

# Metropolitan Planning Commission



## Staff Reports

**November 18, 2021**



## Metro Planning Commission Meeting of 11/18/21

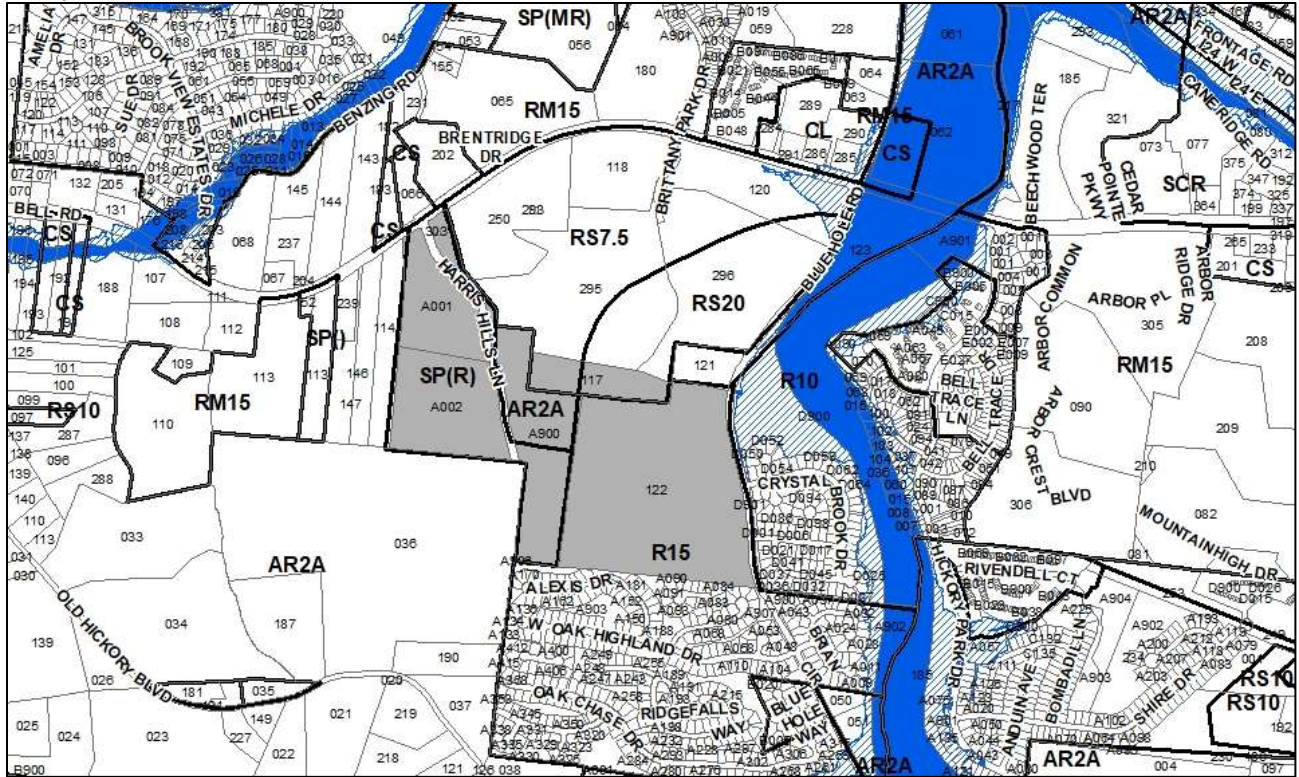
*Mission Statement: The Planning Commission is to guide the future growth and development for Nashville and Davidson County to evolve into a more socially, economically and environmentally sustainable community with a commitment to preservation of important assets, efficient use of public infrastructure, distinctive and diverse neighborhood character, free and open civic life, and choices in housing and transportation.*



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## Metro Planning Commission Meeting of 11/18/21



### 2007SP-037-002

#### BELL ROAD/BLUE HOLE ROAD SP AMENDMENT

Map 162, Parcel(s) 117, 122

Map 162-15-0-A, Parcel(s) 001-002, 900

12, Southeast

31 (John Rutherford)



## Metro Planning Commission Meeting of 11/18/21

**Item #1a**

**Project Name**

**Associated Case**

**Council District**

**School District**

**Requested by**

**Specific Plan 2007SP-037-002**

**Bell Road/Blue Hole Road SP Amendment**

95P-025-007

31 – Rutherford

02 – Elrod

Lose Design, applicant; Forest View Residences, LLC and Richland South, LLC, owners.

**Deferrals**

This item was deferred at the December 10, 2020, January 21, 2021, February 11, 2021, May 13, 2021, June 24, 2021, July 22, 2021, September 9, 2021, and October 14, 2021, Planning Commission meetings. No public hearing was held.

**Staff Reviewer**

Elliott

**Staff Recommendation**

*Defer to the December 9, 2021, Planning Commission meeting.*

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**APPLICANT REQUEST**

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

SP Amendment

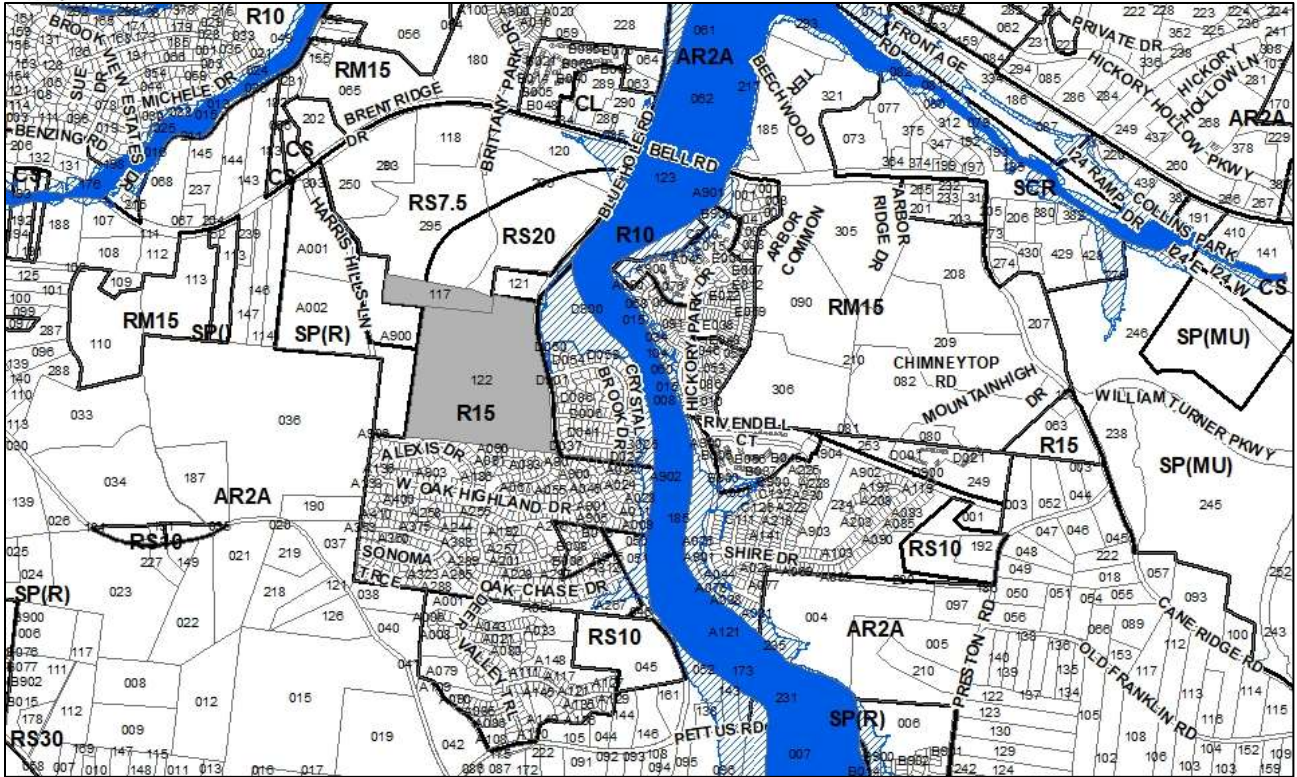
A request to amend a Specific Plan located at Bell Road (unnumbered) and 5439 Blue Hole Road and 7000 Harris Hills Lane, at the corner of Bell Road and Harris Hills Lane (101.91 acres), zoned Agricultural/Residential (AR2a), One and Two-Family Residential (R15), Single-Family Residential (RS20), One and Two-Family Residential (RS7.5), and Specific Plan (SP), to permit a mixed-use development.

