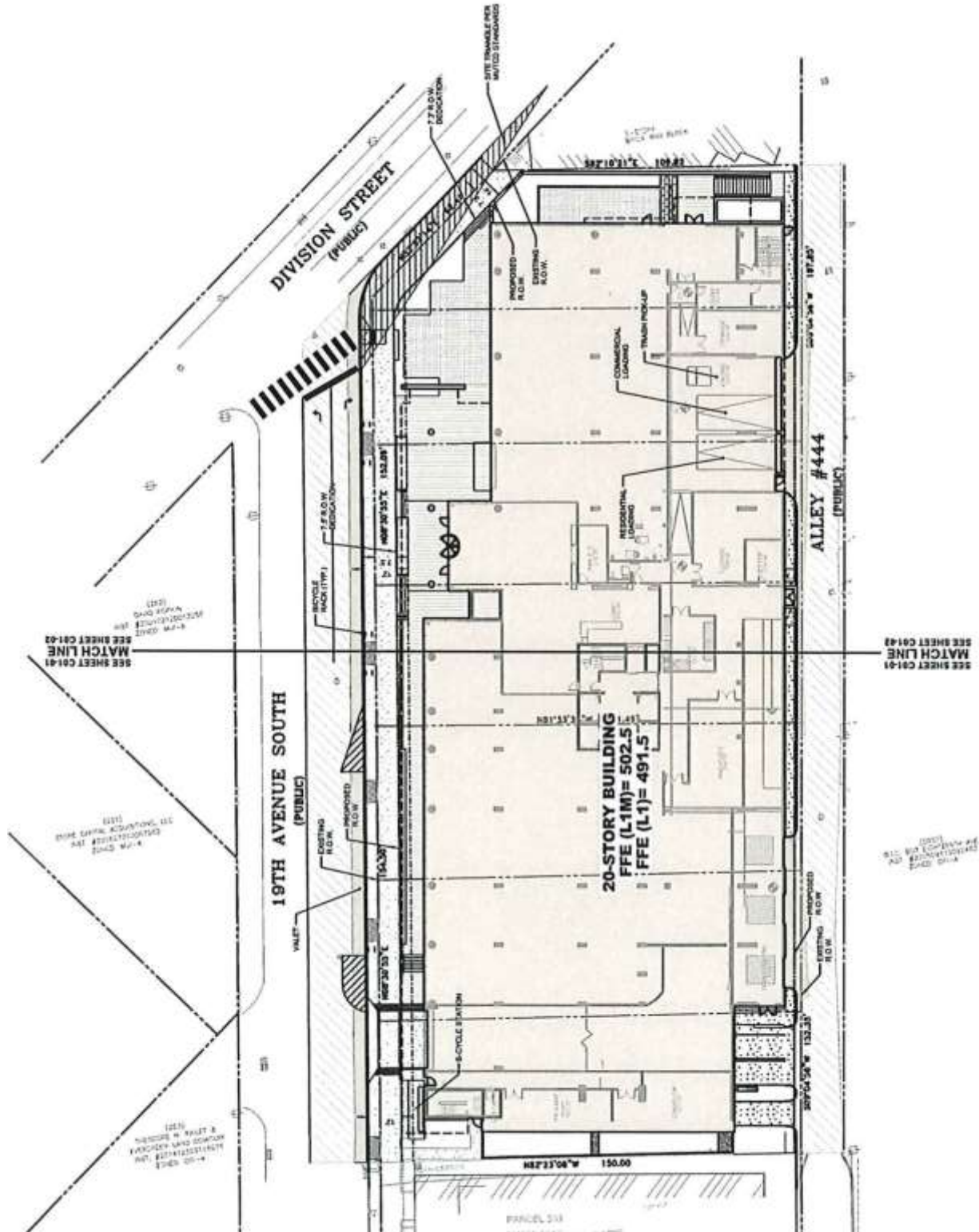
GREEN HILLS - MIDTOWN COMMUNITY PLAN

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

The site is within a special policy area in the Midtown Study, 10-MT-T5-MU-02. The special policy for T5 Center Mixed Use Neighborhood Area 2 includes specific guidance on building form, vehicular and pedestrian connectivity, and intensity. This site is located in an area bounded



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Proposed Preliminary SP



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by Alley #447, east of Division Street, Alley #444, east of 19th Avenue South, and Alley #448, which is north of Grand Avenue. The policy indicates that development in this area should have a lower building heights and masses than along the West End Avenue corridor because of structural constraints to development, with maximum building heights of 20 stories. The policy calls for improvements to vehicular, bicycle and pedestrian infrastructure above and beyond those called for in the Major and Collector Street Plan (MCSP) in order to support building heights exceeding eight stories, given the constrained existing infrastructure in this area. Additionally, the policy provides guidance regarding transitions between more intense development along West End Avenue and lower intensity and historic areas to the east such as Music Row.

EXISTING PLAN DETAILS

As approved, the SP currently permits a maximum of 420 multi-family residential units and a maximum of 24,000 square feet of nonresidential uses. The permitted non-residential uses include Restaurant, Full Service; Restaurant, Take-Out; General Office; and Leasing/Sales Office. The SP includes a Floor Area Ratio of 10.02 and a maximum height of 20 stories in 239 feet. The building has vehicular access taken from 19th Avenue South with the pedestrian entrance also located on 19th Avenue South.

PROPOSED PLAN

The proposed amendment would permit a maximum of 210 of the 420 multi-family residential units to be eligible to be used as Short Term Rental Property (STRP) - not-owner occupied units. The application does not propose any physical modifications to the exiting building.

ANALYSIS

At the time of approval of the current SP, Short Term Rental Property was a specific use listed in the Zoning Code. The SP did not specify that the use was permitted and limited the uses to those noted above. Since the adoption of the current SP, the Zoning Code has been further amended to include uses of Short Term Rental Property-Owner Occupied and Short Term Rental Property – Not Owner Occupied.

This portion of Nashville is intended to be among the most intense in the county outside of the downtown area, and to include both Nashville's major employers as well as residential, commercial and service uses to create lively, mixed use neighborhoods. This portion of Midtown is well served by transit along Broadway and West End. The proposed amendment to this SP is consistent with the intent of the T5 MU policy create an intense mixed-use district with a diverse mix of residential and non-residential land uses.

FIRE MARSHAL RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

- No objection to non-owner occupied short term rental property as a use.



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NASHVILLE DOT RECOMMENDATION

Approve with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- Submit copy of ROW dedications prior to bldg. permit sign off.
- From previous comments, any signs, street furniture, seating, kiosks, etc. require a Mandatory Referral for Encroachment. The MR must be approved by Metro Council prior to installation.
- A private hauler is required for waste/recycle disposal.

TRAFFIC AND PARKING RECOMMENDATION

Ignore

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapprove without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 420 multi-family residential units and a maximum of 24,000 square feet of non-residential uses as specified in the SP. A maximum of 210 of the multi-family residential units are permitted to be used as Short Term Rental Property (STRP) - not-owner occupied units.
2. The conditions of BL2017-976 apply unless specifically modified through this application.
3. Prior to the issuance of any Short Term Rental permits, the applicant shall satisfy the condition of approval #5 from BL2017-976 concerning the pavement marking and signage plan for bicycle boulevard segments identified in the WalknBike Nashville plan along these streets:
 - 19th Avenue South from Division Street to Grand Avenue
 - Chet Atkins Place/South Street from Broadway to Music Square West
 - Grand Avenue from Music Square West to 21st Avenue South

The applicant shall also coordinate with Metro Planning and Public Works to evaluate the feasibility of installing a bicycle signal at the existing traffic signal at the intersection of 19th Avenue South and Broadway. The pavement marking and signage plan and feasibility evaluation for the signal shall be submitted and approved prior to the issuance of the first Short Term Rental permit.

4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. Comply with all conditions and requirements of Metro reviewing agencies.
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. 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



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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.



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2021SP-023-001

NORTH EDGEHILL COMMONS

Map 093-13, Parcels 557

Map 093-14, Parcels 590

10, Green Hills – Midtown

19 (Freddie O’Connell)



Metro Planning Commission Meeting of 09/23/21

Item #20

Specific Plan 2021SP-023-001

Project Name

North Edgehill Commons

Council District

19 – O’Connell

School District

05 – Buggs

Requested by

Tuck Hinton Architecture and Design, applicant;
Beaman Motor Company, owner.

Deferrals

This item was deferred from the June 24, 2021, July 22, 2021, and August 26, 2021, Planning Commission meetings. A public hearing was held at the August 26, 2021, meeting and remains open.

Staff Reviewer

Swaggart

Staff Recommendation

Approve with conditions and disapprove without all conditions with Buildings A and B at 8 stories, unless the Planning Commission determines that Buildings A and B at 9 stories meets the policy at this location.

APPLICANT REQUEST

Preliminary SP to permit a mixed-use development.

Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Specific Plan-Mixed Use (SP-MU) zoning for properties located at 920 and 1000 Hawkins Street, at the northeast corner of 12th Avenue South and Hawkins Street (6.79 acres), to permit a mixed-use development.

Existing Zoning

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

Proposed Zoning

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

SITE CONTEXT AND PLAN DETAILS

The approximately seven-acre site is located at the northeast corner of 12th Avenue South and Hawkins Street. Interstate 40 runs along the northern site boundary. The site is relatively flat and is developed. The site is occupied by Beaman Body Shop, which includes a large building and surface parking lots. Surrounding zoning districts include DTC, IWD, SP, MUL and RM20.

History

Following the August 26, 2021, Planning Commission meeting, the applicant revised the plan to reduce the heights of buildings along Hawkins Street and increase the height of two of the



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Proposed site plan



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buildings adjacent to the Interstate. The revised plans increased the number of residential units, added a minimum requirement for residential units, and increased the required square footage of retail. Staff notes that the applicant has removed the proposed hotel from the revised plans. However, a hotel use is supported by the policy.

SP Plan

The plan includes various mixed-use buildings. All uses of MUG-A are permitted with the exception of the following: alternative financial services, auto repair, auto sales, gas station and short-term rental property – not owner occupied. The plan allows up to 730 multi-family dwelling units and maximum of 400,000 sq. ft. of nonresidential.

The minimum square footage required by the SP for retail is 22,000 square feet and the plan requires a minimum of 400 residential units. The plan includes five buildings. Building A is nine stories (120') and is located along 12th Avenue South at the corner of 12th and Hawkins. Building B is located behind Building A and is adjacent to the interstate. Building B is nine stories (120'). Building C is located along Hawkins Street and is five stories along Hawkins (68') and then eight stories after a 30 foot step back (107'). Building D is located along Hawkins Street and is five stories (68'). Building E is located at the corner of 12th Avenue South and Hawkins Street and is five stories (68').

The plan includes standards pertaining, but not limited, to building frontage, build-to along public streets, ground floor access, glazing, and screening for parking structures visible from a public street. The plan also includes various illustrative images further demonstrating these requirements and providing a visual representation of the project.

Vehicular access points are shown at three locations on Hawkins Street. One drive lines up with Southside Avenue. Internal drives are private and include parallel parking and perpendicular parking along the drives. Parallel on-street parking is also shown along Hawkins Street. Underground structured parking will provide a majority of the required parking. Vehicular and bicycle parking will conform with Metro Zoning Code requirements and a multiuse path is shown along the interstate and runs from the eastern property line to 12th Avenue South. Additionally, the internal private streets include wide sidewalks and pedestrian amenities.

GREENHILLS – MIDTOWN 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 provision of a mix of neighborhood uses, additional housing, and open spaces as outlined in the plan support the current policy and are essential components of our neighborhoods. This Plan currently includes a maximum of 730 multifamily units and a minimum requirement for 400 units and does not allow STRs. The Plan also includes a 0.8 acre small urban park and a



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greenway that has been situated to activate uses. These open spaces align with proposed plans for new bicycle and pedestrian connections currently planned for 12th Avenue.

Many neighbors expressed a strong desire for neighborhood services, such as a grocery store. Staff would like to clarify that, while the proposed zoning *does* permit a grocery store as a potential use and requires a minimum of 22,000 square feet of retail, if approved, this rezoning will not automatically guarantee a grocery store on site. (Such a specific use would be negotiated between the land owner and potential tenants in the event this zoning is approved). The existing zoning does support retail, but the size is limited and therefore opportunities for a typical grocery store are limited under the existing zoning. The proposed rezoning is more permissive for such uses, and therefore, is more likely to create an opportunity to support this community goal.

The T4 MU land use policy indicates that heights are generally 3 to 5 stories, but that additional height may be considered in certain circumstances based on location and site characteristics. Overall project design is also taken into account when considering additional height. For this plan, given the location along 12th Avenue, which is a mixed-use arterial and along the interstate, additional height may be considered under the policy. Staff recommends that the Commission review the included visual studies to determine whether the proposed 9 stories on Buildings A and B meets the policy. Staff has previously recommended 8 stories for Buildings A and B and maintains that recommendation, unless the Commission determines otherwise after review of the visual studies. Staff recommends that the Commission consider:

- Adjacency to the Interstate
- Topography
- Adjacent land use areas within the Edgehill neighborhood
- Location on 12th Avenue

Additional Context:

This property is uniquely situated across the interstate from the South Gulch where buildings of 20 stories and above may be permitted. The interstate acts as a dividing point between downtown and the lower intensity residential neighborhoods to the south. The zoning one block south of the site is one and two family residential (R6) and the overall development pattern includes two- and three-story homes. The zoning pattern along 12th Avenue South, south of the interstate is a mixture of zoning districts including R6, RM20 and RM20-A, CS, MUL-A and SP. Development includes a mixture of single-story commercial buildings, two and three-story condos and one-story homes. The SP on the opposite side of 12th Avenue South permits a mixture of commercial and residential and has a maximum height of five stories.

The site slopes down moving away from 12th Avenue South toward the interstate and from 12th Avenue S east toward 8th Avenue South. Therefore, the topography of the site may diminish the perception of height. The site is near more intense policies north of the interstate.

The heights of the buildings along Hawkins Street have been lowered to five stories while the buildings along the interstate, which sit lower due to topography, step up in height. Staff finds



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that this transition down towards the neighborhood is generally an appropriate treatment and location for height.

Neighborhood Plan

Additional planning for Edgehill is currently in the Department's work program, and is included in the budget. This planning work could potentially result in updated policies, guidance for Metro assets, urban design standards, mobility recommendations, or other capital projects. The scope of work for the planning study has not been finalized, however, staff hosted a meeting on September 16, 2021, to discuss issues that could be addressed within a scope of work. Staff is evaluating the feedback provided from community leaders with the intent of moving forward with developing a project scope in near future.

With the adoption of NashvilleNext in 2015, most of the existing Detailed Neighborhood Design Plans (DNDP) and Supplemental Policy Areas (SPAs) that existed across Metro Nashville, including the Edgehill DNDP prepared in 2005, were not incorporated into the readopted Community Plans. The Community Character Manual policy guidance was more detailed and comprehensive than past general policy documents and it covered much of the guidance included in DNDPs and SPAs. However, the Department now finds that the more detailed guidance generally provided by the DNDPs can be useful, particularly in addressing lot and block patterns, historic resources, mobility networks, and the like. Given Edgehill's unique history and significance, more detailed planning work to serve as a basis for future decisions is appropriate. It is important to note that the staff used the 2005 DNDP to supplement its guidance to the applicant on this case, particularly in the street pattern. See Edgehill Neighborhood Structure Plan for this area below:



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



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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 SP only. Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. A minimum of 30% of W&S Capacity must be paid before issuance of building permits. (Per Capacity Study Permit # T2021013792).

NASHVILLE DOT 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.
- All construction along 12th Ave is to comply with the NDOT 12th Ave Mobility project.
- All BOH operations are to occur within the site, not from the public ROW.
- All vehicular access points are to be from Hawkins St or the newly created private street extension.
- Sidewalk construction along all public streets are to comply with MCSP and NDOT standards and specs.
- Curbside utilization is to be approved by Metro Traffic and Parking Commission.
- Install driveway ramp at driveway connections to public road and install “Now Entering Private Property” signage.
- Comply with NDOT Traffic Engineer conditions of approval.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Development will construct a traffic signal at the intersection of 12th Avenue at Hawkins Street. Additional analysis will be required prior to the Final SP approval to determine laneage and phasing.
- Development will conduct additional analysis prior to the Final SP approval to determine specific traffic signal modifications to the intersection of 12th Avenue at South Street. Improvements will include communication with the intersection of 12th Avenue at Hawkins Street, bicycle signals and detection, timing, and may include laneage and phasing modifications.
- If not previously constructed, development will install a traffic signal at the intersection of 8th Avenue at South Street.
- Development will work with NDOT to install curb extensions and other pedestrian improvements on Hawkins Street from 12th Avenue to South Street and on Southside Avenue form South Street to Hawkins Street.



