

METROPOLITAN PLANNING COMMISSION <u>ACTION</u> AGENDA

October 28, 2021 4:00 pm Regular Meeting

700 Second Avenue South

(between Lindsley Avenue and Middleton Street)
Howard Office Building, Sonny West Conference Center (1st Floor)

MISSION STATEMENT

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

Greg Adkins, Chair Jessica Farr, Vice-Chair

Brian Tibbs

Jeff Haynes Councilmember Kathleen Murphy

Jim Lawson Mina Johnson, representing Mayor John Cooper

Lucy Alden Kempf

Secretary and Executive Director, Metro Planning Commission

Metro Planning Department of Nashville and Davidson County 800 2nd Avenue South P.O. Box 196300 Nashville, TN 37219-6300

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Notice to Public

Please remember to turn off your cell phones.

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

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

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

Planning Commission meetings are shown live on the Metro Nashville Network, Comcast channel 3, <u>streamed online live</u>, and <u>posted on YouTube</u>, usually on the day after the meeting.

Writing to the Commission

Comments on any agenda item can be mailed, hand-delivered, or emailed to the Planning Department by 3 pm on the Tuesday prior to the meeting. Written comments can also be brought to the Planning Commission meeting and distributed during the public hearing. Please provide 15 copies of any correspondence brought to the meeting.

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

E-mail: <u>planning.commissioners@nashville.gov</u>

Speaking to the Commission

Anyone can speak before the Commission during a public hearing. A Planning Department staff member presents each case, followed by the applicant, community members opposed to the application, and community members in favor.

Community members may speak for two minutes each. Representatives of neighborhood groups or other organizations may speak for five minutes if written notice is received before the meeting. Applicants may speak for ten minutes, with the option of reserving two minutes for rebuttal after public comments are complete. Councilmembers may speak at the beginning of the meeting, after an item is presented by staff, or during the public hearing on that Item, with no time limit.

Items set for consent or deferral will be listed at the start of the meeting.

Meetings are conducted in accordance with the Commission's Rules and Procedures.

Legal Notice

As information for our audience, if you are not satisfied with a decision made by the Planning Commission today, you may appeal the decision by petitioning for a writ of cert with the Davidson County Chancery or Circuit Court. Your appeal must be filed within 60 days of the date of the entry of the Planning Commission's decision. To ensure that your appeal is filed in a timely manner, and that all procedural requirements have been met, please be advised that you should contact independent legal counsel.

The Planning Department does not discriminate on the basis of race, color, national origin, gender, gender identity, sexual orientation, age, religion, creed or disability in admission to, access to, or operations of its programs, services, or activities. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline or any other employment practices because of non-merit factors shall be prohibited. For ADA inquiries, contact Josie Bass, ADA Compliance Coordinator, at (615) 862-7150 or e-mail her at josie.bass@nashville.gov. For Title VI inquiries, contact Human Relations at (615) 880-3370. For all employment-related inquiries, contact Human Resources at (615) 862-6640.

MEETING AGENDA

A: CALL TO ORDER

B: ADOPTION OF AGENDA

MPC Action: Approve. (7-0)

C: APPROVAL OF OCTOBER 14, 2021 MINUTES

MPC Action: Approve. (7-0)

D: RECOGNITION OF COUNCILMEMBERS

G: ITEMS TO BE CONSIDERED

1. 2018SP-009-003

SAGE RUN SP (AMENDMENT)

Council District 35 (Dave Rosenberg) Staff Reviewer: Amelia Lewis

A request to amend a Specific Plan for properties located at 5754 River Road and River Road (unnumbered), approximately 750 feet west of Charlotte Pike, zoned SP (16.47 acres), to add 5.9 acres to the SP and permit 160 multi-family residential units, requested by Dale and Associates, applicant; Sage Run Development, LLC, owner.

MPC Action: Defer to the November 18, 2021, Planning Commission meeting. (7-0)

2. 2020Z-013TX-001

BL2020-504/Freddie O'Connell Staff Reviewer: Shawn Shepard

A request to amend Chapters 17.36 and 17.40 of the Metropolitan Code pertaining to creating an Owner Occupied Short Term Rental Overlay district.