**STAFF RECOMMENDATION**

Staff recommends deferral to the December 9, 2021, Planning Commission meeting at the request of the applicant.



# Metro Planning Commission Meeting of 11/18/21



**95P-025-007**

**MILLWOOD COMMONS PUD (CANCELLATION)**

Map 162, Parcel(s) 117, 122

12, Southeast

31 (John Rutherford)



## Metro Planning Commission Meeting of 11/18/21

**Item #1b**

**Project Name**

**Planned Unit Development 95P-025-007  
Millwood Commons PUD (Cancellation)**

**Associated Case**

2007SP-037-002

**Council District**

31 – Rutherford

**School District**

02 – Elrod

**Requested by**

Lose Design, applicant; Richland South, LLC, owners.

**Deferrals**

This item was deferred at the December 10, 2020, January 21, 2021, February 11, 2021, May 13, 2021, June 24, 2021, July 22, 2021, September 9, 2021, and October 14, 2021, Planning Commission meetings. No public hearing was held.

**Staff Reviewer**

Elliott

**Staff Recommendation**

*Defer to the December 9, 2021, Planning Commission meeting.*

**APPLICANT REQUEST**

**Cancel a portion of an existing Planned Unit Development Overlay District (PUD).**

PUD Cancellation

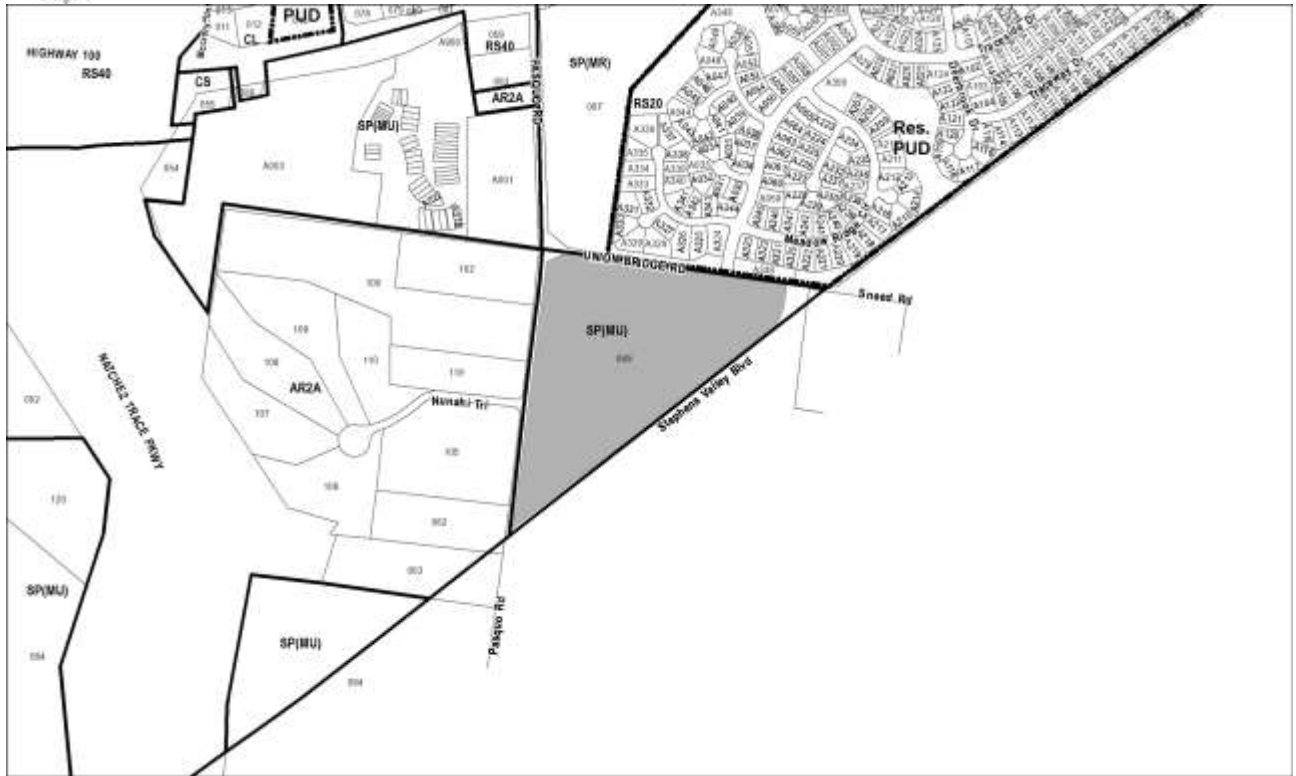
A request to cancel a portion of a Planned Unit Development Overlay District (PUD) located at 5439 Blue Hole Road and Bell Road (unnumbered), approximately 560 feet north of W. Oak Highland Drive (54.81 acres), zoned One and Two-Family Residential (R15), Single-Family Residential (RS20), Single-Family Residential (RS7.5).

**STAFF RECOMMENDATION**

Staff recommends deferral to the December 9, 2021, Planning Commission meeting at the request of the applicant.