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- Developer will improve the bike lanes on South Street from 8th Avenue to Music Square East, which may include wider bike lanes, larger buffers with or without vertical delineation, and will include bicycle signal phasing and detection at the intersection of Music Square East at South Street.
- A TDM plan is required prior to Final SP approval.

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
Warehouse (150)	6.79	0.8 F	236,618 U	419	40	45

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 (221)	6.79	-	730 U	3,977	240	298

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
Office (710)	6.79	-	160,000 SF	1,674	177	177

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 (820)	6.79	-	35,000 SF	1,321	33	133

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
-	-	-	-	+6,553	+410	+563

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed SP-MU district: 38 Elementary 26 Middle 26 High

The proposed SP-MU zoning district is expected to generate 90 additional students than what is typically generated under the existing IR zoning district. Students would attend Waverly-Belmont Elementary School, J.T. Moore Middle School, and Hillsboro High School. Waverly-Belmont Elementary and Hillsboro High School are identified as having additional capacity. J.T. Moore Middle School is identified as overcapacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.



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STAFF RECOMMENDATION

Staff recommends approval with conditions and disapprove without all conditions with Buildings A and B at 8 stories, unless the Planning Commission determines that Buildings A and B at 9 stories meets the policy at this location.

CONDITIONS

1. Permitted uses shall be limited to the following: a maximum of 730 multi-family residential units with a minimum requirement of 400 units; a maximum of 400,000 square feet of non-residential uses with a minimum requirement of 22,000 square feet of retail. Within the 400,000 square feet of nonresidential square footage, permitted uses shall be per the MUG-A zoning district with the following uses prohibited: Alternative Financial Services; Automobile Repair; Automobile Sales, New; Automobile Sales, Used; Automobile Convenience. Short term-rental properties, owner occupied and short term rental properties, not owner occupied are prohibited within this SP.
2. On the corrected set, update the permitted uses as follows: Within the 400,000 square feet of nonresidential square footage, permitted uses shall be per the MUG-A zoning district with the following uses prohibited: Alternative Financial Services; Automobile Repair; Automobile Sales, New; Automobile Sales, Used; Automobile Convenience. Short term-rental properties, owner occupied and short term rental properties, not owner occupied are prohibited within this SP.
3. On the corrected set, update the FAR note as follows: FAR 3.0 max. Exemptions as noted in 17.12.070.C, D, E, and F of the Zoning Ordinance are permitted.
4. On the corrected set, remove the note referencing screening of parking structures.
5. On the corrected set, add the following note: All parking shall be underground.
6. On the corrected set, add the following note: Facades of buildings A, B, and C along the northern property line adjacent to the pedestrian path shall be designed with glazing and entrances to provide for architectural interest. Blank walls shall be avoided.
7. Final architectural elevations shall be submitted with the initial submittal of the final site plan. Elevations shall comply with all required architectural standards as noted in the plan.
8. On the corrected set, update the material specifications as follows: Building facades shall be constructed of brick, brick veneer, stone, cast stone, glass, and steel, or materials substantially similar in form and function.
9. With the submittal of the final site plan, detailed landscape plans shall be submitted, including for the central open space area.
10. Comply with all conditions and requirements of Metro reviewing agencies.
11. 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.
12. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association or Property Owner's Association.
13. 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. 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



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requirements of the MUG-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved plan.

15. 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.
16. 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.



Metro Planning Commission Meeting of 09/23/21



2021SP-052-001
THE COTTAGES AT CITY HEIGHTS
Map 092-06, Parcel(s) 559-562
08, North Nashville
21 (Brandon Taylor)



Metro Planning Commission Meeting of 09/23/21

Item #21

Project Name

Council District

School District

Requested by

Specific Plan 2021SP-052-001

The Cottages at City Heights

21 – Taylor

05 - Buggs

Catalyst Design Group, applicant; E 3 Construction Services LLC, owner.

Deferrals

This item was deferred from the August 26, 2021, Planning Commission meeting. No public hearing was held.

Staff Reviewer

Harrison

Staff Recommendation

Approve with Conditions and disapprove without all conditions.

APPLICANT REQUEST

Preliminary SP to permit 16 multi-family units.

Zone Change

A request to rezone from RS5 to SP zoning for properties located at 724, 726, 728 and 730 27th Avenue North, at the southeast corner of Booker Street and 27th Avenue North (0.83 acres), to permit 16 multi-family residential units.

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 6 units.

Proposed Zoning

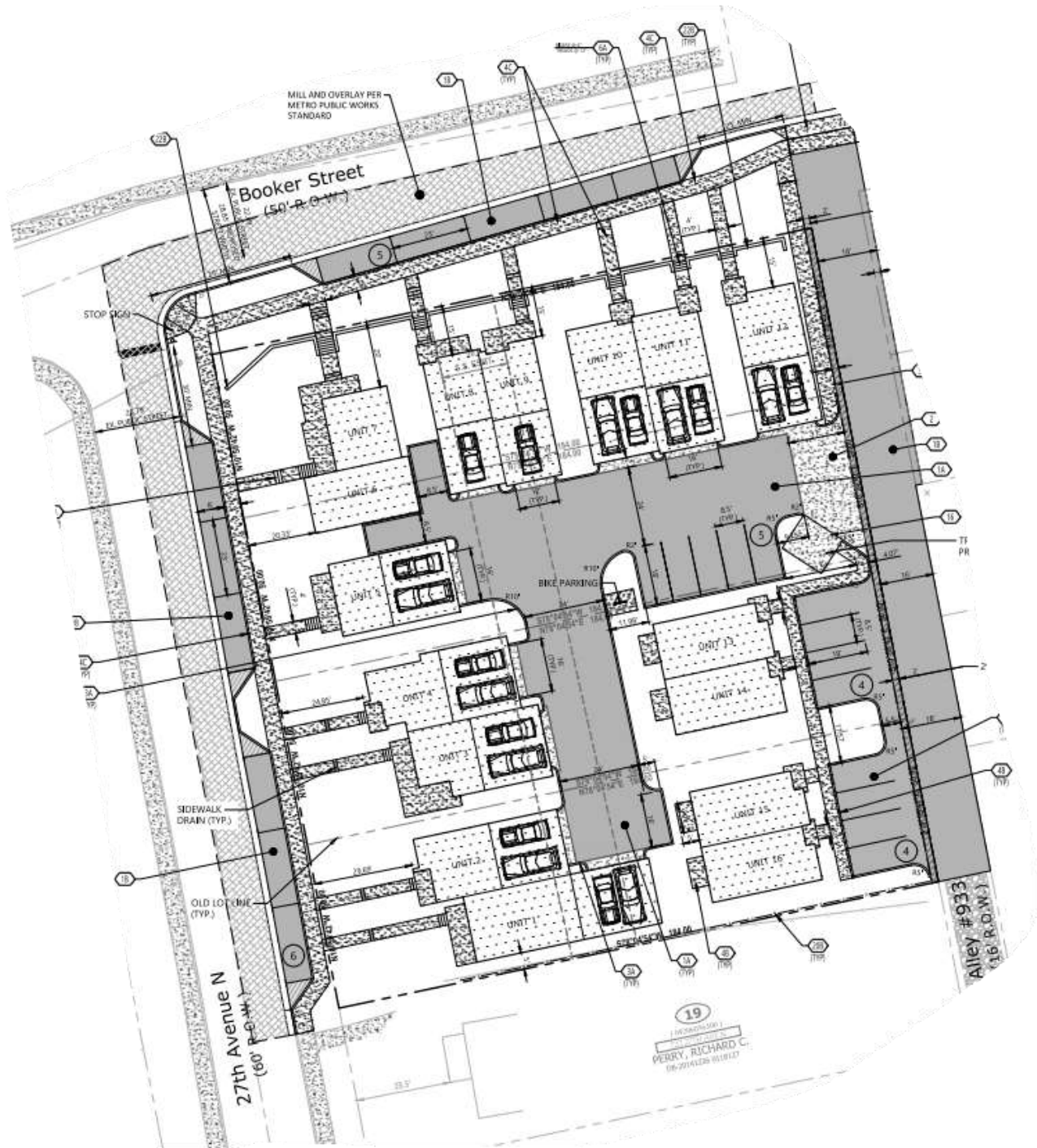
Specific Plan-Mixed Residential (SP-MR) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes a mixture of housing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

NORTH NASHVILLE COMMUNITY PLAN

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



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Proposed Preliminary SP



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existing developed character, such as the street network and block structure and proximity to centers and corridors.

SITE CONTEXT AND PLAN DETAILS

The approximately 0.83 acre property consists of four existing lots located at the northeast corner of 27th Avenue North and Booker Street. The site is currently vacant with access from an existing alley. Currently, the surrounding parcels all consist of single-family residential uses, but the neighborhood consists of a mixture of vacant, single-family, two-family, and multi-family residential uses. These are also located within the T4 Neighborhood Evolving policy.

Plan Details

The site plan proposes up to 16 multi-family residential units, 14 would be attached units and the remaining 2 units will be detached. Of the 16 units, 6 units will front 27th Avenue North, 6 units will front Booker Street, and the remaining 4 units are oriented to the interior of the site.

Parking is provided with a combination of on-street parking, rear loaded garages, and interior surface parking. Units 1-5 and 8-12 will have rear loaded garages while units 6, 7, and 13-16 will utilize on-street and interior surface parking. Site vehicular access will be provided by an existing alley located off Booker Street. Sidewalks along 27th North Avenue and Booker Street are proposed to be updated to meet the local street standard, with 5 foot sidewalks and 4 foot planting strips when not located along on-street parking. Sidewalks will extend to each unit fronting 27th Avenue North and Booker Street, and a sidewalk connection is provided along the alley for units 13-16.

The plan includes architectural standards requiring the final site plan to closely resemble the proposed elevations, raised foundations, minimum glazing percentage, minimum porch depths, and prohibited materials, with a max height of 3 stories in 38 feet. Proposed landscaping includes an 8 foot wide Type B landscape buffer along the southern property boundary with a 6 foot privacy fence and screening of parking areas visible from 27th Avenue North and Booker Street.

ANALYSIS

The T4 NE land use policy is intended to create and enhance urban neighborhoods with a diversity of housing types, increase connectivity, and increase density, with consideration of the existing character of the neighborhood. The proposed plan provides a variety of housing types with both attached and detached units, while considering the character of the neighborhood which consists of mostly single-family and two-family residential units. Providing parking in the rear allows for the buildings along 27th Avenue North and Booker Street to effectively screen the parking areas from the roads. The landscape buffer along the southern boundary allows for transitional area to the single-family type developments to the south. As proposed, the sidewalks will enhance the existing sidewalk network by pulling the sidewalk away from the roads and providing planting strips or on-street parking as a buffer for pedestrians. The increase in intensity, variety of housing types, landscape screening and buffering, and sidewalk enhancements are consistent with the policy goals of successful redevelopment of existing neighborhoods by developing a currently vacant site while taking the existing character into account.



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FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. Submittal of an updated availability study is required before the Final SP can be reviewed. Once this study has been submitted, the applicant will need to address any outstanding issues brought forth by the results of this study.
- A minimum of 30% W&S Capacity must be paid before issuance of building permits. The applicant must submit for, and receive approval of, a variance for the proposed shared private sewer system. This variance package must contain a Letter of Responsibility, and must match the Final Site Plan/SP plans.

NASHVILLE DOT 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. A private hauler will be required for waste/recycle disposal onsite. Show new sidewalks along Booker St. tie back to existing along East out parcel.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Refer to NDOT recommendation.

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)	0.83	8.712 D	7 U	90	9	8

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 3-10 (221)	0.83	-	16 U	85	5	8



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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+9 U	-5	-4	-

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 district: 1 Elementary 1 Middle 1 High

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

The proposed SP does not anticipate any additional students from the current RS5 zoning. Students would attend Park Avenue Elementary, McKissack Middle School, and Pearl-Cohn High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 16 multi-family residential units as identified on the proposed SP plan. Short term rental properties, owner occupied, and short term rental properties, not-owner occupied shall be prohibited.
2. Submit final elevations with the submittal of the final site plan. Final elevations shall be consistent with elevations included with the preliminary SP.
3. With the final site plan, elevations will be consistent with the elevations included with the Preliminary SP.
4. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. The Final SP 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.
7. 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.
8. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the



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plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

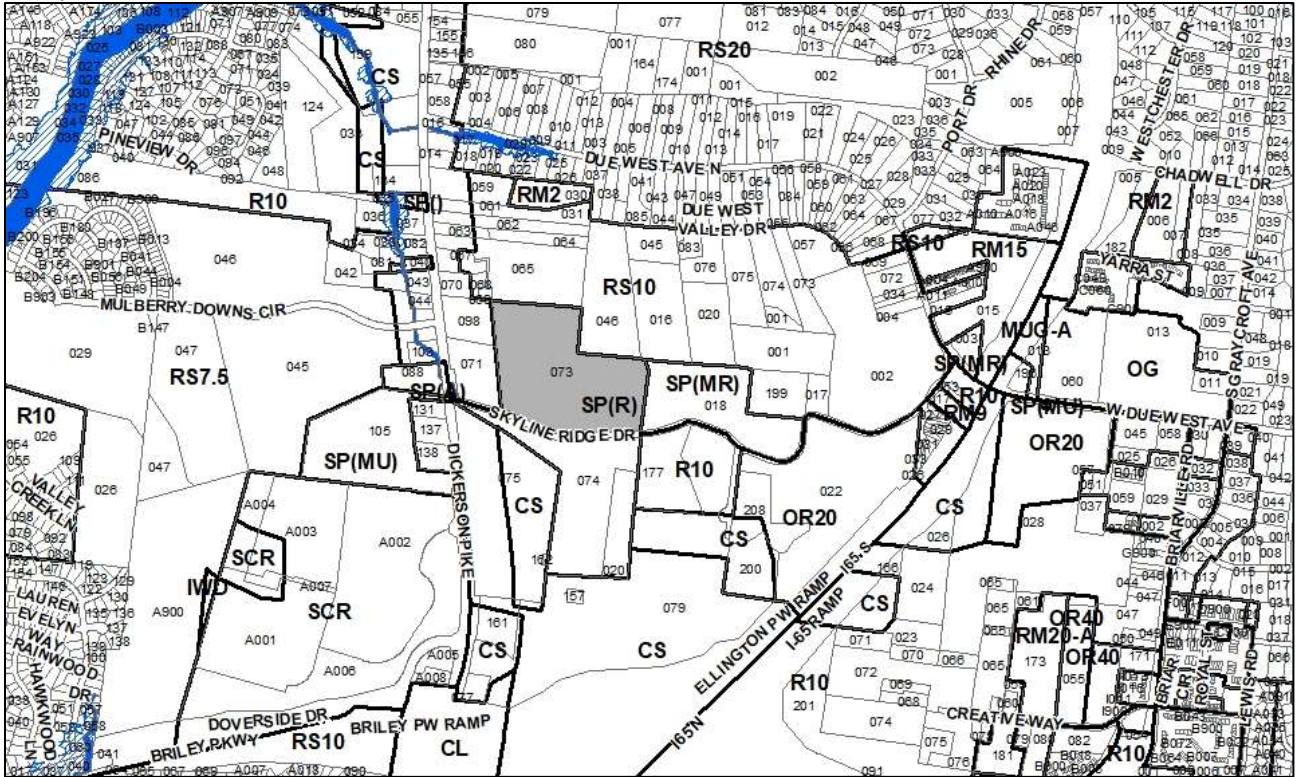
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



SEE NEXT PAGE



Metro Planning Commission Meeting of 09/23/21



2021SP-064-001

SKYLINE RIDGE

Map 050, Parcel(s) 073

02, Parkwood – Union Hill

08 (Nancy VanReece)



Metro Planning Commission Meeting of 09/23/21

Item #22

Specific Plan 2021SP-064-001

Project Name

Skyline Ridge

Council District

08 - VanReece

School District

03 – Masters

Requested by

Hawkins Partners, applicant; Margaret A. & Ronald C. Toski, et al, owner(s).

Staff Reviewer

Shane

Staff Recommendation

Approve with conditions and disapprove without all conditions

APPLICANT REQUEST

Rezone from Specific Plan to Specific Plan to permit a multi-family residential development.