MPC Action: Defer to the December 9, 2021, Planning Commission meeting. (7-0)

3. 2020Z-119PR-001

BL2020-479/Freddie O'Connell Council District 19 (Freddie O'Connell) Staff Reviewer: Logan Elliott

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

MPC Action: Defer to the December 9, 2021, Planning Commission meeting. (7-0)

4. 2021SP-052-001

THE COTTAGES AT CITY HEIGHTS

Council District 21 (Brandon Taylor)
Staff Reviewer: Seth Harrison

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

MPC Action: Defer to the November 18, 2021, Planning Commission meeting. (7-0)

5. 2021SP-057-001

MARINA GROVE

Council District 33 (Antoinette Lee) Staff Reviewer: Amelia Lewis

A request to rezone from RS10 to SP 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, requested by Civil Design Consultants, LLC, applicant; FAM Properties, LLC, owner.

MPC Action: Defer to the November 18, 2021, Planning Commission meeting. (7-0)

6. 2021SP-068-001

SOUTH STREET NORTH

Council District 19 (Freddie O'Connell)

Staff Reviewer: Seth Harrison

A request to rezone from R6-A to SP zoning for properties located at 1306, 1308 and 1316 South Street, at the northeast corner of South Street and 14th Avenue South (1.37 acres), to permit 18 multi-family residential units, requested by Dale and Associates and Elouise Curcio, applicants; Mia Stallworth, Rebecca Marks, and Elouise Curcio, owners.

MPC Action: Defer to the November 18, 2021, Planning Commission meeting. (7-0)

7. 2021SP-077-001

YOUNGS DEVELOPMENT

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Seth Harrison

A request to rezone from RM2 to SP zoning for property located at 820 Youngs Lane, approximately 200 feet south of Youngs Lane (4.0 acres), to permit 22 multi-family residential units, requested by Williams Engineering LLC, applicant; Joyce Acklen, owner.

MPC Action: Defer Indefinitely. (7-0)

8. 2021NL-003-001

B2021-854/Nancy VanReece

Council District 08 (Nancy VanReece)

Staff Reviewer: Seth Harrison

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 small event and short-term rentals, requested by Councilmember Nancy VanReece, applicant; Brandon Thornberry, owner (see associated case 2021HL-003-001).

MPC Action: Defer Indefinitely. (7-0)

9. 2021Z-077PR-001

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Jason Swaggart

A request to rezone from R6 to OR20 zoning for property located at 6111 Cowden Avenue, at the current terminus of Cowden Avenue (0.29 acres), requested by Barge Cauthen & Associates, applicant; JJZ Realty Partnership, G.P., owner (associated case 2021CP-007-003).

MPC Action: Defer Indefinitely. (7-0)

10. 2021Z-108PR-001

Council District 23 (Thom Druffel) Staff Reviewer: Seth Harrison

A request to rezone from RS40 to AR2a zoning for property located at 504 Jocelyn Hollow Court, at the northern terminus of Jocelyn Hollow Court (5.61 acres), requested by Anastasia Kudrez, applicant and owner.

MPC Action: Defer to the November 18, 2021, Planning Commission meeting. (7-0)

11. 2021S-161-001

RESUBDIVISION OF TRACT 1 PLAN OF BRENTWOOD HALL SECTION 5

Council District 26 (Courtney Johnston)

Staff Reviewer: Amelia Lewis

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 RS20 (2.67 acres), requested by Southern Precision, applicant; 407 Landon, LLC, owner.

MPC Action: Defer indefinitely. (7-0)

12. 2021S-195-001

RESUBDIVISION OF LOT 1 OF RESUB 1 AND 2 HYDE PARK

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Seth Harrison

A request for final plat approval to create five lots on property located at 1612 County Hospital Road, at the southern corner of County Hospital Road and Hydes Ferry Road, zoned CS (0.66 acres), requested by Delle Land Surveying, applicant; XE Development Company LLC, owner.

MPC Action: Defer to the November 18, 2021, Planning Commission meeting. (7-0)

13. 2021CP-007-003

WEST NASHVILLE COMMUNITY PLAN AMENDMENT

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Cory Clark

A request to amend the West Nashville Community Plan by changing from T3 Suburban Neighborhood Evolving Policy to T3 Suburban Mixed Use Corridor Policy for property located at 6111 Cowden Avenue, approximately 200 feet west of Marcia Avenue, zoned R6 (0.29 acres), requested by Barge Cauthen and Associates, applicant; JJZ Realty Partnership G.P., owner (associated case 2021Z-077PR-001).