## Metro Planning Commission Meeting of 11/18/21



**2015SP-013-004**

**STEPHENS VALLEY (AMENDMENT)**

Map 169, Parcel(s) 069

06, Bellevue

35 (Dave Rosenberg)





## Metro Planning Commission Meeting of 11/18/21

<b>Item #2</b>	<b>Specific Plan 2015SP-013-004</b>
<b>Project Name</b>	<b>Stephens Valley (Amendment)</b>
<b>Council District</b>	35 – Rosenberg
<b>School District</b>	09 – Tylor
<b>Requested by</b>	Smith Gee Studio, applicant; Natchez Associates, LP, owner.
<b>Staff Reviewer</b>	Lewis
<b>Staff Recommendation</b>	<i>Defer to the December 9, 2021, Planning Commission meeting.</i>

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### **APPLICANT REQUEST**

**Amend previously approved SP to increase residential units and the permitted non-residential square footage.**

#### Preliminary SP

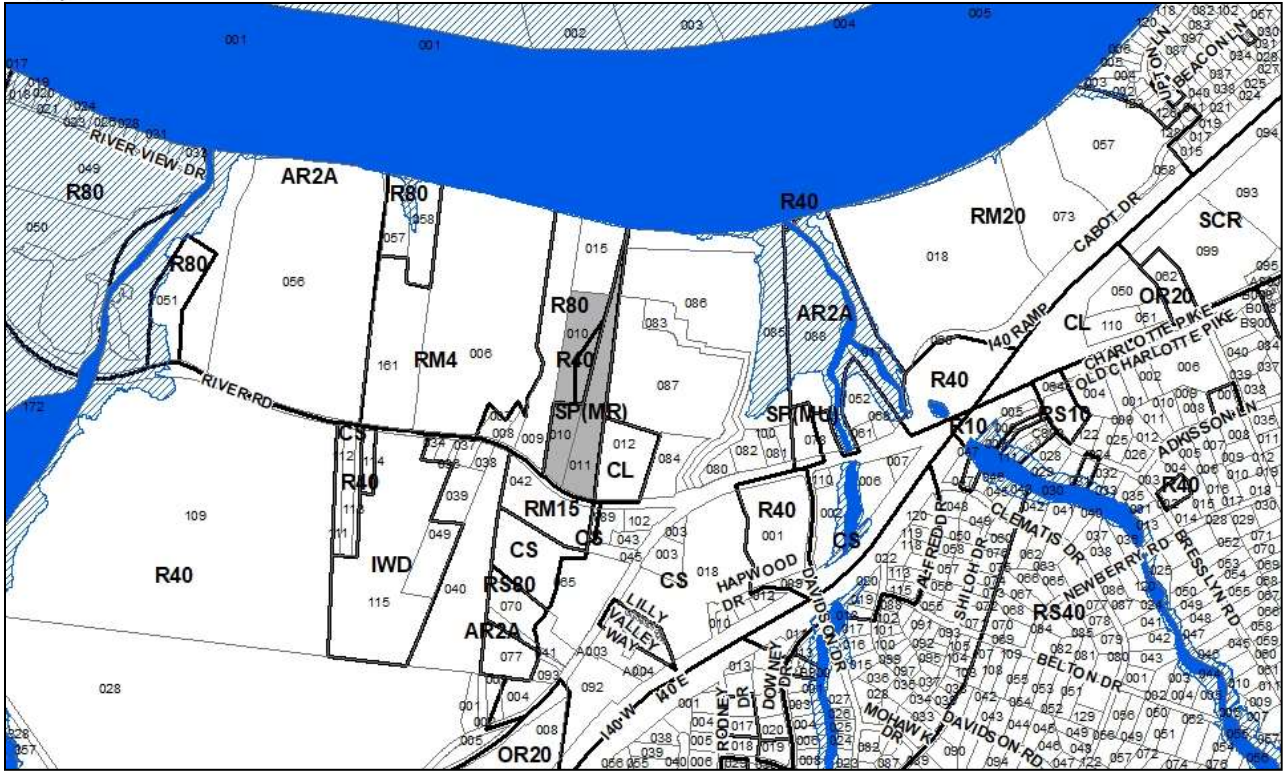
A request to amend the Stephens Valley Specific Plan for property located at 441 Union Bridge Road, at the southeast corner of Union Bridge Road and Pasquo Road, zoned Specific Plan (SP) (23.48 acres) to permit a mixed use development.

### **STAFF RECOMMENDATION**

Staff recommends deferral to the December 9, 2021, Planning Commission meeting at the request of the applicant.



# Metro Planning Commission Meeting of 11/18/21



**2018SP-009-003**

**SAGE RUN (AMENDMENT)**

Map 102, Parcel(s) 010.01, 010-011

06, Bellevue

35 (Dave Rosenberg)



## Metro Planning Commission Meeting of 11/18/21

**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.

**Deferrals** This item was deferred at the September 23, 2021, October 14, 2021, and October 28, 2021, Planning Commission meetings. No public hearing was held.

**Staff Reviewer** Lewis  
**Staff Recommendation** *Defer to the December 9, 2021, Planning Commission meeting.*

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### **APPLICANT REQUEST**

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

#### Preliminary SP

A request to amend a Specific Plan (SP) 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 of the item to the December 9, 2021, Planning Commission meeting at the request of the applicant.



## Metro Planning Commission Meeting of 11/18/21



### **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 11/18/21

**Item #4**  
**Project Name** Specific Plan 2021SP-052-001  
**Council District** The Cottages at City Heights  
**School District** 21 – Taylor  
**Requested by** 05 - Buggs  
Catalyst Design Group, applicant; E 3 Construction Services LLC, owner.

**Deferrals** This item was deferred from the August 26, 2021, September 23, 2021, and October 28, 2021, Planning Commission meetings. A public hearing was held at the September 23, 2021, Planning Commission meeting and the public hearing remains open.