Preliminary SP

A request to rezone from Specific Plan-Mixed Use (SP-MU) to Specific Plan-Residential (SP-R) zoning for properties located at Skyline Ridge Drive (unnumbered), approximately 415 feet east of Dickerson Pike (24.97 acres), to permit 240 multi-family residential units.

Existing Zoning

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

Proposed Zoning

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

PARKWOOD – UNION HILL COMMUNITY PLAN

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



Metro Planning Commission Meeting of 09/23/21

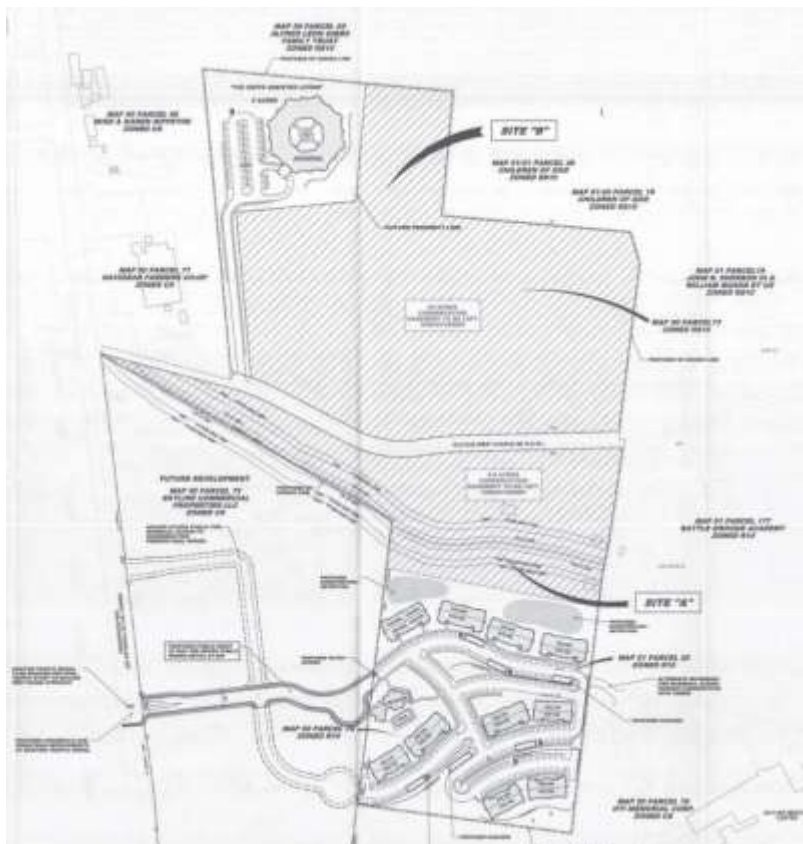
Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited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

PLAN DETAILS

The 24.97-acre site is located on the north side of Skyline Ridge Drive, approximately 415 feet east of Dickerson Pike. The site is heavily wooded and steeply sloping. Because of this topography, CO and OS policy encumber the majority of the site with the exception of the southern and western fringes. The site drains down a ravine in the eastern half.

The property is adjacent to single-family residential (RS10)-zoned land to the north, the 808 at Skyline Ridge SP multifamily development to the east, the southern half of the Skyline Apartments SP (which permits multi-family uses) to the south (File No. 2013SP-038-001), and commercially-zoned (CS) parcels to the west containing the Davidson County Farmers Co-op.

The property itself is the northern portion of the Skyline Apartments SP and was slated for a 160-unit assisted living facility. The southern half was approved for over 200 multi-family residential units and does not have vehicular access to Skyline Ridge Drive.



Approved Skyline Apartments SP (File No. 2013SP-038-001)



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Site Plan

The plan calls for a stacked flats residential development, including a maximum of 240 multi-family units at a density of 9.56 units per acre. Parking will be provided along private drive aisles in 90-degree rows at a ratio of 1.5 spaces per unit, with 364 spaces total (all surface). The proposed residential uses are all permitted within the fallback zoning district of RM20. The proposed maximum height (six stories in 70 feet) exceeds the usual maximum in the T3 NE policy area by two stories. Dense foliage and topography will screen most of the site elements from abutting residential properties to the north, and adequate buffering will be provided to address parking screening requirements. Buildings along Skyline Ridge Drive will address the street with pedestrian entrances and sidewalk connections to the planned public sidewalk.

Two drive entrances will be provided at opposite ends of the site, ensuring proper spacing between curb cuts within the development and with those of other developments along Skyline Ridge Drive. Street trees will be planted along this frontage with parking lot plantings provided throughout the site per Code. Stormwater management features are located within the common areas and within interstitial open space at the lowest points of the site. For development standards not specified in the SP Plan, the property will be subject to the standards of the RM20 zoning district. A mulch walking path will connect to the sidewalk network in the northwestern corner of the site and provide hiking opportunities across the substantial slopes. A primitive trail will link to the improved trail, giving experienced hikers further opportunities to explore the undisturbed portions of the site. Retaining walls will be required at the edges of the developed area because small portions of the slopes will have to be removed to allow the modest level of disturbance proposed.

ANALYSIS

The plan is consistent with the proposed T3 NE and CO policies. The T3 NE policy is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. The proposed development is intended to provide more affordably priced “artist” housing, a goal identified in NashvilleNext. This partially justifies the request for added allowable height. Other mitigating factors include the location of the taller buildings at the bottom of a hill, thereby avoiding the “skylining” effect. The buildings will largely be shielded from view from the north and west. Additionally, part of the request for the added height comes from the fact that much of the site covered by CO policy is being left in a natural state. This is reflected in the overall lower density that is being requested. The T3 NE policy also lists proximity to existing or planned transit routes as a justification for increased height, and a new WeGo bus route is planned within walking distance of the development that will connect future residents with the Dickerson and Gallatin Pike Corridors. The plan enhances the pedestrian realm by providing nature trails and sidewalk connections to the public sidewalk system.

CO policy is intended to preserve environmentally sensitive land features through protection and remediation. The majority of the site is covered by CO policy, which applies to areas of steep slope in excess of 20%. As stated above, the requested additional height allows the developer to largely avoid these areas, meeting both the policy goal to provide more housing choices and to preserve sensitive environmental features.



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FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

- Add Zone 1 stream buffers to eastern 'drainage swale'.
- Add buffer note.

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. Submittal of an availability study is required before the Final SP can be reviewed. Once this study has been submitted, the applicant will need to address any outstanding issues brought forth by the results of this study. A minimum of 30% Sewer Capacity must be paid before issuance of building permits.
- Water provided by Madison Suburban Utility District.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions.

SSD/ISD exhibit was not provided for accesses at prelim.

- Prior to final, Stopping Sight Distance (include Intersection Sight Distance-ISD as well, turning out from a stop position), per AASHTO (green book) will be required. Submit exhibit w/ the following: State what's required versus what's available be it existing and proposed grades/elevation-table and plan view of triangle from access, street, etc. (cont.) Based on the required sight triangle legs, Show, in profile view(s), clear line of sight from turning to approaching vehicles with the grades.
- Based on exhibit results, NDOT may require proposed accesses to either be relocated and/or one access to be removed.
- 2018sp-083-002 (808 Skyline Ridge) is widening and paving South portions only on Old Due West Ave. Therefore, on final, call out new paving on North portion along frontage (East property line, up to Dickerson) to 24 ft. pavement width.
- In general, show call outs (ramps, sidewalks, etc.) per NDOT standard details and specs.
- Comply w/ NDOT traffic comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with Conditions

- Widen the westbound approach of Dickerson Pike at Skyline Ridge Drive to include a left-turn and right-turn lane. Applicant confirms adequate right-of-way and acknowledges the potential costs associated with this improvement.



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- Conduct a signal warrant assessment for the intersection of Dickerson Pike at Skyline Ridge Drive prior to Final SP and/or building permit approvals. Development shall design and install traffic signal if warranted and/or directed by NDOT.
- Coordinate with NDOT to either install a new or relocate the existing rectangular rapid-flashing beacon (RRFB) on Skyline Ridge Drive west of the development.
- Parking shall be provided per Code.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Senior Adult Housing (252)	24.97	-	100 U	377	20	26

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 3-10 (221)	24.97	-	240 U	1,306	81	103

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+140 U	+929	+61	+77

METRO SCHOOL BOARD REPORT

Projected student generation existing SP-MU district: 0 Elementary 0 Middle 0 High
Projected student generation proposed SP-R district: 38 Elementary 24 Middle 24 High

The proposed SP-R zoning is expected to generate 86 more students than the existing SP-MU zoning district. Students would attend Chadwell Elementary School, Jere Baxter Middle School, and Maplewood High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 240 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. Provide deed book and page numbers for adjacent properties
3. 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.



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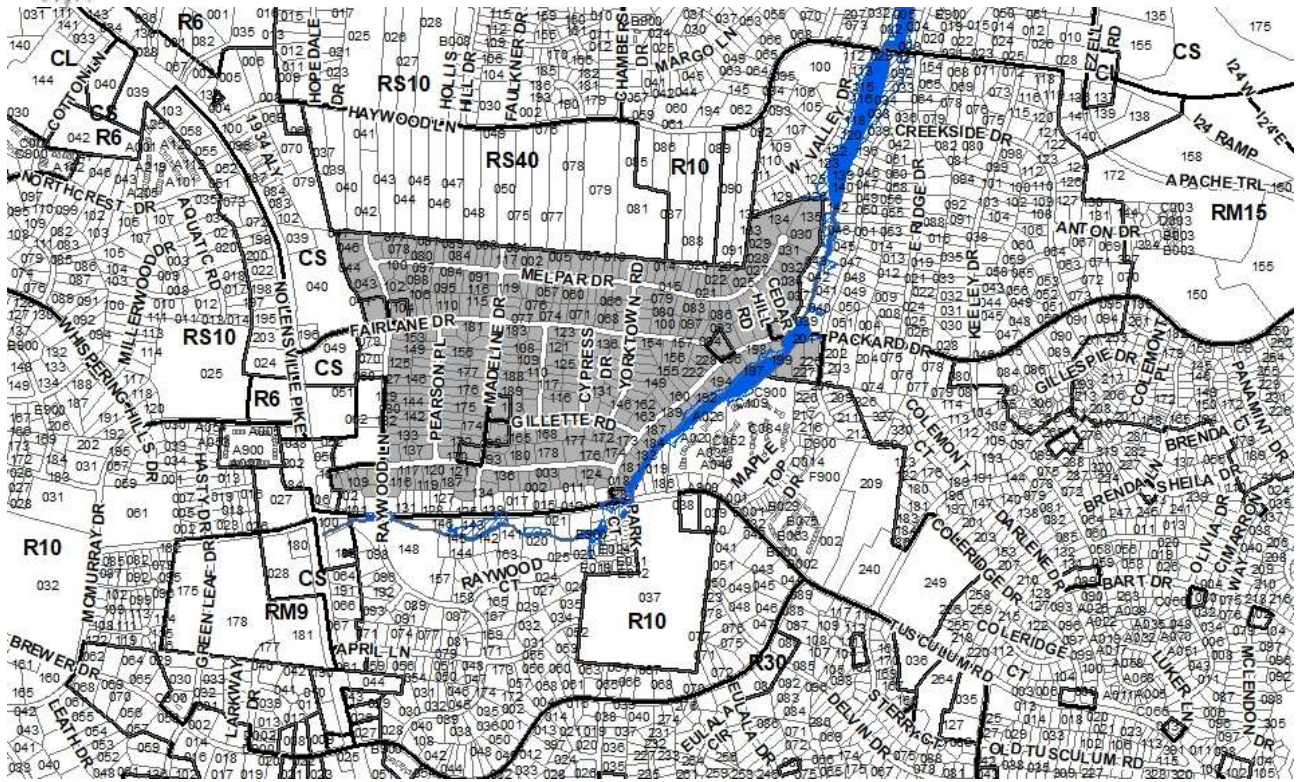
4. The final site plan shall label all internal driveways as “Private Driveways.” A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association.
5. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.



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Metro Planning Commission Meeting of 09/23/21



2021COD-004-001

Various Maps, Various Parcels

12, Southeast

30 (Sandra Sepulveda)



Metro Planning Commission Meeting of 09/23/21

Item #23**Council Bill No.****Council District****School District****Requested by****Contextual Overlay 2021COD-004-001**

BL2021-897

30 – Sepulveda

2 – Elrod

Councilmember Sandra Sepulveda, applicant; various property owners.

Staff Reviewer

Harrison.

Staff Recommendation*Approve.***APPLICANT REQUEST****Establish a Contextual Overlay District.**Contextual Overlay District

A request to apply a Contextual Overlay District to various properties located east of Nolensville Pike, zoned One and Two-Family Residential (R10, R15, R20), and Single-Family Residential (RS10) (136.48 acres).

Existing Zoning

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

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

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

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

Proposed Zoning Overlay

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

SOUTHEAST COMMUNITY PLAN

T3 Suburban Neighborhood Maintenance (T3 NM) is intended to maintain the general character of developed suburban residential neighborhoods. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T3 NM areas have an established development



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pattern consisting of low- to moderate-density residential development and institutional land uses. Enhancements may be made to improve pedestrian, bicycle, and vehicular connectivity.

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

CO policy at this site recognizes potential streams and stream buffers and pockets of potentially steep slopes.

CONTEXTUAL OVERLAY STANDARDS

Application of the COD would not change the existing entitlements afforded under the base zoning districts.

The standards of the contextual overlay district are listed below. These standards are established in the zoning code and cannot be modified. The design standards are necessary to maintain and reinforce established form or character of residential development in an area.

Setback

- Minimum required setback shall be average of the setback of the 2 developed lots abutting each side of the lot
- Example – abutting lots have setbacks of 50 feet, 55 feet, 40 feet, and 42 feet; average 47 feet, required minimum

Height

- Maximum height, including foundation, shall not be greater than 35 feet or 125% of the structures on the two lots abutting each side, whichever is less
- If 125% of the average is less than 27 feet, a maximum height of 1.5 stories in 27 feet is allowed
- Example – average is 24 feet; max allowed height is 30 feet

Coverage

- Maximum coverage shall be 150% of the average of the coverage of the two abutting lots on each side
- Does not include detached garages or accessory buildings
- Example – average coverage of abutting lots is 2,100 square feet; max coverage of 3,150 allowed

Access, Garages, Parking

- If there is an alley, access shall be from the alley
- On corner lots, access shall be within 30 feet of rear property line
- Driveways are limited to 1 per public street frontage



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- Parking, driveways, and all other impervious surfaces in the required setback shall not exceed 12 feet in width
- The front of any detached garage shall be located behind the rear of the primary structure
- The garage door of any attached garage shall face the side or rear property line.

ANALYSIS

The area included in the Overlay includes properties located on either side of Melpar Drive, Cedar Hill Road, Pearson Place, Crosby Lane, Cypress Drive, Yorktown Road, Gillette Road, Packard Drive, and Fairlane Drive east of Raywood Lane. Also included are properties located along the west side of Raywood Lane, north of Fairlane Drive, and properties located on the east side of Raywood Lane, north of Strasser Drive. Properties along the south side of Strasser Drive, west of Raywood Lane, and on either side of Strasser drive east of Raywood Lane are included as well. The properties included are in the Tusculum Fields, Fairlane Park, Locustwood, and various minor subdivisions and have developed primarily with single-story and split-level, post-war, ranch-style residences. There is a predominant development patten in the neighborhood with consistent bulk and massing present throughout the proposed Overlay boundary.

The proposed Overlay is located within a T3 Suburban Neighborhood Maintenance policy area, which is intended to maintain the general character of developed, suburban residential neighborhoods. Application of the Overlay would help to preserve the existing character with specific development standards for bulk, massing, access, garages, and parking. As proposed, the Overlay is consistent with the T3 NM policy. The standards required will maintain and protect the neighborhood form and character.

STAFF RECOMMENDATION

Staff recommends approval.



Metro Planning Commission Meeting of 09/23/21



2017NHC-003-002
BOWLING HOUSE - NEIGHBORHOOD CONSERVATION OVERLAY -
AMEND
Various Maps, Various Parcels
07, West Nashville
24 (Kathleen Murphy)



Metro Planning Commission Meeting of 09/23/21

Item #24	Neighborhood Conservation Overlay 2017NHC-003-002
Project Name	Bowling House Neighborhood Conservation Amendment
Bill No.	BL2021-903 and BL2021-904
Council District	24 - Murphy
School District	09 - Taylor
Requested by	Councilmember Kathleen Murphy, applicant; various property owners.
Staff Reviewer	Shane
Staff Recommendation	<i>Approve.</i>

APPLICANT REQUEST

Amend a Neighborhood Conservation Overlay District.