MPC Action: Defer Indefinitely. (7-0)

14a. 2021CP-010-002

GREEN HILLS-MIDTOWN COMMUNITY PLAN AMENDMENT

Council District 17 (Colby Sledge) Staff Reviewer: Anita McCaig

A request to amend the Green Hills—Midtown Community Plan by changing from T4 Urban Residential Corridor (T4 RC) policy to T4 Urban Neighborhood Center (T4 NC) policy and amend the building subdistrict designation in the 12th Avenue South Corridor Detailed Neighborhood Design Plan for properties located at 2206, 2208, 2212, 2214 and 2218 12th Avenue South, approximately 80 feet south of Lawrence Avenue, zoned R8 (1.56 acres), requested by Barge Cauthen and Associates, applicant; Tabernacle Missionary Baptist Church, owner (see associated case #2021SP-071-001).

MPC Action: Defer to the November 18, 2021, Planning Commission meeting. (7-0)

14b. 2021SP-071-001

12TH AVENUE SOUTH

Council District 17 (Colby Sledge) Staff Reviewer: Dustin Shane

A request to rezone from R8 and CS to SP zoning for properties located at 2206, 2208, 2212, 2214, 2218 and 2220 12th Avenue South, approximately 80 feet south of Lawrence Avenue (1.87 acres), to permit a mixed use development, requested by Barge Cauthen and Associates, applicant; Tabernacle Missionary Baptist Church, owner (see associated case #2021CP-010-002).

MPC Action: Defer to the November 18, 2021, Planning Commission meeting. (7-0)

15a. 2021SP-009-001

CRESCENT LIONS HEAD

Council District 24 (Kathleen Murphy)

Staff Reviewer: Logan Elliott

A request to rezone from SCC to 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, requested by Barge Cauthen and Associates, applicant; SCG Lion's Head LLC, owner (see associated case 78-74P-003).

MPC Action: Defer to the December 9, 2021, Planning Commission meeting. (7-0)

15b. 78-74P-003

LIONS HEAD VILLAGE (AMEND)

Council District 24 (Kathleen Murphy)

Staff Reviewer: Logan Elliott

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 SCC (3.50 acres), to add multi-family residential as a permitted use and to permit a maximum of 300 multi-family units, requested by Barge Cauthen and Associates, applicant; SCG Lion's Head LLC, owner (see associated case 2021SP-009-001).

MPC Action: Defer to the December 9, 2021, Planning Commission meeting. (7-0)

16. 2021Z-018TX-001

BL2021-922/Brandon Taylor Staff Reviewer: Amelia Lewis

A request to amend Sections 17.04.060, 17.08.030, and 17.16.070 of the Metropolitan Code, Zoning Regulations to implement a distance requirement for the "bar or nightclub" use.

MPC Action: Defer to November 18, 2021, Planning Commission meeting. (7-0)

17. 2017SP-091-003

KENECT NASHVILLE (AMENDMENT)

Council District 19 (Freddie O'Connell)

Staff Reviewer: Logan Elliott

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 SP (1.20 acres), to permit Short Term Rental Property (STRP) - not owner occupied as a use, requested by Nelson Mullins Riley & Scarborough LLP, applicant; AP 1815 Division Nashville Property, LLC, owner.

MPC Action: Disapprove. (7-0)

18. 2021Z-092PR-001

BL2021-906/Dave Rosenberg

Council District 35 (Dave Rosenberg)

Staff Reviewer: Seth Harrison

A request to rezone from AR2a to R80 zoning for property located at 7848 McCrory Lane, approximately 385 feet south of Highway 70 (42.24 acres), requested by Councilmember Dave Rosenberg, applicant; McCrory Lane Partners, LLC, owner.

MPC Action: Approve. (6-0)

19. 2021Z-003TX-001

BL2021-621/Kathleen Murphy and others

Staff Reviewer: Dustin Shane

A request for an amending Sections 17.40.720 and 17.40.730 of the Metropolitan Code, Zoning Regulations, to require additional public notice regarding applications for permits from the Historic Zoning Commission.