**Staff Reviewer** Harrison  
**Staff Recommendation** *Defer indefinitely.*

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### APPLICANT REQUEST

**Preliminary SP to permit 16 multi-family units.**

#### Zone Change

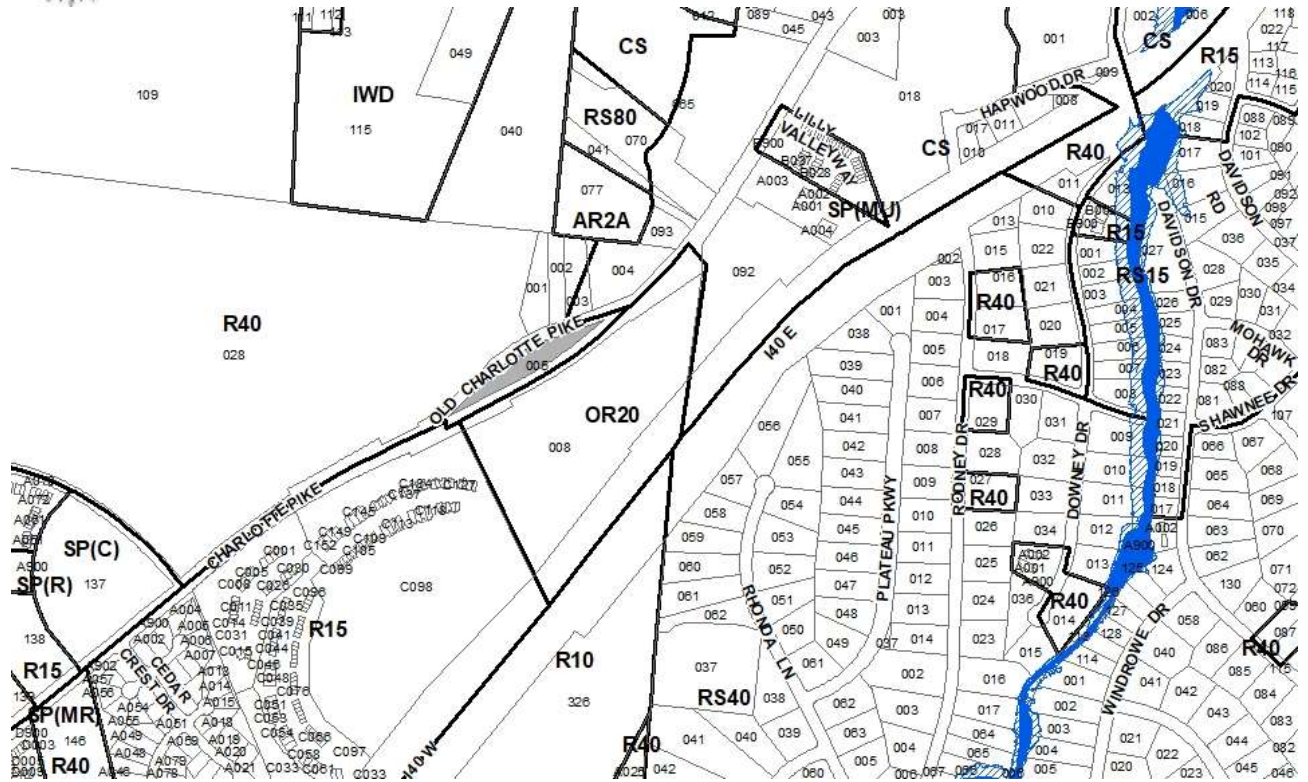
A request to rezone from Single-Family Residential (RS5) to Specific Plan (SP) zoning for properties located at 724, 726, 728 and 730 27th Avenue North, at the southeast corner of Booker Street and 27th Avenue North (0.83 acres), to permit 16 multi-family residential units.

### STAFF RECOMMENDATION

Staff recommends indefinite deferral at the request of the applicant.



# Metro Planning Commission Meeting of 11/18/21



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



## Metro Planning Commission Meeting of 11/18/21

<b>Item #5</b>	<b>Specific Plan 2021SP-063-001</b>
<b>Project Name</b>	<b>Charlotte View West</b>
<b>Council District</b>	35 – Rosenberg
<b>School District</b>	09 – Tylor
<b>Requested by</b>	Dale & Associates, applicant; Robert B. Beck, ET UX, owner.
<b>Deferrals</b>	This item was deferred at the September 23, 2021, and October 14, 2021, Planning Commission meetings. No public hearing was held.
<b>Staff Reviewer</b>	Elliott
<b>Staff Recommendation</b>	<i>Defer to the December 9, 2021, Planning Commission meeting.</i>

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### **APPLICANT REQUEST**

**Preliminary SP to permit 57 multi-family units.**

#### Zone Change

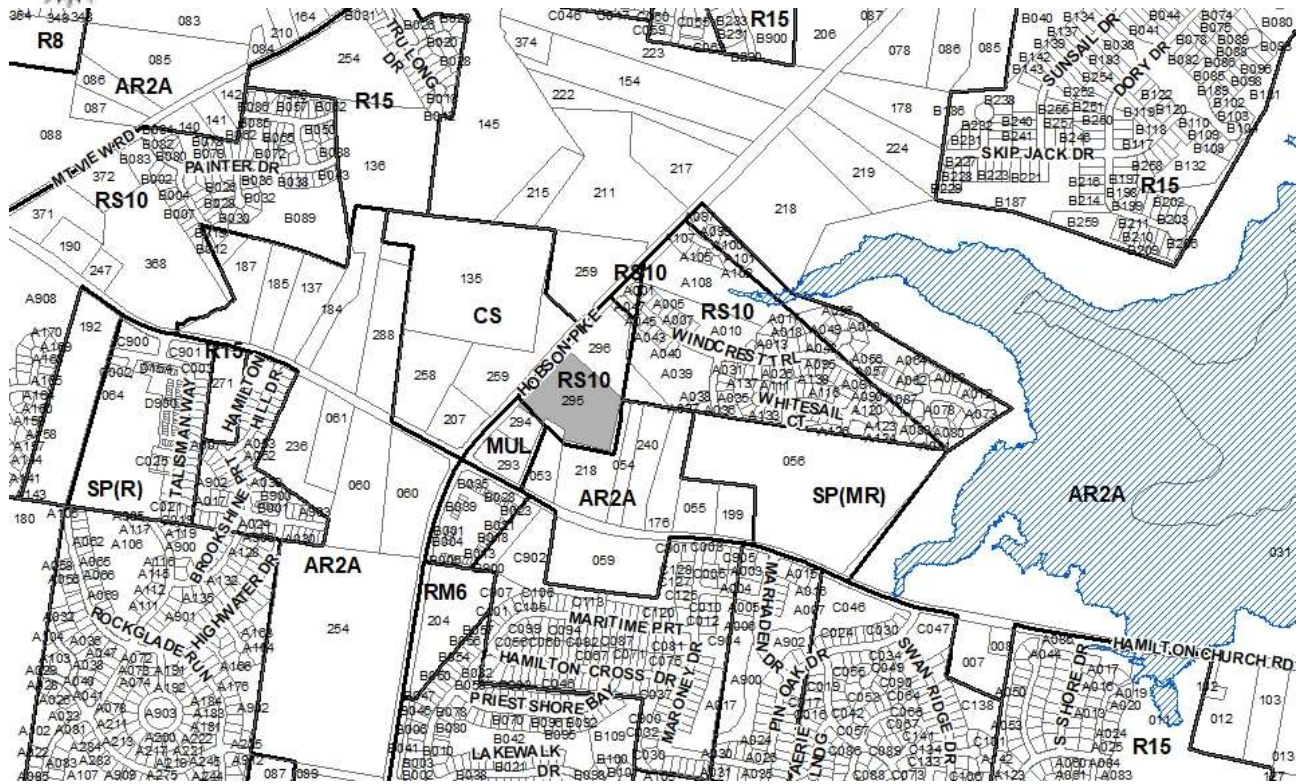
A request to rezone from One and Two-Family Residential (R40) to Specific Plan (SP) zoning for property located at Charlotte Pike (unnumbered), at the corner of Charlotte Pike and Old Charlotte Pike, (1 acre), to permit 57 multi-family residential units.

### **STAFF RECOMMENDATION**

Staff recommends deferral to the December 9, 2021, Planning Commission meeting at the request of the applicant.



# Metro Planning Commission Meeting of 11/18/21



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





## Metro Planning Commission Meeting of 11/18/21

**Item #6** **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.

**Deferrals** This item was deferred at the September 23, 2021, October 14, 2021, and October 28, 2021, Planning Commission meetings. No public hearing was held.