Neighborhood Conservation Overlay

A request to amend the Bowling House Neighborhood Conservation Overlay District to include properties located at 4200 through 4412 Utah Avenue and 4200 through 4402 Nebraska Avenue, zoned Single-Family Residential (RS7.5) (13.87 acres).

Existing Zoning

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre.

Proposed Overlay

Neighborhood Conservation Overlay District (NHC) is applied to geographical areas which possess a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development. The Neighborhood Conservation Overlay District is intended to preserve historic structures within the Bowling House Neighborhood through the implementation of development and design guidelines by the Metro Historic Zoning Commission and staff.

WEST NASHVILLE COMMUNITY PLAN

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

REQUEST DETAILS

The Metro Historic Zoning Commission (MHZC) considered this application at its September 15, 2021, meeting. Historic Zoning Commission staff recommended approval of this application. Metro Historic Commission Staff provided the following background information:



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The request is to expand the Bowling House District. The Bowling House District is a part of the greater Sylvan Park neighborhood that was established as a neighborhood conservation zoning overlay in 2017. (Park & Elkins is another overlay within Sylvan Park that was established in 2013.) The expansion area is similar to the existing overlay in that it is residential buildings constructed primarily between 1900 and 1950. The styles are also similar to the existing district, but the forms differ slightly in that the buildings are all one and one- and one-half story simple cottages and bungalows. The existing portion has three two-story buildings and several that are slightly more “high-style” than the area of expansion.

The expansion area meets criterion 1 as a prime example of the suburban development and growth of Nashville. It meets criterion 3 as an excellent collection of turn-of-the-20th-Century residential buildings. The majority of the historic context is one and one-and-one-half story frame bungalows and cottages.

In 2011, the State Historic Preservation Office deemed the overall neighborhood eligible for listing in the National Register of Historic Places (criterion 5). Due to recent changes, that is not likely the case any longer; however, there are pockets of the neighborhood that would likely still qualify. Based on the historic resource survey completed this year of for the proposed expansion and with a revised survey for the existing district, combined the proposed district would be 56% contributing.

METRO HISTORIC ZONING COMMISSION RECOMMENDATION

On September 15, 2021, the Metro Historic Zoning Commission reviewed the request and recommended approval of the amendment to the Bowling House Neighborhood Conservation District.

STAFF RECOMMENDATION

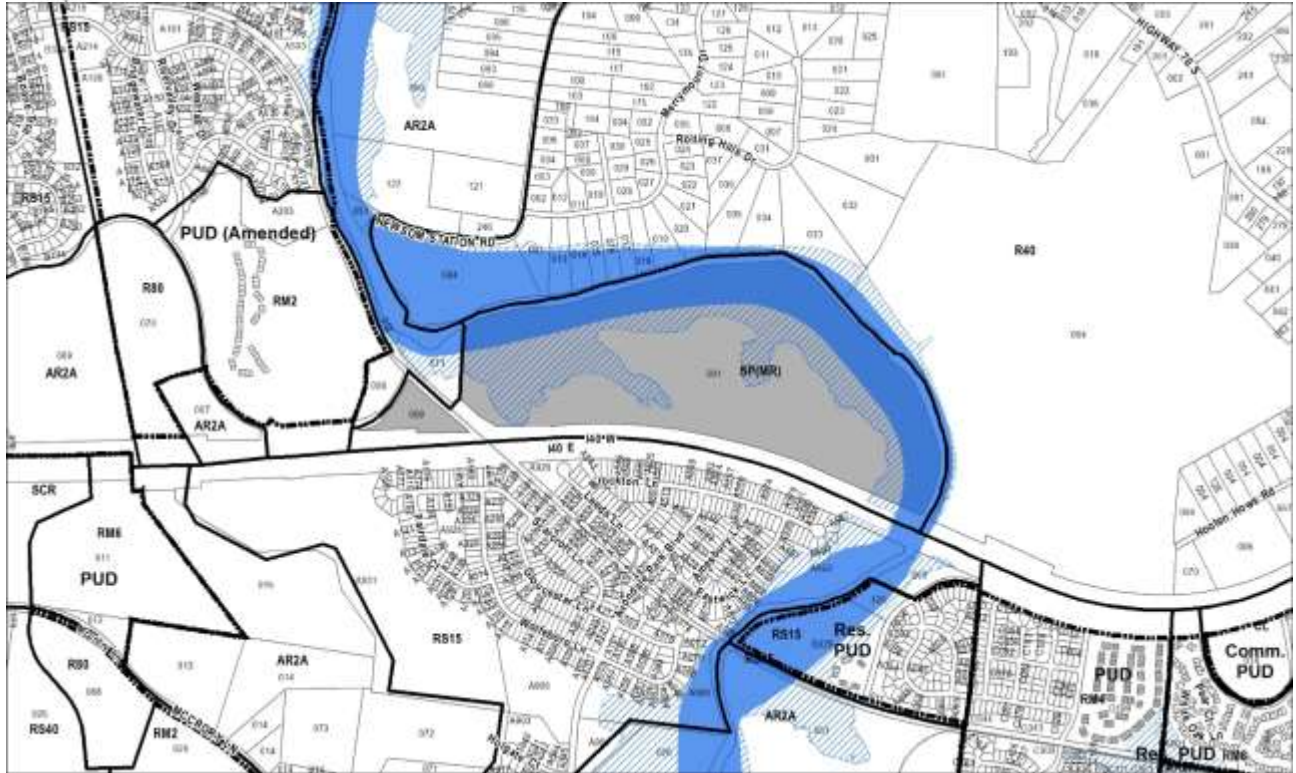
Staff recommends approval.



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2021Z-064PR-001

Map 140, Parcel(s) 009

Map 141, Parcel(s) 001

06, Bellevue

22 (Gloria Hausser)

35 (Dave Rosenberg)



Metro Planning Commission Meeting of 09/23/21

Item #25

Council Bill No.

Council District

School District

Requested by

Zone Change 2021Z-064PR-001

BL2021-827

22 - Hausser; 35 - Rosenberg

9 – Tylor

Councilmember Dave Rosenberg and Councilmember Gloria Hausser, applicant; Old Mill Partnership, owner.

Deferrals

This item was deferred at the July 22, 2021, and August 26, 2021 Planning Commission meeting. No public hearing was held.

Staff Reviewer

Elliott

Staff Recommendation

Approve.

APPLICANT REQUEST

Zone change from SP to RS80.

Zone Change

A request to rezone from Specific Plan (SP) to Single-Family Residential (RS80) zoning for properties located at 8733 and 8811 Newsom Station Road, approximately 1700 feet northwest of Coley Davis Road (131.06 acres).

Existing Zoning

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

Proposed Zoning

Single-Family Residential (RS80) requires a minimum 80,000 square foot lot and is intended for single-family dwellings at a density of .46 dwelling units per acre. *RS80 would permit a maximum of 71 units based on acreage alone.*

BELLEVUE COMMUNITY PLAN

Conservation (CO) is intended to preserve and enhance environmentally sensitive land within all Transect Categories except 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.

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



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institutional land uses. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

EXISTING SP DETAILS

Metro Council originally approved the Olde Mill Specific Plan in 2007 for a mixed-residential development including 16 two-family units, 35 townhomes, and 197 single-family lots on 131.06 acres. The single-family lots are broken into four different lot sizes: 86 lots are 31 feet wide, 67 lots are 41 feet wide, 11 lots are 51 feet wide, and 33 lots are 65 feet wide. A community pool is also included in the plan.

The plan proposes two access points. One access point is located along Newsom Station Road. The second access point includes a bridge over the CSX railroad, providing a connection to the west side of Newsom Station Road.

The Planning Commission at its March 25, 2021, meeting found that the existing SP to be inactive and recommended to the Metro Council rezone the subject property.

ANALYSIS

The approximately 131 acre site is partially split by Newsom Station Road with the majority of the property being on the east side of the road. The property is adjacent to the Newsom's Mill Historic Site and has I-40 abutting to the south and the Harpeth River bounding the property to the north and to the east. Newsom Station road is classified as a Collector Avenue in the Major and Collector Street Plan. The property has large areas within the Floodplain/Floodway.

The proposed zoning district would permit a form and intensity of development that is consistent with the Suburban Neighborhood Maintenance policy. The proposed zoning district would likely cause the property to develop through a subdivision that would be subject to the Subdivision Regulations. These regulations would require the subdivision to preserve and protect the Floodplain/Floodway in an appropriate manner. Staff finds the proposed zoning district consistent with policy and appropriate for this location.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	131.06	-	213 U	2,085	156	210

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	131.06	-	35 U	189	12	6

Maximum Uses in Proposed Zoning District: **RS80**

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)	131.06	0.545 D	71 U	759	55	73



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Traffic changes between maximum: **SP and RS80**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-177 U	-1,515	-113	-143

METRO SCHOOL BOARD REPORT

Projected student generation existing SP district: 35 Elementary 26 Middle 28 High

Projected student generation proposed RS80 district: 8 Elementary 6 Middle 7 High

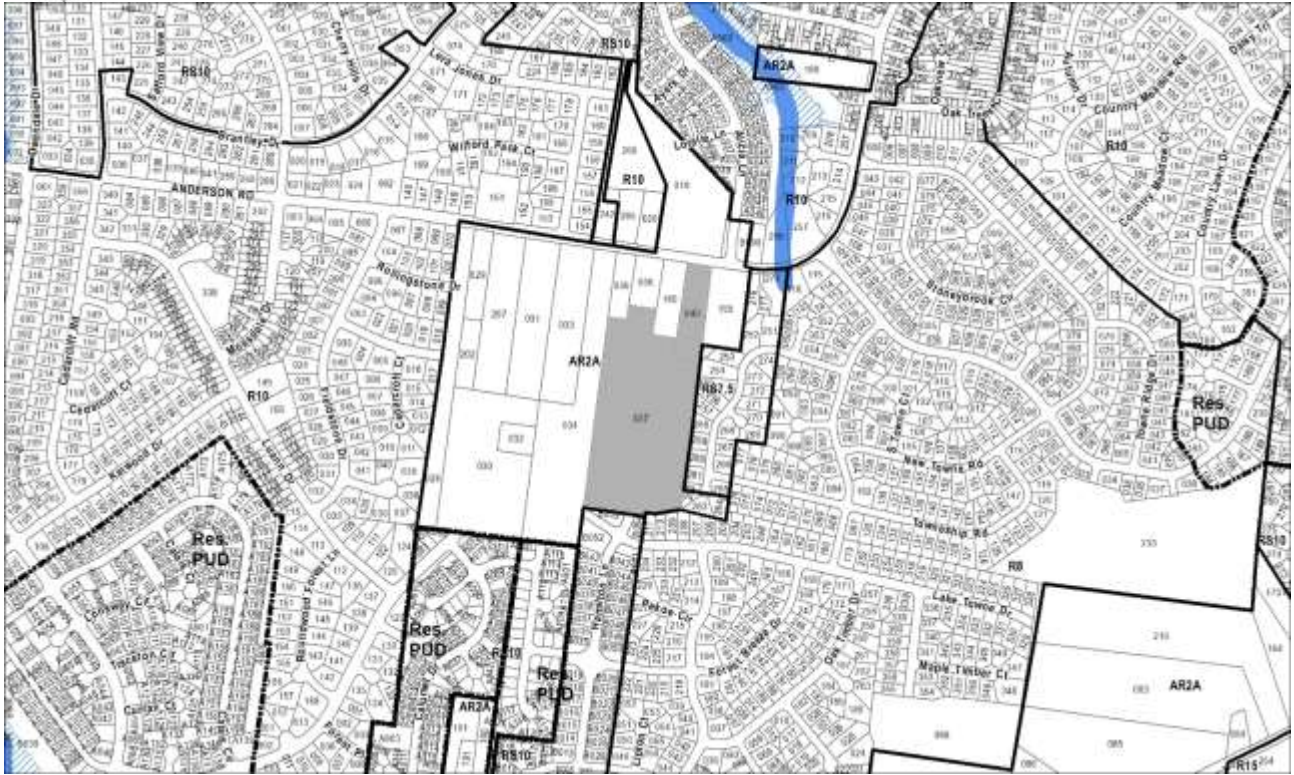
The proposed RS80 zoning is expected to generate 68 fewer students than the existing SP zoning. Students would attend Gower Elementary School, H.G. Hill Middle School, and Hillwood High School. Gower Elementary School and Hillwood High School are identified as having additional capacity. H.G. Hill Middle School is identified as being over capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.



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2021Z-072PR-001

Map 150, Parcel(s) 037, 040

13, Antioch-Priest Lake

33 (Antionette Lee)



Metro Planning Commission Meeting of 09/23/21

Item #26**Council District****School District****Requested by****Zone Change 2021Z-072PR-001**

33 - Lee

6 - Bush

Sammy Said and Marian Fangary, applicants and owners.

Staff Reviewer

Swaggart

Staff Recommendation*Approve.***APPLICANT REQUEST****Zone change from AR2a to RS7.5.**Zone Change

A request to rezone from Agricultural/Residential (AR2a) to Single-Family Residential (RS7.5) zoning for properties located at 3163 and 3165 Anderson Road, at the northern terminus of Hamilton Lane (12.8 acres).

Existing Zoning

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 6 lots with 1 duplex lots for a total of 7 units.*

Proposed Zoning

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of 63 units, based on acreage alone.*

ANTIOCH-PRIEST LAKE COMMUNITY PLAN

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

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



Metro Planning Commission Meeting of 09/23/21

ANALYSIS

The 12.8 acre site is located on the south side of Anderson Road, west of Wilford Park Drive. The property is currently vacant. Surrounding properties have developed with single-family residential. Property immediately across Anderson Road has been recently recommended for approval as a multi-family Specific Plan.

Surrounding zoning includes AR2a, RS7.5, R8, R10, and RS10. The property immediately to the east is zoned RS7.5 and has been developed as a traditional suburban subdivision. Anderson Road is a collector and the Major and Collector Street Plan includes a future collector traversing this site. Should the property be rezoned and subsequently proposed for subdivision, the proposed collector would be evaluated and required if necessary with the proposed subdivision.

Rezoning this property to RS7.5 would allow for development similar to existing residential developments in the area, consistent with the goals of the policy to create and enhance suburban communities.

FIRE 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: **AR2a**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	12.80	0.5 D	7 U	90	9	8

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	12.80	5.808 D	74 U	788	57	76

Traffic changes between maximum: **AR2a and RS7.5**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+698	+48	+68



Metro Planning Commission Meeting of 09/23/21

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2a district: 2 Elementary 1 Middle 1 High

Projected student generation proposed RS7.5 district: 16 Elementary 12 Middle 11 High

The proposed RS7.5 zoning district is expected to generate 19 additional students than the existing AR2a zoning district. Students would attend Edison Elementary School, J.F. Kennedy Middle School, and Antioch High School. All schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.



Metro Planning Commission Meeting of 09/23/21



2021Z-073PR-001

Map 051-06, Parcel(s) 013

04, Madison

08 (Nancy VanReece)



Metro Planning Commission Meeting of 09/23/21

Item #27

Council Bill No.

Council District

School District

Requested by

Zone Change 2021Z-073PR-001

BL2021-859

08 – VanReece

03 - Masters

Councilmember Nancy VanReece, applicant; Due West Towers LLC, owner(s).

Deferrals

A public hearing was held for this item on August 26, 2021. The item was deferred after the public hearing. The public hearing remains open.

Staff Reviewer

Lewis

Staff Recommendation

Approve.

APPLICANT REQUEST

Zone change from OG to MUG and MUG-A-NS.

Zone Change

A request to rezone from Office General (OG) to Mixed-Use General (MUG) and Mixed-Use General – Alternative – No Short Term Rentals (MUG-A-NS) zoning for a portion of property located at 612 W Due West Avenue, at the northwest corner of W Due West Avenue and S Graycroft Avenue (16.50 acres).

Existing Zoning

Office General (OG) is intended for moderately high intensity office uses.

Proposed Zoning

Mixed Use General (MUG) is intended for a moderately high intensity mixture of residential, retail, and office uses.

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 rentals (owner occupied and not owner occupied).*

MADISON COMMUNITY PLAN

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



Metro Planning Commission Meeting of 09/23/21

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.