MPC Action: Approve. (7-0)

20. 2021Z-011TX-001

BL2021-797/Brett Withers Staff Reviewer: Amelia Lewis

An Ordinance amending Section 17.12.070 of the Metropolitan Code to amend the requirements of the residential floor area ratio bonus in mixed use (Proposal No. 2021Z-011TX-001).

MPC Action: Disapprove the substitute ordinance as filed and recommend approval of a proposed second substitute. (7-0)

21. 2021Z-012TX-001

BL2021-831/Freddie O'Connell and others

Staff Reviewer: Dustin Shane

A request for 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).

MPC Action: Defer to November 18, 2021, Planning Commission meeting. (7-0)

22. 2021Z-013TX-001

BL2021-832/Burkley Allen and Freddie O'Connell

Staff Reviewer: Eric Hammer

A request for an ordinance to amend various sections of Title 17 of the Metropolitan Zoning Code to incentivize Inclusionary Housing with any residential development that seeks additional development entitlements beyond that permitted by the current base zoning district (Proposal No. 2021Z-013TX-001).

MPC Action: Defer to November 18, 2021, Planning Commission meeting. (7-0)

23. 2021Z-015TX-001

BL2021-842/Tom Cash Staff Reviewer: Dustin Shane

A request to amend Chapter 16.28 and Section 17.40.430 of the Metropolitan Code to amend the regulations of the demolition of potentially historic structures and sites.

MPC Action: Approve. (7-0)

24. 2021SP-076-001

1738 LEBANON PIKE

Council District 15 (Jeff Syracuse) Staff Reviewer: Abbie Rickoff

A request to rezone from RS10 to SP-R zoning for properties located at 1736 and 1738 Lebanon Pike, approximately 220 feet southwest of Clovernook Drive (7.12 acres), to permit 52 multi-family residential units, requested by Catalyst Design Group, applicant; K. Whiteside and Kenneth Adler, owners.

MPC Action: Approve with conditions and disapprove without all conditions. (7-0)

25. 2021SP-079-001

170-176 2ND AVENUE NORTH

Council District 19 (Freddie O'Connell)

Staff Reviewer: Dustin Shane

A request to rezone from DTC to SP zoning for properties located at 170 through 176 2nd Avenue North, approximately 115 feet southeast of Church Street and located within the 2nd Avenue Historic Preservation District Overlay (0.63 acres), requested by STG Design Inc., applicant; 176 2nd Avenue North LLC and 178 2nd Avenue North LLC, owners.

MPC Action: Approve with conditions and disapprove without all conditions. (7-0)

26. 2021DDU-001-001

BL2021-953/Brandon Taylor Council District 21 (Brandon Taylor) Staff Reviewer: Logan Elliott

A request to apply a Detached Accessory Dwelling Unit Overlay District to various properties located south of Clay Street, west of Interstate 65 and north of Interstate 40, extending westward to 26th Avenue North, zoned RS5, R6, R6-A, SP, and CN. (296.65 acres), requested by Councilmember Brandon Taylor, applicant; various owners.

MPC Action: Approve with a substitute. (6-0)

27. 2021HL-003-001

BL2021-853/Nancy VanReece Council District 08 (Nancy VanReece) Staff Reviewer: Seth Harrison

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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), requested by Councilmember Nancy VanReece, applicant; Brandon Thornberry, owner (see associated case 2021NL-003-001).

MPC Action: Approve. (7-0)

28. 2021Z-095PR-001

Council District 05 (Sean Parker) Staff Reviewer: Dustin Shane

A request to rezone from RS5 to R6-A zoning for property located at 1312 Joseph Avenue, approximately 60 feet south of Eastmoreland Street (0.15 acres), requested by On the Horizon Homes, LLC, applicant; Nathan & Rachel Colberg, owners.

MPC Action: Approve. (7-0)

29. 2021Z-105PR-001

29Council District 08 (Nancy VanReece)

Staff Reviewer: Seth Harrison

A request to rezone from RS20 to RM9-NS zoning for properties located at 115 and 117 E Campbell Road and 226 Old Amqui Road, approximately 330 feet east of Highland Circle (2.59 acres), requested by XE Development Company, LLC, applicant; Shannon & Amy Eastridge, Wendell E. & Julie M. Darrow, and Pandora Properties, LLC, owners.