**Staff Reviewer** Lewis  
**Staff Recommendation** *Defer to the December 9, 2021, Planning Commission meeting.*

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### **APPLICANT REQUEST**

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

#### Zone Change

A request to rezone from Single-Family Residential (RS10) to Specific Plan (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.

### **STAFF RECOMMENDATION**

Staff recommends deferral to the December 9, 2021, Planning Commission meeting at the request of the applicant.



## Metro Planning Commission Meeting of 11/18/21



**2021SP-068-001**  
**SOUTH STREET NORTH**  
Map 093-13, Parcel(s) 374  
10, Green Hills – Midtown  
19 (Freddie O’Connell)



## Metro Planning Commission Meeting of 11/18/21

<b>Item #7</b>	<b>Specific Plan 2021SP-068-001</b>
<b>Project Name</b>	<b>South Street North</b>
<b>Council District</b>	19 – O’Connell
<b>School District</b>	05 - Buggs
<b>Requested by</b>	Dale and Associates and Elouise Curcio, applicants; Elouise Curcio, owner.

<b>Deferrals</b>	This item was deferred from the October 14, 2021 and October 28, 2021, Planning Commission meetings. No public hearing was held.
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<b>Staff Reviewer</b>	Harrison
<b>Staff Recommendation</b>	<i>Defer to the December 9, 2021, Planning Commission meeting.</i>

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### APPLICANT REQUEST

**Preliminary SP to permit 6 multi-family units.**

#### Zone Change

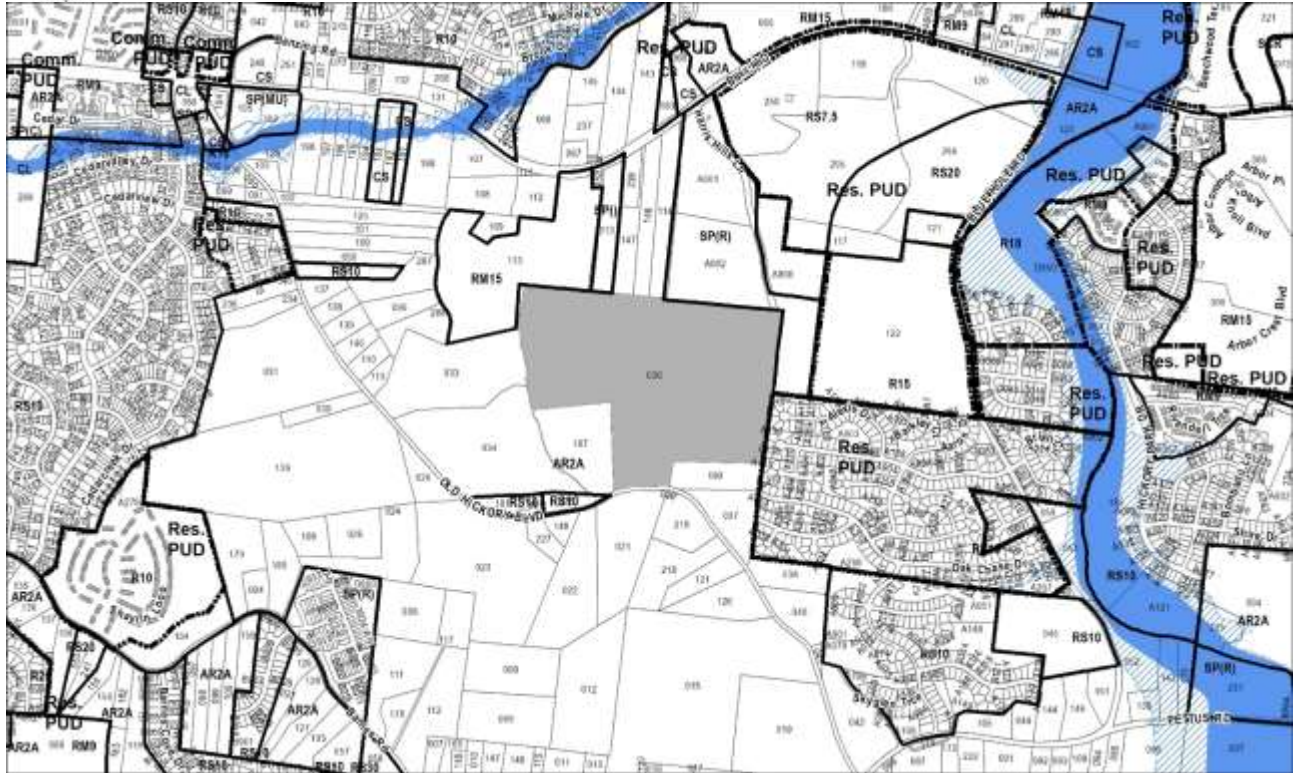
A request to rezone from One and Two-Family-Alternative (R6-A) to Specific Plan (SP) zoning for property located at 1306 South Street, approximately 200 feet east of 14th Avenue South (0.46 acres), to permit 6 multi-family residential units

### STAFF RECOMMENDATION

Staff recommends deferral to the December 9, 2021, Planning Commission meeting.



## Metro Planning Commission Meeting of 11/18/21



**2021SP-080-00**

**COTHERN PROPERTY**

Map 173, Parcel 036

12, Southeast (2004)

31 (John Rutherford)



## Metro Planning Commission Meeting of 11/18/21

<b>Item #8</b>	<b>Specific Plan 2021SP-080-001</b>
<b>Project Name</b>	<b>Cothorn Property</b>
<b>Council District</b>	31 - Rutherford
<b>School District</b>	02 - Elrod
<b>Requested by</b>	Anderson, Delk, Epps and Associates, applicant; Cameron Properties, owner.
<b>Staff Reviewer</b>	Elliott
<b>Staff Recommendation</b>	<i>Defer to the December 9, 2021, Planning Commission meeting.</i>