UPDATE

The district councilmember held a neighborhood meeting on September 11, 2021, following the first hearing at the Planning Commission. Previous opposition to the item was primarily focused around a perceived lack of information and questions around what could be developed under the proposed zoning district. The community meeting was an opportunity for the councilmember and developer to address the questions and concerns. A request to revise a part of the rezoning request from MUG-A to MUG-A-NS was submitted by the councilmember after this community meeting. A revised analysis section based on this request is below.

ANALYSIS

The 16.50 acre site is located at the northwest corner of the intersection of W Due West Avenue and S. Graycroft Avenue. The site has been developed with an existing structure that was once Memorial Hospital. Recently the structure has been used for several different commercial tenants. A majority of the site has been developed with surface parking. The properties to the east across S. Graycroft Avenue are zoned Single-Family Residential (RS20) and have been developed with single-family homes. The properties to the south, on the south side of W Due West Avenue are zoned MUG-A, Office/Residential (OR20), and Office Neighborhood (ON). Other non-residential zoning districts are in place to the south of the site along S. Graycroft Avenue.

The site would be split zoned between MUG and MUG-A-NS. The portion of the area to be rezoned that is immediately adjacent to the public streets would be within the MUG-A-NS zoning district and the internal portions of the site to be rezoned would be zoned MUG. The proposed zoning districts are consistent with the District Employment Center (D-EC) Policy. D-EC Policy areas can be characterized with having mixture of office and commercial uses to provide centers of employment. While the primary function of D-EC policy areas are places to establish intense economic activity, there are often additional complementary uses. These complementary uses are encouraged as secondary and supportive to the function of the D-EC policy as an economic activity center. Complementary uses include daily convenience retail, restaurants, and services for the employees, and can also include medium to high-density residential. Additional factors for consideration in a rezoning of a site in the D-EC area can include the location of the site, the location in relation to environmentally sensitive features, centers, corridors, and neighborhoods. The site is located at the intersection of two arterial boulevards as classified by the Major and Collector Street Plan (MCSP), near other similar zoning districts, and minimal slopes. The presence of a small area of slopes on the site are indicated by the Conservation Policy on the site.



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FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	16.50	1.5 F	1,078,110 SF	10,652	1,040	1,089

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (221)	8.25	3.0 F	1,078 U	5,873	351	434

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	4.13	3.0 F	539,708 SF	20,374	508	2,056

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	4.12	3.0 F	538,402 SF	60,398	5,351	5,260

Traffic changes between maximum: OG, MUG, 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
-	-	-	-	+75,993	+5,170	+6,661

METRO SCHOOL BOARD REPORT

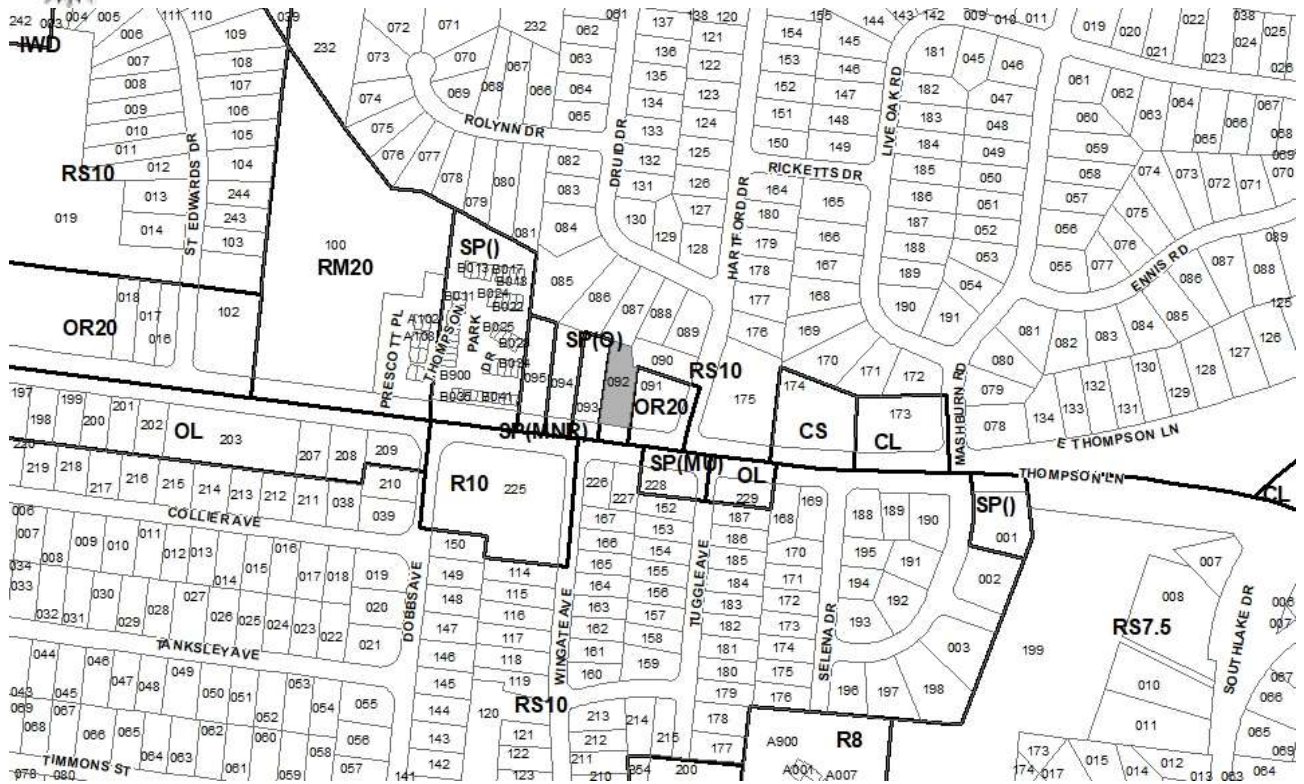
The mix of uses could vary and assumption of impact at this point is premature. Students would attend Stratton Elementary School, Madison Middle School, and Hunters Lane High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.



Metro Planning Commission Meeting of 09/23/21



2021Z-083PR-001

Map 119-10, Parcel(s) 092

11, South Nashville

16 (Ginny Welsch)



Metro Planning Commission Meeting of 09/23/21

Item #28**Council District****School District****Requested by****Zone Change 2021Z-083PR-001**

16 – Welsch

01 - Gentry

Abbas Saied Almosawi, applicant; Abbas Saied Almosawi and Anwar Abaygee, owners.

Staff Reviewer

Lewis

Staff Recommendation*Approve.***APPLICANT REQUEST****Zone change from RS10 to OR20-NS**Zone Change

A request to rezone from Single-Family Residential (RS10) to Office/Residential – No Short Term Rentals (OR20-NS) zoning for property located at 88 Thompson Lane, approximately 130 feet west of Hartford Drive (0.36 acres).

Existing Zoning

Single-Family Residential (RS10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of one single-family lots, based solely on a minimum lot size of 10,000 square feet as required by the zoning.*

Proposed Zoning

Office/Residential – NS (OR20-NS) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *OR20-NS would permit a maximum of seven multi-family units based on acreage alone. The -NS designation prohibits Short Term Rental Property (owner occupied and not owner occupied).*

SOUTH NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The site is located on the north side of Thompson Lane, west of the intersection of Hartford Drive and Thompson Lane. The properties along Thompson Lane have a variety of zoning districts including RS10, OR20, Office Limited (OL), and Specific Plan (SP). The property immediately to the east is zoned OR20, and to the west the property is zoned SP to permit a medical office building. The properties to the north, off of the corridor are primarily zoned RS10.

The policy on the subject site and along this stretch of Thompson Lane is Transition Policy. The intent of the TR policy is to enhance and create areas whose primary purposes are to serve as



Metro Planning Commission Meeting of 09/23/21

transitions between higher-intensity uses or major thoroughfares and lower density residential neighborhoods. The proposed OR20-NS zoning district is consistent with the intent of the policy. The predominant uses in TR areas are small-scale offices and moderate to high density residential in various building types. Given the location of the site along a corridor and the proximity to residential development to the north, a variety of use types permitted by the OR20-NS zoning district are consistent with the intent of the TR Policy.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.36	4.356 D	1 U	15	5	1

Maximum Uses in Proposed Zoning District: **OR20-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 (221)	0.18	0.8 F	6 U	31	3	3

Maximum Uses in Proposed Zoning District: **OR20-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.18	0.8 F	6,273 SF	72	33	8

Traffic changes between maximum: **RS10 and OR20-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+88	+31	+10

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed OR20-NS district: 1 Elementary 0 Middle 0 High

The proposed OR20-NS zoning district is expected to generate one additional student than the existing RS10 zoning district. Students would attend Whitsitt Elementary School, Cameron College Prep Middle School, and Glencliff High School. Whitsitt Elementary and Glencliff Highschool are identified as having additional capacity, and Cameron College Prep has been identified as overcapacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

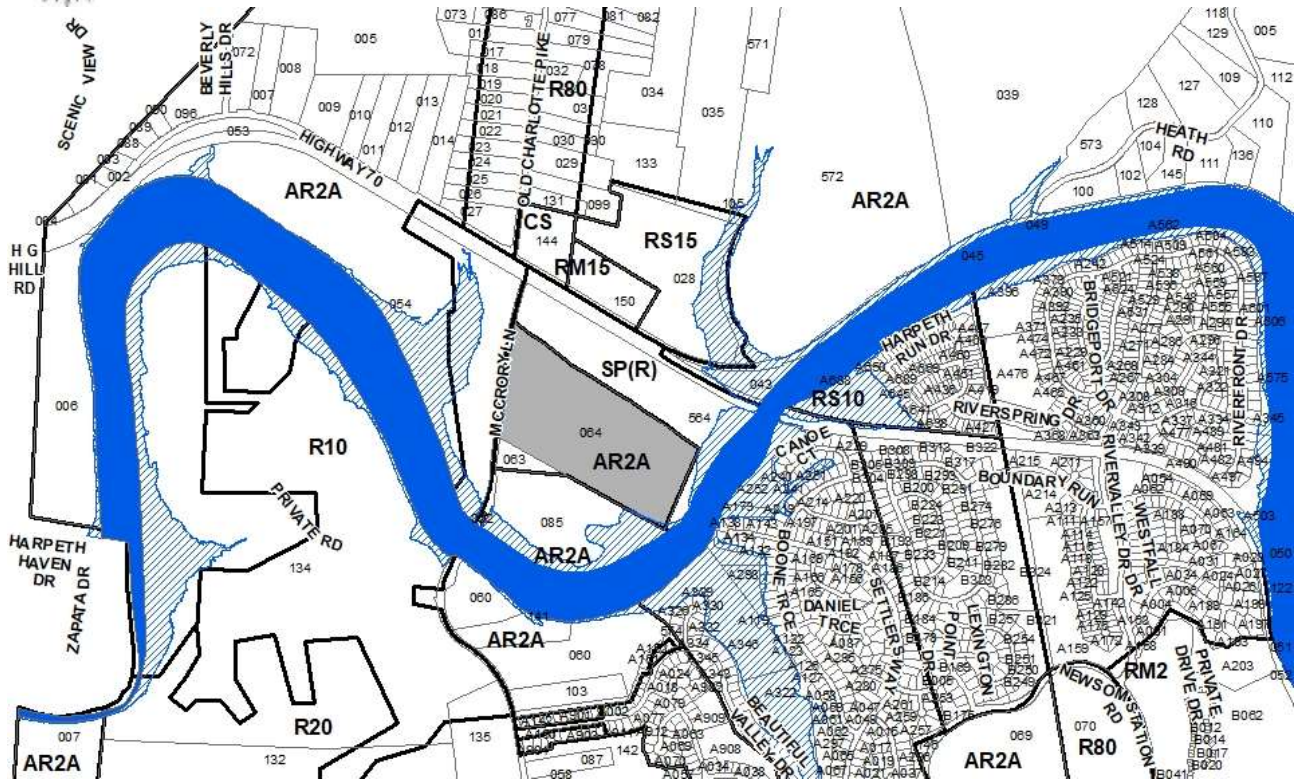
Staff recommends approval.



SEE NEXT PAGE



Metro Planning Commission Meeting of 09/23/21



2021Z-092PR-001
Map 126, Parcel(s) 064
06, Bellevue
35 (Dave Rosenberg)



Metro Planning Commission Meeting of 09/23/21

Item #29**Council Bill No.****Council District****School District****Requested by****Zone Change 2021Z-092PR-001**

BL2021-906

35 – Rosenberg

09 – Tylor

Councilmember Dave Rosenberg, applicant; McCrory Lane Partners, LLC, owner.

Staff Reviewer

Harrison

Staff Recommendation*Approve.***APPLICANT REQUEST****Zone change from AR2a to R80.**Zone Change

A request to rezone from Agricultural/Residential (AR2a) to One and Two-Family Residential (R80) zoning for property located at 7848 McCrory Lane, approximately 385 feet south of Highway 70 (42.24 acres).

Existing Zoning

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. AR2a would permit a maximum of 21 lots with 5 duplex lots for a total of 26 units.

Proposed Zoning

One and Two-Family Residential (R80) requires a minimum 80,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of .58 dwelling units per acre including 25 percent duplex lots. R80 would permit a maximum of 24 lots with 6 duplex lots for a total of 30 units.

BELLEVUE COMMUNITY PLAN

T2 Rural Maintenance (T2 RM) is intended to maintain rural character as a permanent choice for living within Davidson County and not as a holding or transitional zone for future urban development. T2 RM areas have established low-density residential, agricultural, and institutional development patterns. Although there may be areas with sewer service or that are zoned or developed for higher densities than is generally appropriate for rural areas, the intent is for sewer services or higher density zoning or development not to be expanded. Instead, new development in T2 RM areas should be through the use of a Conservation Subdivision at a maximum gross density of 1 dwelling unit/2 acres with individual lots no smaller than the existing zoning and a significant amount of permanently preserved open space.

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



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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.

CO policy at this site recognizes potential streams and stream buffers, pockets of potentially steep slopes, and water features.

ANALYSIS

The proposed zone change from an agricultural/residential zoning district to a one and two-family zoning district would be considered consistent with the T2 RM policy, at this location. Although T2 RM includes agricultural based zoning as appropriate zoning classifications, other districts may be appropriate as long as the desired zoning can be shown as consistent with the policy. To determine appropriateness of a zoning district, size of the site, environmental conditions on site, and character of the surrounding area will be considered.

The policy states that lots should generally be a lower density at two units per acre and provide significant open space to maintain existing environmentally sensitive areas and the rural character. The proposed zoning of R80 is the lowest density residential district at 0.58 units per acre, providing only a slight increase than what the existing AR2a zoning would allow, while still allowing for both one and two-family units currently allowed within the existing zoning. Any proposed future subdivisions would be required to follow the rural character requirements located within the subdivision regulations, further preserving the rural character of this site.

Currently the site consists of multiple environmental constraints, labeled as conservation under the policy. These areas consist of a former rock quarry that is now filled with water, slopes of greater than 20% around the site, and floodplains in the southeast. The proposed zoning district of R80 allows fewer uses than AR2a. These uses permitted in AR2a include some medical, transportation, waste management, and recreational uses that would not be permitted in any situation within R80 and would likely be inappropriate on this site. The site is located off McCrory Lane, which is classified as an arterial boulevard in the Major and Collector Street Plan. The property to the north and east, also within the T2 RM policy, is zoned SP to allow a six unit per acre townhome development. With the classification of an arterial boulevard and higher density development to the north, a more intense residential zoning of R80 would be appropriate in this area.

When considering the requested zoning of this site, environmentally sensitive features, potential uses and density, surrounding uses, and location of an arterial boulevard, the rezoning to R80 would be consistent with the T2 RM policy, at this location.

FIRE MARSHAL RECOMMENDATION

Approved 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.