MPC Action: Defer to November 18, 2021, Planning Commission meeting. (7-0)

30. 2021Z-107PR-001

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

A request to rezone from RS7.5 to R8 zoning for properties located at 189, 193, 201 and 203 Antioch Pike, approximately 250 feet east of Kinross Avenue (0.9 acres), requested by JMR Investments LLC, applicant; Music City Holdings LLC, owner.

MPC Action: Defer Indefinitely. (7-0)

31. 2021Z-110PR-001

BL2021-944/Jennifer Gamble

Council District 03 (Jennifer Gamble)

Staff Reviewer: Logan Elliott

A request to rezone from RS20 and R10 to RS40 and RS80 zoning for various properties located along Brick Church Lane and Knight Drive from Interstate 24, west towards Whites Creek Pike (655.7 acres), requested by Councilmember Jennifer Gamble, applicant; various owners.

MPC Action: Approve a substitute. (7-0)

32. 2021Z-111PR-001

BL2021-954/Jennifer Gamble

Council District 03 (Jennifer Gamble)

Staff Reviewer: Amelia Lewis

A request to rezone from SP to AR2a property located at 5000, 5010 and 5012 Clarksville Pike, approximately 2,400 feet northwest of Lloyd Road (32.15 acres), requested by Councilmember Jennifer Gamble, applicant; Wilmore Properties, LLC, owner.

MPC Action: Defer to January 13, 2022, Planning Commission meeting. (7-0)

33. 50-83P-001

Council District 19 (Freddie O'Connell)

Staff Reviewer: Dustin Shane

A request to cancel a Commercial Planned Unit Development Overlay District on property located at 424 Church Street, at the northeast corner of Re John Lewis Way North and Church Street, zoned DTC and within the Capitol Mall Redevelopment District Overlay (0.83 acres), requested by Gresham Smith, applicant; EQ Office, owner.

MPC Action: Approve. (7-0)

34. 2021DTC-022-001

PRINTERS AND BANKERS ALLEY

Council District 19 (Freddie O'Connell)

Staff Reviewer: Nora Yoo

A request for an overall height modification on properties located at 215 and 217 3rd Avenue North, approximately 100 feet southeast of Union Street, zoned DTC and located with the Capitol Mall Redevelopment District Overlay (0.57 acres), to add an additional ten floors for a total of 16 floors, requested by STG Design, applicant; Lineberry Properties Inc. and 217 Third Owners LLC, owners.

MPC Action: Approve with conditions. (7-0)

35. 2021S-186-001

TRINITY MONTICELLO HOMES

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Abbie Rickoff

A request for final plat approval to create five lots on properties located at 411 W. Trinity Lane and Monticello Drive (unnumbered), approximately 315 feet east of Monticello Street, zoned CL and RS7.5 (3.63 acres), requested by BA Land Professionals, applicant; 4021 CP GP, owner.

MPC Action: Approve with conditions. (7-0)

36. 2013UD-002-034

KIPP HIGH SCHOOL

Council District 33 (Antoinette Lee)
Staff Reviewer: Hazel Ventura

A request to modify the Murfreesboro Pike Urban Design Overlay for properties located at 3700 Murfreesboro Pike and Pin Hook Road (unnumbered), zoned AR2a (13.96 acres), to permit modifications to façade width along Pin Hook Road, façade fronting along Murfreesboro Pike and pedestrian access points, requested by Barge Cauthen and Associates, applicant; Henry Mayi, owner.

MPC Action: Approve modifications of façade width along Pin Hook Road, the façade requirement along Murfreesboro Pike, and number of pedestrian access points and disapprove without all conditions. (7-0)

H: OTHER BUSINESS

- 37. Confirmation of Ron Yearwood to the DTC DRC MPC Action: Approve. (7-0)
- 38. Historic Zoning Commission Report
- 39. Board of Parks and Recreation Report

- 40. Executive Committee Report
- 41. Accept the Director's Report MPC Action: Approve. (7-0)
- 42. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

November 18, 2021

MPC Meeting

4 pm, 2601 Bransford Avenue, Metro Schools Administration Building, School Board Meeting Room

December 09, 2021

MPC Meeting

4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

J: ADJOURNMENT