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### **APPLICANT REQUEST**

**Preliminary SP to permit a residential development totaling 291 units.**

#### Zone Change

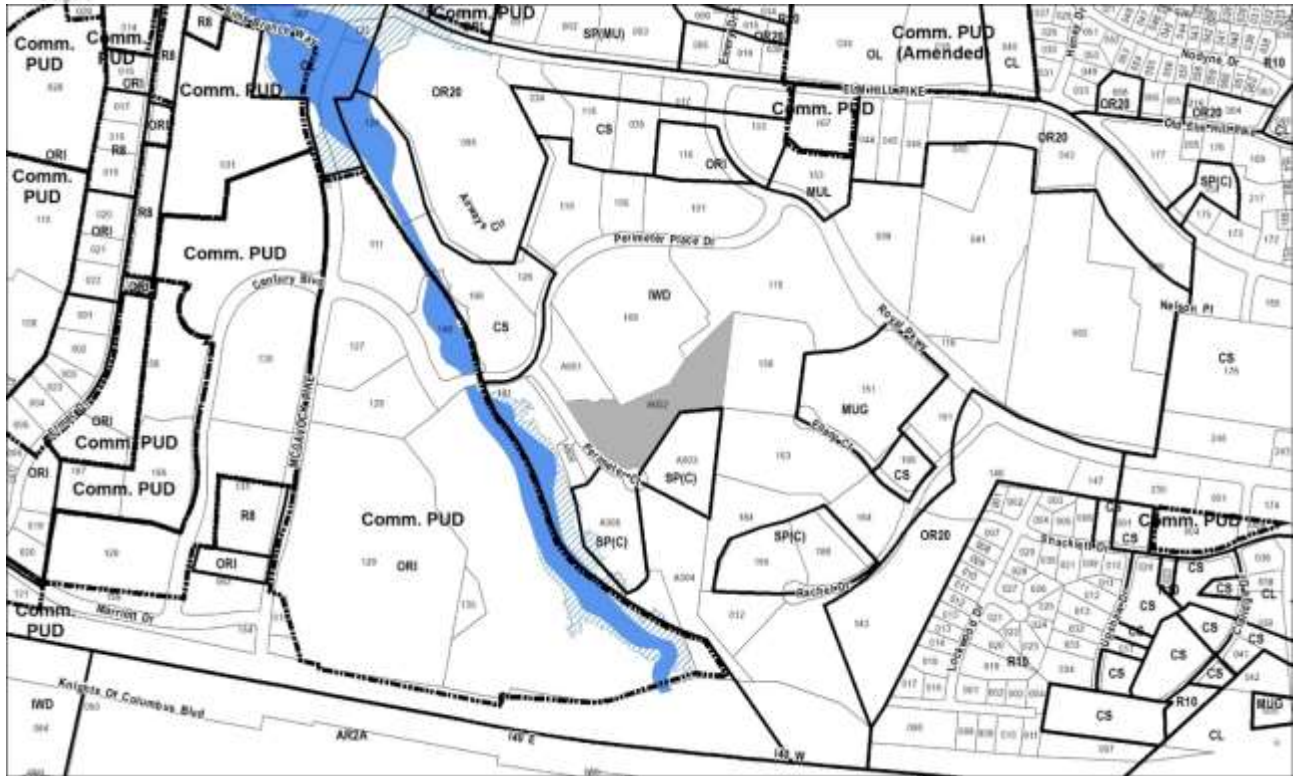
A request to rezone from Agricultural/Residential (AR2a) to Specific Plan (SP) zoning for property located at 1465 Old Hickory Boulevard, at the southern terminus of Harris Hills Lane (81.38 acres), to permit 291 single-family residential units.

### **STAFF RECOMMENDATION**

Staff recommends deferral of the item to the December 9, 2021, Planning Commission meeting at the request of the applicant.



## Metro Planning Commission Meeting of 11/18/21



**2021SP-082-001**

THE PRESERVE – LOT 2

Map 107-04-0-A, Parcel(s) 002

14, Donelson - Hermitage - Old Hickory

15 (Jeff Syracuse)



## Metro Planning Commission Meeting of 11/18/21

<b>Item #9</b>	<b>Specific Plan 2021SP-082-001</b>
<b>Project Name</b>	<b>The Preserve – Lot 2</b>
<b>Council District</b>	15 - Syracuse
<b>School District</b>	04 – Little
<b>Requested by</b>	Barge Cauthen and Associates, applicant; Corporate Investors Partnership V LLC, owner(s).
<b>Staff Reviewer</b>	Shane
<b>Staff Recommendation</b>	<i>Defer to the December 9, 2021, Planning Commission Meeting.</i>

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### **APPLICANT REQUEST**

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

#### Preliminary SP

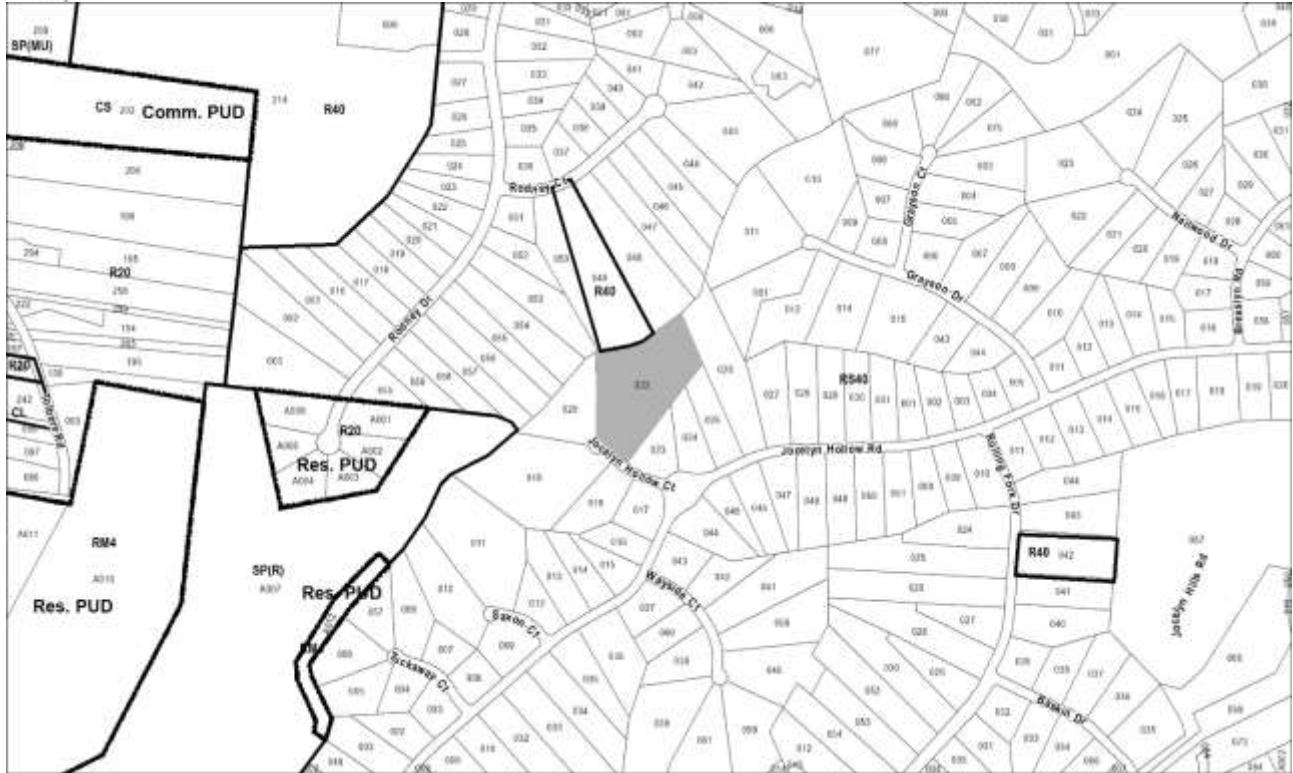
A request to rezone from Industrial Warehousing/Distribution (IWD) to Specific Plan– Residential (SP-R) zoning for property located at 911 Perimeter Court, approximately 240 feet southeast of Perimeter Place Drive (5.57 acres), to permit 196 multi-family residential units.