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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	42.24	0.5 D	26 U	301	23	28

*Based on two-family lots

Maximum Uses in Proposed Zoning District: **R80**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	42.24	0.545 D	28 U	322	25	30

*Based on two-family lots

Traffic changes between maximum: **AR2a and R80**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+2 U	+21	+2	+2

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2a district: 1 Elementary 1 Middle 1 High

Projected student generation proposed R80 district: 1 Elementary 1 Middle 1 High

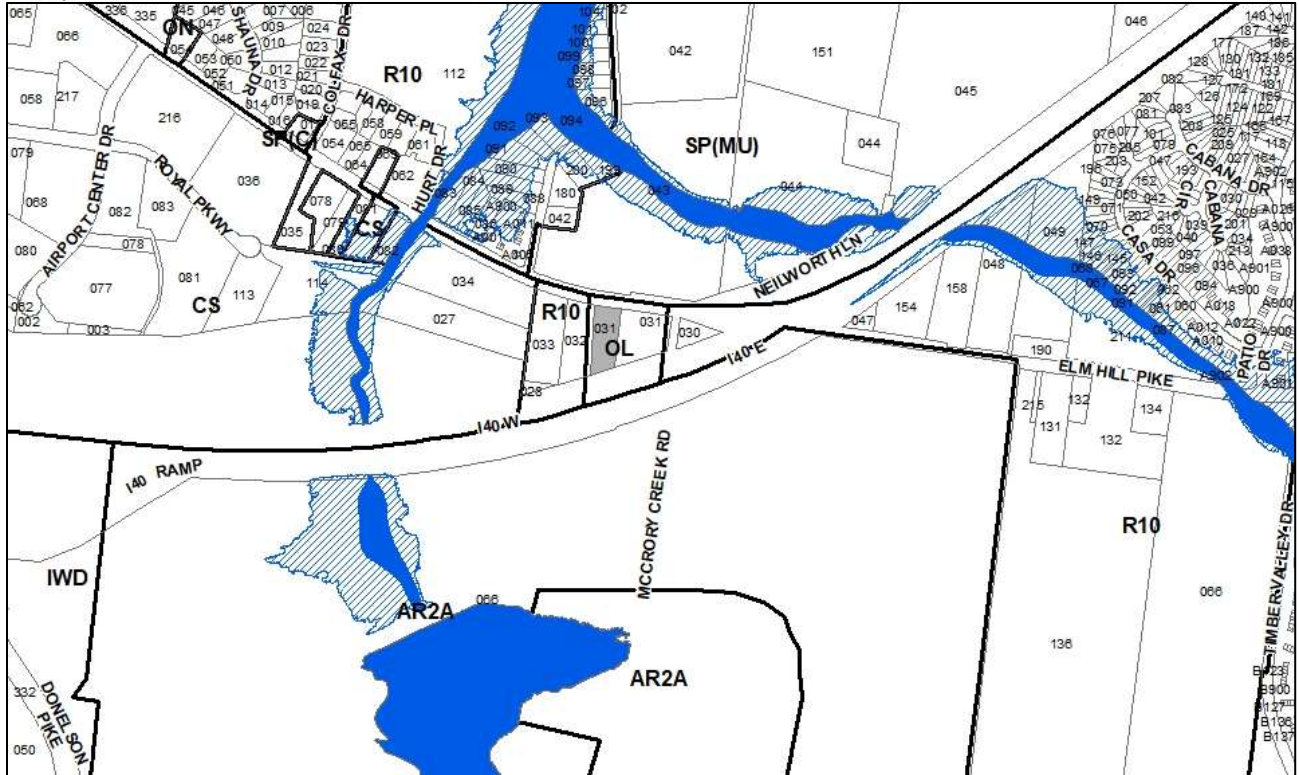
The proposed R80 zone district is not anticipated to generate any additional students than what could be generated under the existing AR2a zoning. Students would attend Gower Elementary School, Jere H. G. Mills Middle School, and Hillwood High School. H G Hill Middle School is identified as being over capacity. Gower Elementary and Hillwood High School are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.



Metro Planning Commission Meeting of 09/23/21



2021Z-093PR-001

Map 108, Parcel(s) 031

14, Donelson-Hermitage-Old Hickory

15 (Jeff Syracuse)



Metro Planning Commission Meeting of 09/23/21

Item #30**Council District****School District****Requested by****Zone Change 2021Z-093PR-001**

15 – Syracuse

4 – Little

Dale and Associates, Inc., applicant; Moreno Family Holding, LLC, owner.

Staff Reviewer

Rickoff

Staff Recommendation*Approve.***APPLICANT REQUEST****Zone change from OL to IWD.**Zone Change

A request to rezone from Office Limited (OL) to Industrial Warehousing/Distribution (IWD) zoning for property located at 2975 Elm Hill Pike, approximately 365 feet east of McCrory Creek Road (1.13 acres).

Existing Zoning

Office Limited (OL) is intended for moderate intensity office uses.

Proposed Zoning

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

DONELSON-HERMITAGE-OLD HICKORY COMMUNITY PLAN

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

ANALYSIS

The 1.13-acre site is located on the south side of Elm Hill Pike, east of Donelson Pike. The property borders Interstate 40 to the south and is located southeast of the terminus of McCrory Creek Road. The property is developed with an office use. Elm Hill Pike is designated as an arterial-boulevard identified by the Major and Collector Street Plan. Surrounding properties to the east are vacant and properties to the immediate west include a cemetery use. The land use pattern transitions to the west where properties are developed with primarily nonresidential and office uses along the south side of Elm Hill Pike. The Nashville International Airport is located to the southwest.

The D EC policy spans both sides of Elm Hill Pike but is largely concentrated on the north side, bounded by McCrory Creek Road to the west and I-40 to the east. On the south side of Elm Hill



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Pike, the policy transitions from D EC to T3 CC, Suburban Community Center, policy to the west where properties have developed with commercial and other non-residential uses. The proposed IWD zoning would permit compatible light-industrial and non-industrial uses in an area that includes a mix of uses in proximity to the airport, which spans the south side of I-40 and is within the D I, District Impact, policy, a higher intensity policy area.

Rezoning the site from OL to IWD is consistent with the policy guidance, which supports a range of moderately high intensity office, mixed use, and light industrial uses. The site is located along an arterial boulevard, in proximity to I-40, and is centrally located within a larger industrial policy area, 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: OL

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	1.13	0.75F	36,917 SF	404	62	44

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)	1.13	0.8 F	39,378 SF	108	7	7

Traffic changes between maximum: OL and IWD

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+2,461 SF	-296	-55	-37

STAFF RECOMMENDATION

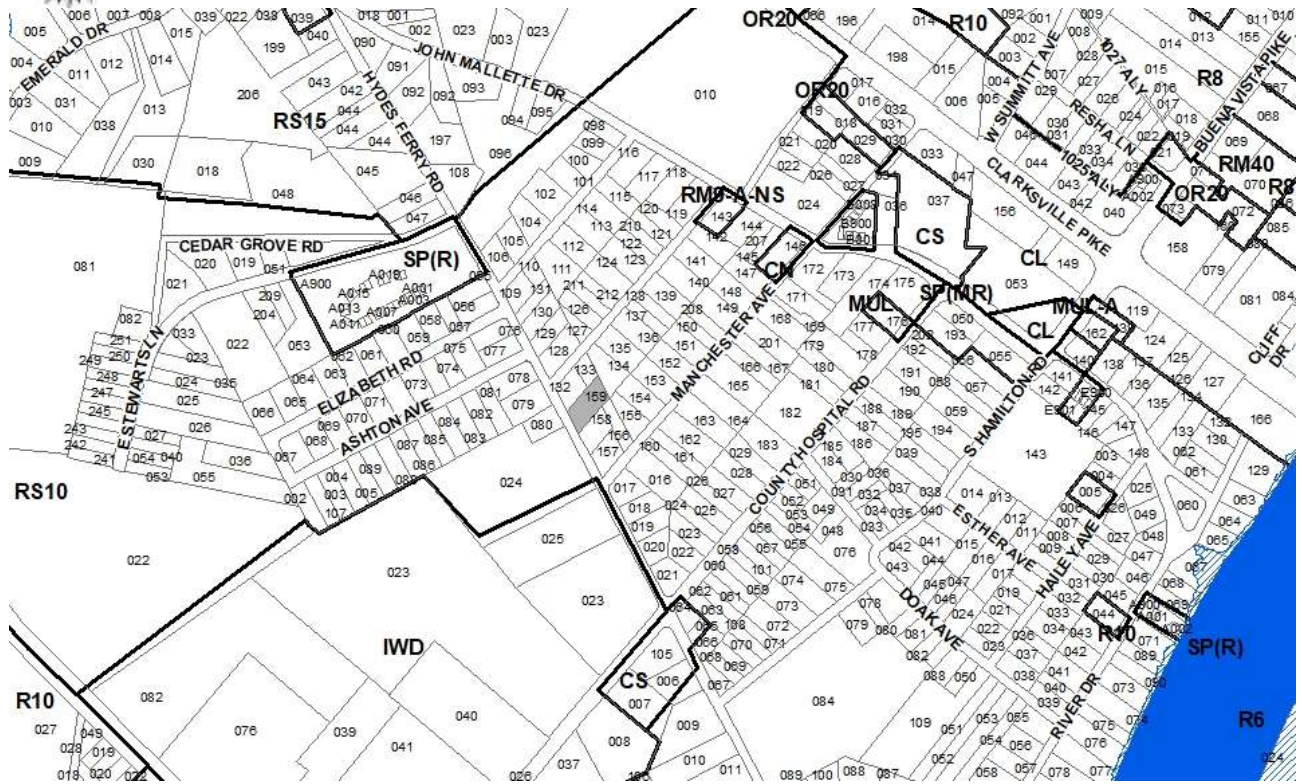
Staff recommends approval.



SEE NEXT PAGE



Metro Planning Commission Meeting of 09/23/21



2021Z-094PR-001

Map 069-16, Parcel(s) 159

03, Bordeaux – Whites Creek – Haynes Trinity

02 (Kyontzé Toombs)



Metro Planning Commission Meeting of 09/23/21

Item #31**Council District****School District****Requested by****Zone Change 2021Z-094PR-001**

02 – Toombs

01 - Gentry

Faye P. and James Thomas Riddle, applicants & owners.

Staff Reviewer

Lewis

Staff Recommendation*Approve.***APPLICANT REQUEST****Zone change from RS10 to R10**Zone Change

A request to rezone from Single-Family Residential (RS10) to One and Two-Family Residential (R10) zoning for property located at 3408 Hydes Ferry Road, approximately 110 feet south of Ashton Avenue (0.47 acres).

Existing Zoning

Single-Family Residential (RS10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of two single-family lots, based solely on a minimum lot size of 10,000 square feet as required by the zoning. This calculation does not account for infrastructure, road layout, functional lot configuration, or meeting all requirements of the Metro Subdivision Regulations.*

Proposed Zoning

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of two two-family lots, for a total of four units. This calculation is based solely on a minimum lot size of 10,000 square feet as required by the zoning, and does not account for infrastructure, road layout, functional lot configuration, or meeting all requirements of the Metro Subdivision Regulations. Duplex eligibility will be determined by the Metro Codes Department.*

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

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



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techniques to balance the increased growth and density with its impact on area streams and rivers.

ANALYSIS

The 0.43 acre site is located on the east side of Hydes Ferry Road, north of County Hospital Road. The surrounding properties are primarily zoned RS10 and have been developed with primarily single family uses, some two-family uses, and some vacant properties.

The site is located within the T3 Suburban Neighborhood Evolving (T3-NE) policy area. These policy areas are undeveloped, underdeveloped, or suitable for substantial infill and redevelopment and are anticipated to be developed in suburban residential patterns, but at higher densities and with greater housing variety than classic suburban neighborhoods. The proposed zoning district is consistent with the intent of providing housing diversity consistent with the density envisioned by the policy. Additional factors for rezoning include the size of the site, environmental characteristics on and or near the site, and the character of adjacent Transect and policy areas. The size of the site is nearly half an acre and has no known environmental features. The surrounding properties are also within the T3 NE Policy area, with similar goals and pattern of residential development.

FIRE 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: **RS10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.47	4.356 D	2 U	28	7	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	0.47	4.356 D	4 U	54	8	5

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+2	+26	+1	+3



Metro Planning Commission Meeting of 09/23/21

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed R10 district: 1 Elementary 0 Middle 0 High

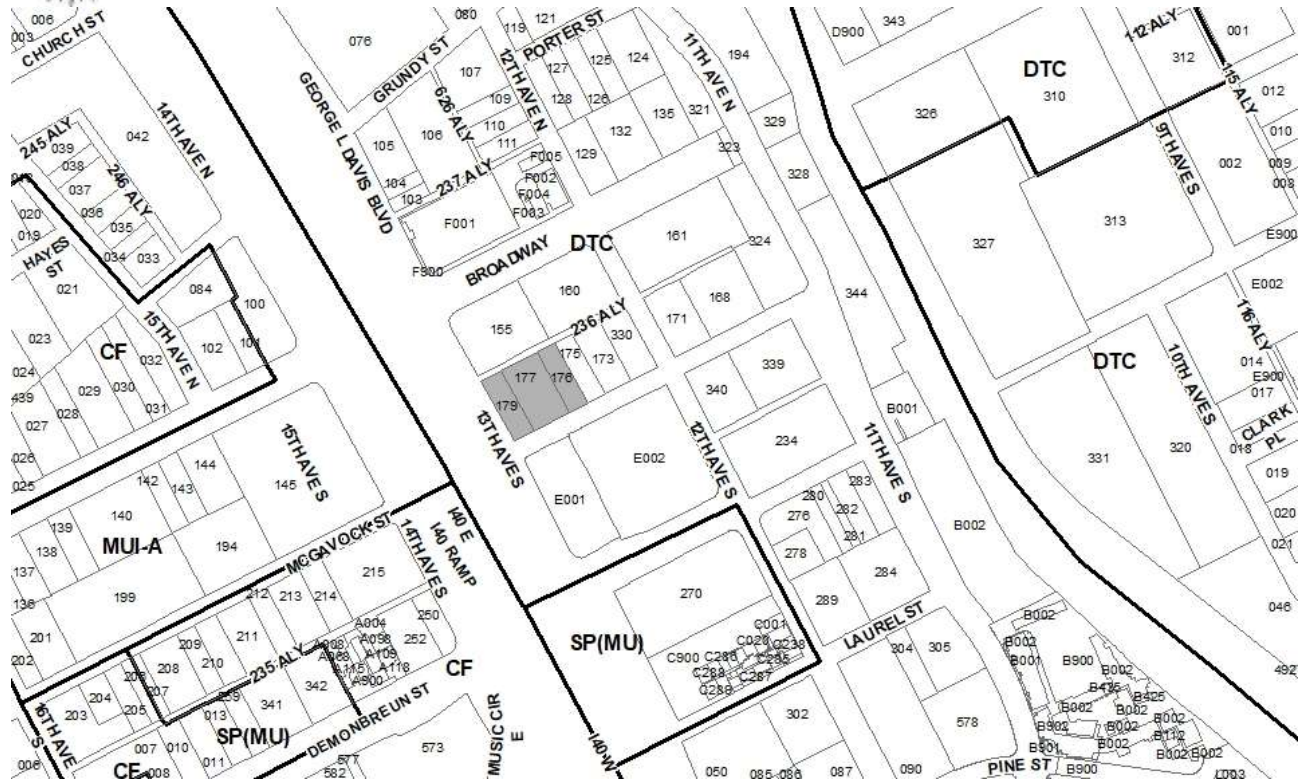
The proposed R10 zoning district is expected to generate one additional student than the existing RS10 zoning district. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.



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2021DTC-017-001
MODERA MCGAVOCK
 Map 093-01, Parcel(s) 176, 177, 179
 11, Downtown
 19 (O'Connell)



Metro Planning Commission Meeting of 09/23/21

Item #32

DTC Overall Height Modification 2021DTC-017-001

Project Name

Modera McGavock

Council District

19 – O’Connell

School District

05– Buggs

Requested by

Luca Barber, applicant; Rajesh Aggarwal, owner.

Staff Reviewer

Islas

Staff Recommendation

Approve with conditions or defer without all conditions

APPLICANT REQUEST

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

DTC Overall Height Modification

A request for a modification of overall building height on property located at 1212, 1214, and 1218 McGavock Street (0.79 acres), within the Gulch South Subdistrict of the Downtown Code (DTC).

Existing Zoning

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

PROJECT OVERVIEW

The Modera McGavock project proposes a 29-story residential building consisting of approximately 400 apartment units, 16,000 square feet of ground-level retail space, rooftop amenity space, and both underground and above-ground parking for a total of 466 vehicular parking spaces.

The project is located between two towers of significant height and will be prominently visible from the eastbound Broadway and Demonbreun Street gateways into downtown Nashville. The proposed height of the Modera McGavock tower harmonizes the heights of the buildings on either side of it.

PLAN DETAILS

Modera McGavock is located at the northeast corner of 13th Avenue South and McGavock Street. The proposed building has frontages on 13th Avenue South, which is classified as an “Other Street” per the DTC, and McGavock Street, which is classified as a Tertiary Street. Both frontages provide ground floor active uses, and exemplary streetscape and architectural elements.

The 13th Avenue South frontage includes a 12’ deep covered arcade with space for outdoor dining, and public terraces. This provides additional relief from the existing vehicular activity that is associated with 13th Avenue being an on/off ramp for the interstate. The pedestrian entrance for the residential part of the building is off McGavock Street. Vehicular entrances to



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Figure 1: Aerial view from near the intersection of 13th Avenue South and McGavock Street



Figure 2: West Elevation (left) and South Elevation (right)



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Figure 3: East Elevation (left) and North Elevation (right)



Figure 4: Site Plan and Ground Level Floor Plan



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the site are off the alley located to the north. Service and loading also occur from the alley. Pick-up and drop-off will occur within the parking garage. The positioning of these “back of house” functions creates active streetscapes on 13th Avenue and McGavock that exceed the DTC’s requirements for both streets.

OVERALL HEIGHT MODIFICATION PROCESS

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

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

OVERALL HEIGHT MODIFICATION ANALYSIS

Bonus Height Program

In the Gulch South Subdistrict an additional six stories may be earned, up to a maximum of sixteen stories, through use of the Bonus Height Program.

A Determination Letter, signed by the Executive Director of the Planning Department, is attached to this staff report, and states the development has made reasonable efforts to use all appropriate bonuses available in the Bonus Height Program. The Upper-Level Garage Liner / Underground Parking bonus is being used to line three levels of above grade parking along 13th Avenue South and McGavock Street and provide an additional three levels of underground parking. Additional bonuses being utilized include Public Parking, and Sustainability (NGBS Silver). Together these have earned the project the six additional levels attainable through the Bonus Height Program. Another nine levels are achieved but exceed the Bonus Height Maximum of 16 stories.

Community Meeting

The applicant held a community meeting on Tuesday, August 31, 2021 at 6:00 P.M. and sent notices to properties within 300 feet. One person from the public attended. A brief presentation was given. Questions and concerns were raised regarding the blasting and construction happening so close to the adjacent Adele’s restaurant structure. These were addressed by development team, who also agreed to discuss further in follow-up conversations closer to when work will begin. There were also questions about the width of the alley and how loading/service trucks would be able to maneuver that space. The development team explained that the alley would be widened to 20’ and an additional 10’ of space would be provided under cantilevered portions of the proposed project.

Downtown Code Design Review Committee Meeting

The Downtown Code Design Review Committee (DTC DRC) convened on September 2, 2021 and voted (with none opposed) to conceptually approve the project and approve modifications to



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the required step-back and minimum floor-to-floor height for various stories. The committee also voted (with none opposed) to recommend approval to modify the overall height to 29 stories.

Exceptional Design

The architecture of the Modera McGavock project provides a unique exterior façade with angled tower walls along 13th Avenue South and McGavock Street. These walls respond to the architectural articulation of the One 22 One building that is currently under construction, and to views of Downtown and Midtown. These walls also provide layering, depth, and opportunities for complimentary balconies. A prominent vertical “spine” at the corner begins at the podium, cuts through the tower, and forms part of the building’s crown.

The podium of the building includes three levels of residential liner over double-height, ground floor retail. The materials and height of the podium respond to other podiums and smaller scale buildings in the neighborhood. The covered arcade along 13th Avenue South, and the 16,000 square feet of retail at the ground level provide ample opportunities for pedestrian activity at the site.

All vehicular access, including service and loading, occur from the alley to the North of the building. This creates an uninterrupted sidewalk that wraps around 13th Avenue South and McGavock Street for the building’s entire frontage. Speed ramps remove all vehicular circulation from the ground level and allow for maximum ground floor retail depths.

The East elevation addresses the proximity and scale of the neighboring restaurant by wrapping the residential liner façade treatment around the building to hide the upper-level parking garage.

Additionally, the applicant has been working with NDOT to determine any necessary traffic and mobility improvements that need to be made to the surrounding area. Pedestrian crossing improvements at 12th Avenue South and McGavock are being considered. These improvements may be included as conditions of approval on the OHM with the Planning Commission. A Traffic Impact Study is under review by NDOT and may have final recommendations that impact this proposal.



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Figure 5: View from intersection of 13th Avenue South and McGavock Street showing an active streetscape from the covered arcade and retail activation

STAFF RECOMMENDATION

The project offers unique qualities and architectural expression in its site design, building massing, and overall aesthetic and staff is recommending approval of the overall height modification with the following conditions and deferral without all conditions.

CONDITIONS

1. All bonus height actions identified in this application, including those that require a deed or restrictive covenant, must be approved prior to building permit approval.
2. The applicant shall coordinate with NDOT on any proposed traffic improvements that come out the Traffic and Mobility Study.
3. If implementation of final TIS recommendations has a substantial effect on the building, or site design, revisions to these plans shall be reviewed by the DTC DRC.
4. All overhead lines along the site's frontages shall be buried.
5. The proposed residential use shall not be converted to a short-term rental use, memorialized by a deed restriction or covenant, as reviewed by Metro Legal.



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**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department
800 Second Avenue South
P.O. Box 196300
Nashville, Tennessee 37219-6300

July 27, 2021

Attn: Luca Barber
Mill Creek Residential Trust
3102 West End Avenue, Suite 780
Nashville, TN 37203

Re: Determination on DTC Bonus Height Program Efforts for 1212 McGavock

Mr. Barber:

This letter serves as a determination to proceed with the Overall Height Modification process and does not indicate project approval or support.

The project site is within the Gulch South Subdistrict of the Downtown Code, where 10 stories are permitted by-right and up to 16 stories are permitted through use of available bonuses in the Bonus Height Program. The proposed development is a 28-story residential building with retail use on the ground level, and a combination of below- and above-grade parking. The proposed development is proposing applying bonuses available in the Downtown Code's Bonus Height Program. Submitted exhibits demonstrate application of NGBS 2020 Silver certification, Upper Level Garage Liners, and Underground Parking.

The submitted exhibits show a designed ground floor active use with double-height retail space in conjunction with an enhanced streetscape along 13th Avenue, to encourage and support increased pedestrian activity in this part of the Gulch neighborhood. The determination to proceed with the Overall Height Modification process specifically accounts for this activation as implementation of the DTC's guidance regarding exceptionally strong streetscape, as well as any associated traffic improvements to the immediate surrounding area, as recommended by NDOT. The ability to move forward with the process may be reconsidered if the applicant is unable or unwilling to meet the standards of Metro departments for these improvements.

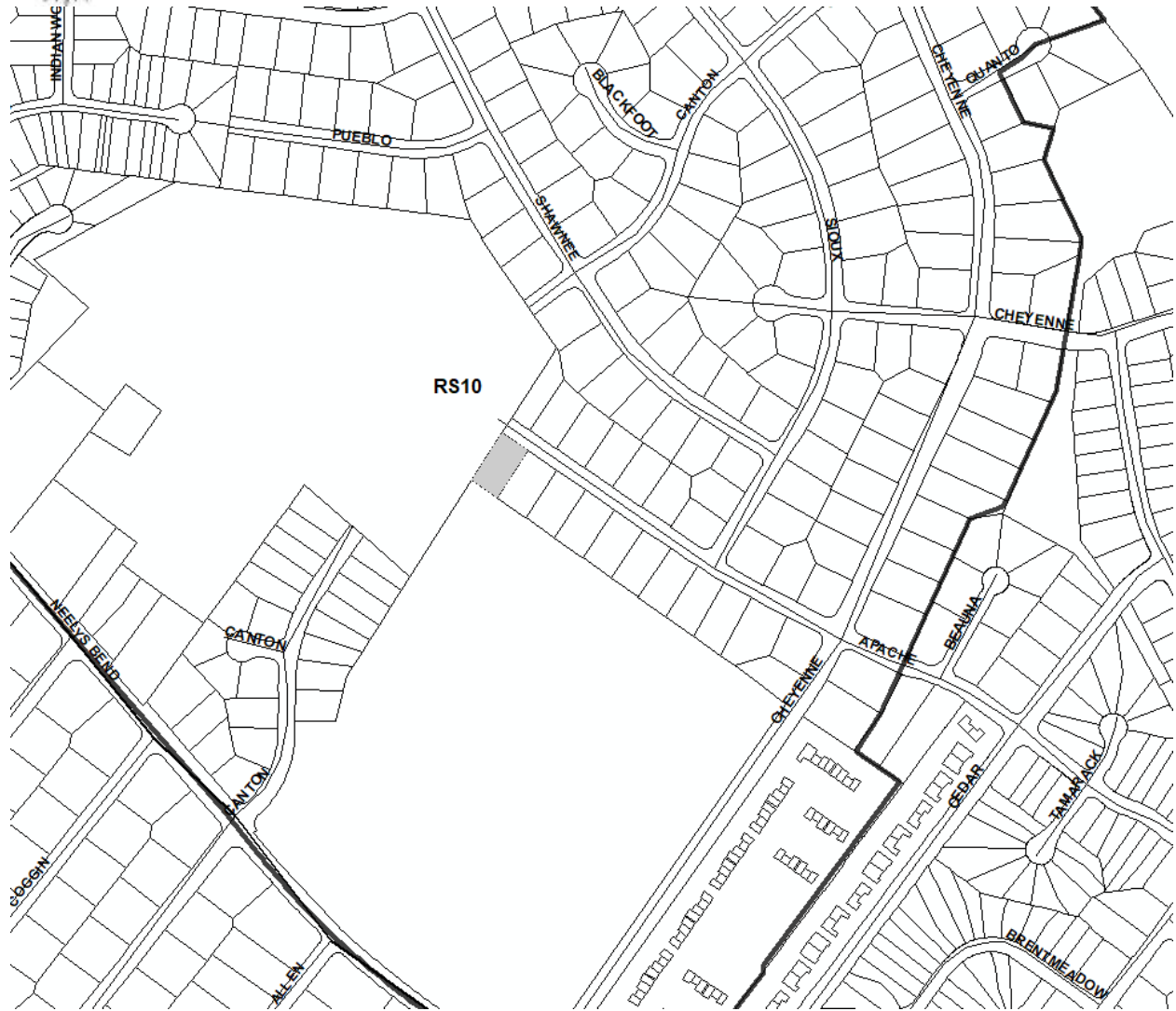
The applicant has made reasonable efforts to accomplish the intent of the Bonus Height Program and may proceed with next steps, as outlined in the Overall Height Modification process. This letter does not waive this project from requirements of other departments and agencies. Deviations from commitments made as outlined herein may result in a reconsidering of these efforts and project.

Sincerely,

Lucy Kempf
Executive Director
Metro Nashville Planning Department



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2021S-169-001

SEQUOIA VALLEY (RESERVE PARCEL)

Map 052-12, Parcel 093

04, Madison

09 (Tonya Hancock)



Metro Planning Commission Meeting of 09/23/21

Item #33**Project Name****Council District****School District****Requested by****Final Plat 2021S-169-001****Sequoia Valley (Reserve Parcel)**

04 – Hancock

03 – Masters

Harold Render, applicant and owner.

Deferrals

This item was deferred at the September 9, 2021, Planning Commission. No public hearing was held.

Staff Reviewer

Swaggart

Staff Recommendation*Approve with conditions.***APPLICANT REQUEST****Remove the reserve status from two parcels.**Final Plat

A request to amend a previously approved plat to remove the reserve status on property located at 1206 Apache Lane, at the current terminus of Apache Lane, zoned Single-Family Residential (RS10) (0.3 acres).

SITE DATA AND CONTEXT

Location: This request consists of one parcel located on the south side of Apache Lane adjacent to the current terminus of Apache Lane.

Street Type: Apache Lane is a local street.

Approximate Acreage: 0.3 acres or 13,068 sq. ft.

Parcel/Site History: Created by plat in 1967 and identified as reserve. The plat does not state why the parcel was placed in reserve.

Zoning History: Single-Family Residential (RS10). The RS10 zoning district has been in place since 1998. The zoning was R10 prior to 1998.

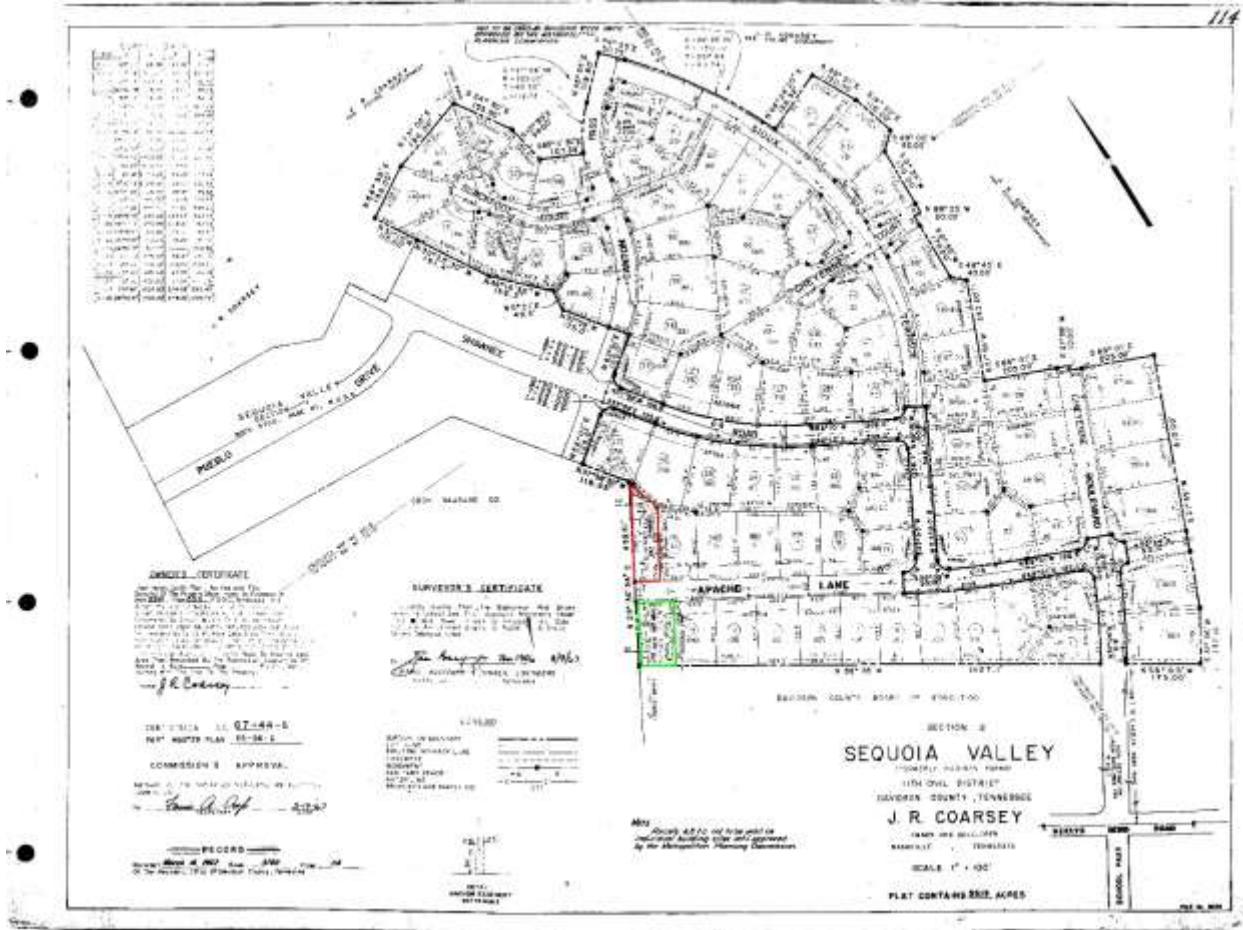
Bulk Standards for RS10:

- Min. lot size: 10,000 sq. ft.
- Max. FAR: N/A
- Building Coverage: 0.40
- Max. ISR: N/A
- Max. height: 3 stories
- Min. street setback: Contextual
- Min. side setback: 5
- Min. rear setback: 20'

Existing land use: Vacant residential land.



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Parcel in Reserve (Green Outline)



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Surrounding land use/ zoning:

- North: Residential/Single-family residential (RS10).
- South: Residential/Single-family residential (RS10).
- East: Residential/Single-family residential (RS10).
- West: Residential/Single-family residential (RS10).

PROPOSAL DETAILS

Number of lots: 1 lot

Lot sizes: Northern: 0.3 acres or 13,068 sq. ft.

Lot width at street: 90 ft.

Access: Apache Lane.