### **STAFF RECOMMENDATION**

Staff recommends deferral to the December 9, 2021, Planning Commission meeting at the request of the applicant.



## Metro Planning Commission Meeting of 11/18/21



**2022SP-001-001 (Formerly 2021Z-108PR-001)**  
JOCELYN HOLLOW COURT SP  
Map 129-01, Parcel(s) 022  
07, West Nashville  
23 (Thom Druffel)





## Metro Planning Commission Meeting of 11/18/21

**Item #10**

**Specific Plan 2022SP-001-001 (Formerly  
2021Z-108PR-001)**

**Project Name**

**Jocelyn Hollow Court**

**Council District**

23 – Druffel

**School District**

09 – Tylor

**Requested by**

Anastasia Kudrez, applicant and owner.

**Deferrals**

This item was deferred from the October 28, 2021, Planning Commission meeting. No public hearing was held.

**Staff Reviewer**

Harrison

**Staff Recommendation**

*Defer to the December 9, 2021, Planning Commission meeting.*

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**APPLICANT REQUEST**

**Zone change from RS40 to SP.**

Zone Change

A request to rezone from Single-Family Residential (RS40) to Specific Plan (SP) zoning for property located at 504 Jocelyn Hollow Court, at the northern terminus of Jocelyn Hollow Court (5.61 acres), to permit a mix of uses.

**STAFF RECOMMENDATION**

Staff recommends deferral to the December 9, 2021, Planning Commission meeting at the request of the applicant.



## Metro Planning Commission Meeting of 11/18/21



**2021S-207-001**

**DONEGAN SUBDIVISION**

Map 182, Parcel(s) 122-123

12, Southeast

33 (Antionette Lee)



## Metro Planning Commission Meeting of 11/18/21

**Item #11**

**Project Name**

**Council District**

**School District**

**Requested by**

**Final Plat 2021S-207-001**

**Donegan Subdivision**

33 – Lee

02 – Elrod

Chapdelaine and Associates, applicant; Candace Donegan and James Brian Donegan, owners.

**Staff Reviewer**

Harrison

**Staff Recommendation**

*Defer to the December 09, 2021, Planning Commission meeting.*

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**APPLICANT REQUEST**

**Request for final plat approval to create one lot.**

Final Plat

A request for final plat approval to create one lot on a portion of properties located at 13421 and 13431 Old Hickory Boulevard, approximately 175 feet east of Cane Ridge Road, zoned Agricultural/Residential (AR2a) (3.22 acres).

**STAFF RECOMMENDATION**

Staff recommends deferral to the December 9, 2021, Planning Commission meeting at the request of the applicant.



**NO SKETCH**



## Metro Planning Commission Meeting of 11/18/21

<b>Item #12</b>	<b>Text Amendment 2021Z-013TX-001</b>
<b>Project Name</b>	<b>Inclusionary Housing</b>
<b>Council Bill No.</b>	BL2021-832
<b>Council District</b>	Countywide
<b>School District</b>	Countywide
<b>Requested by</b>	Councilmember Burkley Allen, Councilmember Freddie O'Connell

<b>Deferrals</b>	This item was deferred at the October 28, 2021, Planning Commission meeting. No public hearing was held.
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<b>Staff Reviewer</b>	Hammer
<b>Staff Recommendation</b>	<i>Defer to the January 13, 2022, Planning Commission meeting.</i>

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### APPLICANT REQUEST

Amend Title 17 of the Metropolitan Code pertaining to inclusionary housing.

### STAFF RECOMMENDATION

Staff recommends deferral to the January 13, 2022, Planning Commission meeting at the request of the applicant.



## Metro Planning Commission Meeting of 11/18/21



### **2021S-195-001**

RESUBDIVISION OF LOT 1 OF RESUB 1 AND 2 HYDE PARK

Map 080-04, Parcel(s) 105

03, Bordeaux – Whites Creek – Haynes Trinity

02 (Kyonzté Toombs)



## Metro Planning Commission Meeting of 11/18/21

**Item #13**

**Project Name**

**Final Plat 2021S-195-001**

**Resubdivision of Lot 1 of Resub 1 and 2**

**Hyde Park**

**Council District**

02 – Toombs

**School District**

01 – Gentry

**Requested by**

Delle Land Surveying, applicant; XE Development Company LLC, owner.

**Deferrals**

This item was deferred from the October 28, 2021, Planning Commission meeting. No public hearing was held.

**Staff Reviewer**

Harrison

**Staff Recommendation**

*Defer indefinitely.*

### **APPLICANT REQUEST**

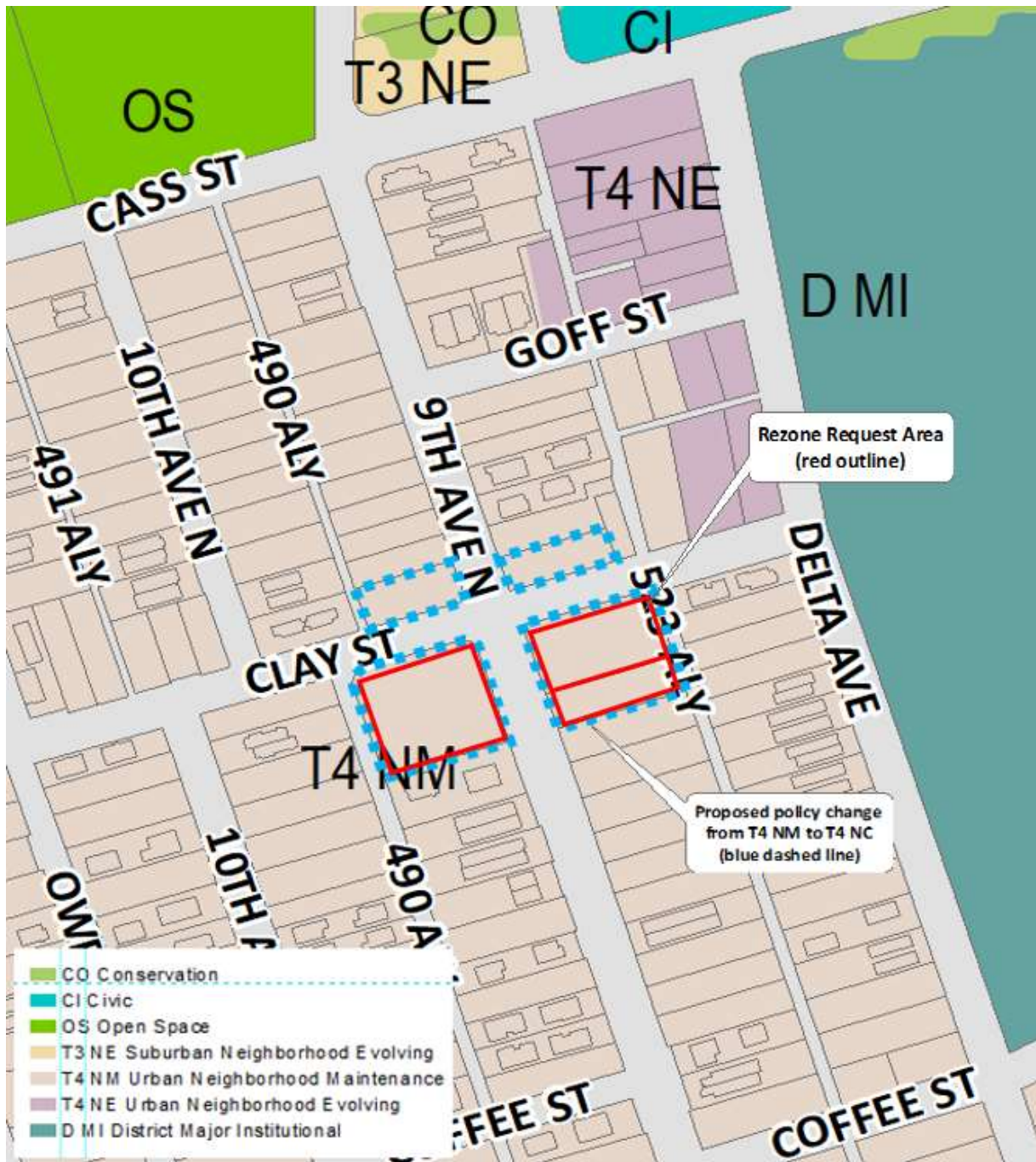
**Request for final plat approval to create five lots.**