Subdivision Variances or Exceptions Requested: None.

APPLICABLE SUBDIVISION REGULATIONS

Chapter 2-8, Miscellaneous Platting Situations, apply to this request. Section 2-8.1, pertains to converting parcels to building sites. The Commission is required to review parcels being converted to building sites. An exception to this is when a parcel is in reserve due to pending action by a public utility to provide service to the parcel and the reason is stated on the plat that created the reserve parcel. In this event where the reason is stated in the plat, the review can be done at an administrative level with all reviewing agency approvals.

When determining if the reserve status should be removed from parcels where the plat does not cite why the parcel is in reserve, the regulations require the Commission consider the following:

1. That the parcel fits into the character of the area and is consistent with the general plan.
2. That all minimum standards of the zoning code are met.
3. That the parcel has street frontage or meets the requirements of Section 3-4.2.b or meets the requirements of Sections 3-4.2.b, 3-4.2.c, 4-6.3 or 5- 3.1.
4. That the current standards of all reviewing agencies are met.

Staff finds that all criteria are met for removing this parcel from reserve. The average lot size along Apache Lane is 0.34 acres in size and the average frontage is 97 feet. In the broader area, there are a range of lot sizes and frontages, including in the new subdivision that will connect through the terminus of Apache Lane. The lot is 90 feet wide and 0.3 acres in size, making it an appropriate transitional lot between the existing lots and the new subdivision.

PLANNING STAFF COMMENTS

Staff finds that the reserve parcels are consistent with the character and meet the standards for removing the reserve status.



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COMMENTS FROM OTHER REVIEWING AGENCIES

STORMWATER RECOMMENDATION

Approve

FIRE MARSHAL RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

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

TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

- Any Sewer Capacity Fees must be Paid before issuance of building permits.
- Water provided by Madison Suburban Utility District.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

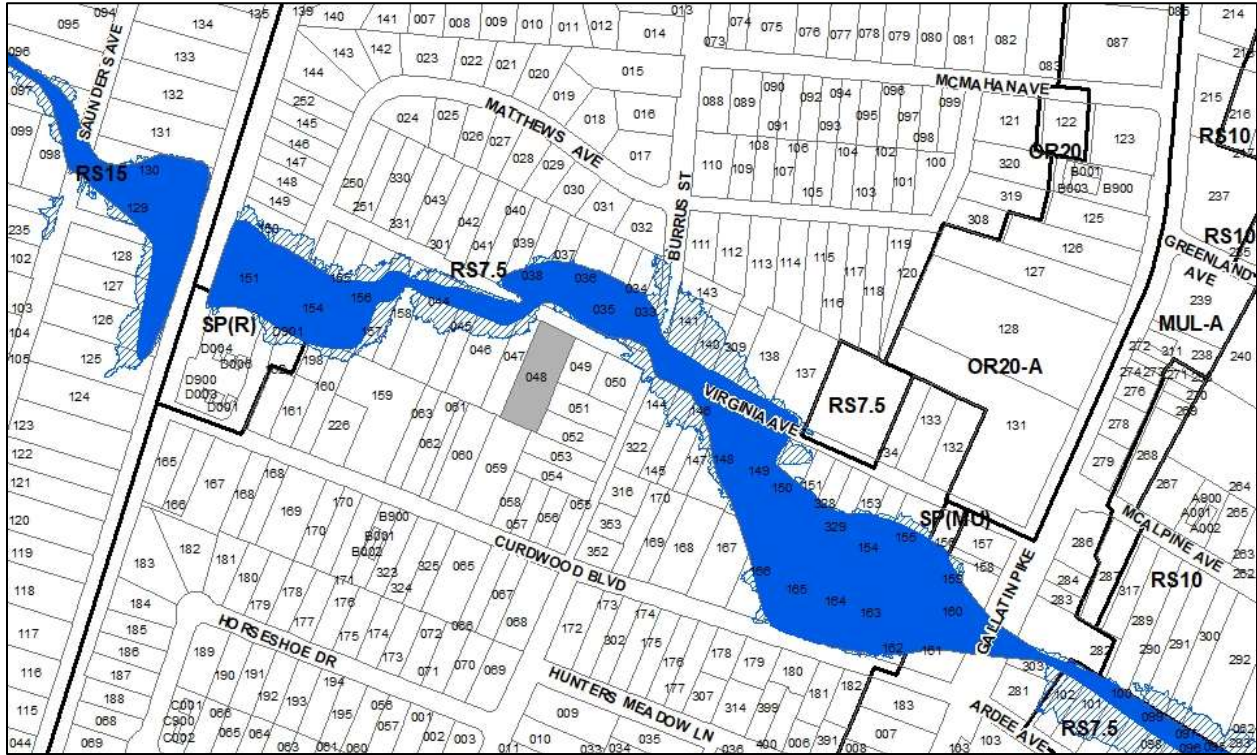
1. Comply with all conditions and requirements of Metro reviewing agencies.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



SEE NEXT PAGE



Metro Planning Commission Meeting of 09/23/21



2021S-171-001

MAPLEWOOD MANOR SUBDIVISION RESUB LOT 23

Map 061-11, Parcel(s) 048

05, East Nashville

08 (Nancy VanReece)



Metro Planning Commission Meeting of 09/23/21

Item #34	Final Plat 2021S-171-001
Project Name	Maplewood Manor Sub Resub Lot 23
Council District	08 – VanReece
School District	03 – Masters
Requested by	Smith Land Surveying, LLC, applicant; Ryan Pratt, owner.
Staff Reviewer	Shane
Staff Recommendation	<i>Approve with conditions and find that Lots 1 and 2 provide for harmonious development.</i>

APPLICANT REQUEST

Final plat to create two single-family residential lots.

Final Plat

A request for final plat approval to create two lots on property located at 920 Virginia Avenue, approximately 215 feet west of Burrus Street, zoned Single-Family Residential (RS7.5) (0.59 acres).

SITE DATA AND CONTEXT

Location: 215 feet west of Burrus Street on the south side of Virginia Avenue.

Street Type: The site has frontage along Virginia Avenue. The street is classified as a local road.

Approximate Acreage: 0.59 acres or 25,700.4 square feet.

Parcel/Site History: The property (Tax Map 061-11, Parcel 048) is comprised of Lot 23 on the Plan of Maplewood Manor Subdivision, as of record in book 547, page 102, recorded in 1925.

Existing land use and configuration: One parcel. There is an existing clapboard-sided home with an attached garage.

Surrounding land use and zoning:

North: Single-Family Residential (RS7.5)

South: Single-Family Residential (RS7.5)

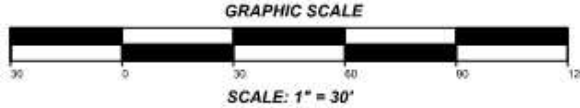
East: Single-Family Residential (RS7.5)

West: Single-Family Residential (RS7.5)



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OWNER:
RYAN PRATT
401 ACHIEVEMENT DRIVE
NASHVILLE, TN. 37209



LEGEND

- BOUNDARY LINE
- IRON PIN NEW
- IRON PIN OLD
- MONUMENT OLD
- EASEMENT LINE
- POWER POLE



VICINITY MAP

NORTH
SEE NOTE NO. 2

MAP 061-11 PARCEL 47.00
PORTION OF
24
EVAN SCHER
INSTRUMENT NO. 20161219-0132721
**MAPLEWOOD MANOR
SUBDIVISION**
PLAT BOOK 547 PAGE 102

MAP 061-11 PARCEL 48.00
PORTION OF
22
CHAD BURROUGHS
INSTRUMENT NO. 20171102-0112743
**MAPLEWOOD MANOR
SUBDIVISION**
PLAT BOOK 547 PAGE 102

MAP 061-11 PARCEL 357.00
2
AREA = 0.30 ACRES
13,118 SQ.FT.

MAP 061-11 PARCEL 356.00
1
AREA = 0.30 ACRES
13037 SQ.FT.

MAP 061-11 PARCEL 51.00
PORTIONS OF
21 & 22
ERIN PICKNEY
INSTRUMENT NO. 20081017-0104768
**MAPLEWOOD MANOR
SUBDIVISION**
PLAT BOOK 547 PAGE 102

MAP 061-11 PARCEL 52.00
PORTIONS OF
21 & 22
JANE BRITTINGHAM
INSTRUMENT NO. 20200514-0050255
**MAPLEWOOD MANOR
SUBDIVISION**
PLAT BOOK 547 PAGE 102

MAP 061-11 PARCEL 59.00
18
WILMA SATTERFIELD
BOOK 0962 PAGE 905
**MAPLEWOOD MANOR
SUBDIVISION**
PLAT BOOK 547 PAGE 102

MAP 061-11 PARCEL 53.00
PORTION OF
18, 19, 20
JESSICA BINKLEY
INSTRUMENT NO. 20110218-0014917

Proposed Plat



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Zoning: Single-Family Residential (RS7.5)

- Min. lot size: 7,500 square feet
- Max. height: 3 stories
- Min. street setback: 40'
- Min. rear setback for all properties: 20'
- Min. side setback for all properties: 5'
- Maximum Building Coverage: 0.45

Zoning History: The zoning is RS7.5. The RS7.5 zoning district was established in 1998. Prior to the RS7.5 zoning, the parcel was zoned R8.

PROPOSAL DETAILS

Number of lots: Two (2)

Lot sizes:

- Lot 1: 13,037 sq. ft.
- Lot 2: 13,116 sq. ft.

Access: All lots have direct access to Virginia Avenue.

Subdivision Variances or Exceptions Requested: None.

APPLICABLE SUBDIVISION REGULATIONS

Volume III of NashvilleNext, the General Plan for Nashville and Davidson County, contains the Community Character Manual (CCM) which establishes land use policies for all properties across the county. The land use policies established in CCM are based on a planning tool called the Transect, which describes a range of development patterns from most to least developed.

Prior versions of Subdivision Regulations for Nashville and Davidson County contained a uniform set of standards that were applied Metro-wide. This did not take into account the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is within the Urban Neighborhood Maintenance (T4 NM) and Conservation (CO) policies. For sites within the T4 transect, 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 general requirements, aside for compatibility, are met.



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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 RS7.5 zoning district. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of RS7.5 zoning at the time of building permit.

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 of 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.

3-5.2 Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Maintenance, except where a Special Policy and/or a Designated Historic District exists. The following criteria shall be met to determine compatibility of proposed infill lots to surrounding parcels.

a. All minimum standards of the zoning code are met.

All proposed lots meet the minimum standards of the zoning code.

b. Each lot has street frontage or meets the requirements of Section 3-4.2.b for fronting onto an open space or meets the requirements of Sections 4-6.3 or 5-3.1 fronting onto an open space.

All lots have frontage along Virginia Avenue.

c. The resulting density of lots does not exceed the prescribed densities of the policies for the area. To calculate density, the lot(s) proposed to be subdivided and the surrounding parcels shall be used. For a corner lot, both block faces shall be used.

The T4 NM policy that applies to this site does not specifically identify an appropriate density; however, the policy supports the underlying RS7.5 zoning district and its prescribed density.

d. The proposed lots are consistent with the community character of surrounding parcels as determined below:

1. Lot frontage is either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least



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amount of frontage, whichever is greater. For a corner lot, only the block face to which the proposed lots are to be oriented shall be used.

Lots 1 and 2 do not meet the frontage requirements along Virginia Avenue as they both have less frontage than 70% of the average frontage of surrounding parcels as outlined in the table below:

Lot 1 Frontage	
Proposed Frontage	50 ft.
Smallest Frontage	50 ft.
70% Average	54 ft.

Lot 2 Frontage	
Proposed Frontage	50 ft.
Smallest Frontage	50 ft.
70% Average	54 ft.

2. *Lot size is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than smallest surrounding lot, whichever is greater. For a corner lot, only the block face to which the proposed lots are to be oriented shall be used.*

Lots 1 and 2 meet the lot size requirements along Virginia Avenue as they are both larger than 70% of the average size of surrounding parcels as outlined in the table below:

Lot 1 Area	
Proposed Size	13,037 sf
Smallest Size	9,583 sf
70% Average	11,282 sf

Lot 2 Area	
Proposed Size	13,116 sf
Smallest Size	9,583 sf
70% Average	11,282 sf

3. *Where the minimum required street setback is less than the average of the street setback of the two parcels abutting either side of the lot proposed to be subdivided, a minimum building setback line shall be included on the proposed lots at the average setback. When one of the abutting parcels is vacant, the next developed parcel shall be used. For a corner lot, both block faces shall be used. New homes will be required to meet the contextual setback standards per the Metro Zoning Code.*
4. *Orientation of proposed lots shall be consistent with the surrounding parcels. For a corner lot, both block faces shall be evaluated.*
The orientation of proposed Lots 1 and 2 is consistent with the surrounding parcels along Virginia Avenue.
- e. *The current standards of all reviewing agencies are met.*
All agencies have recommended approval or approval with conditions.
- f. *If the proposed subdivision meets subsections a, b, c and e of this section but fails to meet subsection d, the Planning Commission, following a public hearing in accordance with the Planning Commission Rules and Procedures, may consider whether the subdivision can provide for the harmonious development of the community by otherwise meeting the provisions of TCA 13-4-303(a). In considering whether the proposed subdivision meets this threshold, the Commission shall specifically consider the development pattern of the area, any unique geographic, topographic and environmental factors, and other relevant information. The Commission may place reasonable conditions, as outlined in Section 3-5.6, necessary to ensure that the development of the subdivision addresses any particular issues*



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present in an infill subdivision and necessary to achieve the objectives as stated in TCA 13-4-303(a).

The Planning Commission may want to consider that several parcels along Virginia Avenue feature 50-foot frontage widths. There are four existing 50-foot-wide parcels along the same block face as the subject property. Across the street on the north side of Virginia Avenue, there are thirteen such parcels. Out of the 28 parcels that make up both sides of this segment of Virginia Avenue, sixty percent are 50-foot-wide lots. It would be difficult to argue that two more such lots would be injurious to the character of the area. This existing prevalence of the development pattern contemplated by the proposal could form the basis for a positive judgment by the Planning Commission that the proposed lots provide for harmonious development and are generally consistent with the adopted policy for the area.

3-5.3 Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Evolving and/or Special Policies, except within Designated Historic Districts.

Not applicable to this case.

3-5.4 Criteria for Determining Compatibility for Designated Historic Districts.

Not applicable to this case.

3-5.5 Infill Subdivision Frontage

Not applicable to this case.

3-5.6 Reasonable Conditions

Staff is not proposing any special conditions.

3-6 Blocks

Not applicable to this case. This proposal is for an infill subdivision. No new blocks are being created.

3-7 Improvements

Construction plans for any required private improvements (private stormwater, water and sewer lines and connections) will be reviewed at the time of building permit.

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

Not applicable to this case. Sidewalks are required only in association with new streets. The proposed subdivision is located on an existing street. 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

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



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3-10 Requirements for Dedication, Reservations, or Improvements

Virginia Avenue is classified as a local street. No dedications, reservations, or improvements are required.

3-11 Inspections During Construction

Construction plans for any required private improvements (private stormwater, water and sewer lines and connections) will be reviewed at the time of building permit.

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

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

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

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

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

Public Water is provided to this site by Metro Water. Water has reviewed this plat and has recommended approval.

3-16 Sewerage Facilities

Public sewer is available to this site from Metro Water Services. Water Services has reviewed the plat and found it to be in compliance with all requirements of this section.

3-17 Underground Utilities

Not applicable to this case. Utilities in subdivisions are required to be located underground whenever a new street is proposed. No new streets are proposed.

PLANNING STAFF COMMENTS

The proposed subdivision including all staff conditions meets the standards of the Metro Subdivision Regulations and Metro Zoning Code if the Planning Commission finds Lots 1 and 2 can provide for harmonious development.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve



Metro Planning Commission Meeting of 09/23/21

NASHVILLE DOT RECOMMENDATION

Approve with conditions

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

TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

- For the latest revised plat uploaded by Planning 8/31/2021, MWS recommends approval.

STAFF RECOMMENDATION

Staff recommends approval with conditions and find that Lots 1 and 2 can provide for harmonious development.

CONDITIONS

1. Add the following note to the plat: A raised foundation of 18"- 36" is required for all residential structures.

RECOMMENDED ACTION

Motion to approve with conditions proposed subdivision Case No. 2021S-171-001 and find that the subdivision can meet the infill requirements per Section 3.5 of the Metro Subdivision Regulations based on the determination that Lots 1 and 2 can provide for harmonious development.