#### Final Plat

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 Commercial Service (CS) (0.66 acres).

### **RECOMMENDED ACTION**

Staff recommends indefinite deferral at the request of the applicant.



**2021CP-008-004**

**NORTH NASHVILLE COMMUNITY PLAN HOUSEKEEPING AMENDMENT**

Map 081-07, Parcel(s) 140, 157, 494

Map 081-08, Parcel(s) 032, 030

08, North Nashville

21, (Brandon Taylor)





## Metro Planning Commission Meeting of 11/18/21

### Item #14

#### Project Name

**Housekeeping Amendment 2021CP-008-004**

**North Nashville Community Plan**

**Amendment**

#### Associated Case

2021SP-055-001 (approved on 09/09/21 MPC agenda)

#### Council District

21 – Taylor

#### School District

01 – Gentry

#### Requested by

Metro Nashville Planning Department, applicant;  
various owners.

#### Staff Reviewer

Clark

#### Staff Recommendation

*Approve.*

### APPLICANT REQUEST

**Amend North Nashville Community Plan to change Community Character Policy.**

#### Housekeeping Plan Amendment

A request to amend the North Nashville Community Plan by changing the Community Character Policy from Urban Neighborhood Maintenance (T4 NM) to Urban Neighborhood Center (T4 NC) for five (5) properties located along 9<sup>th</sup> Avenue North and Clay Street, zoned Commercial Service (CS), One and Two Family Residential (R6) and Planned Unit Development Overlay District (PUD) (approximately 1.44 acres).

### NORTH NASHVILLE COMMUNITY PLAN

#### **Current Policy**

Urban Neighborhood Maintenance (T4 NM) policy is intended to maintain urban neighborhoods as characterized by their moderate- to high-density residential development patterns, building form/types, setbacks, and building rhythm along the street. T4 NM areas have an established development pattern consisting of high levels of connectivity with complete street networks, sidewalks, bikeways, and existing or planned mass transit. T4 NM areas will experience some changes over time, primarily when buildings are expanded or replaced, and efforts should be made to retain the existing character of the established neighborhood.

#### **Requested Policy**

Urban Neighborhood Center (T4 NC) policy is intended to maintain, enhance, and create urban, neighborhood centers that provide daily needs and services for surrounding urban neighborhoods. T4 NC areas are pedestrian and bicycle-friendly, generally located at the intersections of prominent urban streets. T4 NC areas consist of services to meet the daily needs of residents within a five-to ten-minute walk and high levels of connectivity and complete street networks with sidewalks, bikeways, and existing or planned transit leading to surrounding neighborhoods and open space.

### BACKGROUND

The housekeeping policy amendment is in conjunction with Specific Plan application 2021SP-055-001, a request to change zoning from Commercial Services (CS) and One and Two Family Residential (R6) to Specific Plan-Mixed Use (SP-MU) zoning for properties located at 1919, 1924, and 1928 9th Avenue North to permit a mixed-use development (approximately 1.12



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acres). The Metro Planning Commission recommended approval of the SP at their September 9, 2021, meeting and directed staff to do a housekeeping amendment for the properties surrounding the intersection.

The housekeeping policy amendment will amend the North Nashville Community Plan by changing the Community Character Policy from Urban Neighborhood Maintenance (T4 NM) to Urban Neighborhood Center (T4 NC) for five properties located along 9<sup>th</sup> Avenue North and Clay Street.

Two properties that were not part of the prior rezoning are included as the Commission asked that the entire intersection be studied.

The housekeeping policy amendment area consists of:

- 1919 9<sup>th</sup> Avenue North, vacant commercial land (0.56 acres)
- 1924 9<sup>th</sup> Avenue North, single-family home (0.19 acres)
- 1928 9<sup>th</sup> Avenue North, vacant former nightclub/lounge building (0.37 acres)
- 2000 9<sup>th</sup> Avenue North, single-family home (0.15 acres)
- 900 Clay Street, vacant former auto dealer lot (0.17 acres)

### COMMUNITY PARTICIPATION

This is a housekeeping amendment that does not require a community meeting.

### ANALYSIS OF T4 URBAN NEIGHBORHOOD CENTER POLICY

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

#### NashvilleNext Growth & Preservation Concept Map

The Growth & Preservation Concept Map (Concept Map) is a countywide vision and tool to shape improvements in quality of life so that new development and redevelopment align with community values. The Concept Map shows the housekeeping policy amendment area situated in a location designated as a “Neighborhood” to accommodate nearby “Center” and “Transition & Infill” areas. Neighborhood areas are primarily residential areas offering a mix of housing types and character, with smaller civic and employment areas and small neighborhood centers. The NashvilleNext planning process applied the Concept Map designations generally rather than at the parcel-specific level.

#### Key Finding

- The housekeeping policy amendment area is identified as a “Neighborhood” on the Growth & Preservation Concept Map and is suitable for a small-scale neighborhood center.

#### Community Character Policy Application

There are 14 Community Plans which provide the vision and policy guidance of land uses for communities within Davidson County. The North Nashville Community Plan makes use of Community Character Policies elements to ensure that the urban residential neighborhood character of this part of Nashville is maintained. The North Nashville Community Plan recognizes that neighborhoods are the backbone of this historic, African American community



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and focuses on maintaining stable neighborhoods with an assortment of different housing types to meet the needs of a diverse population. In addition, North Nashville has a variety of businesses consisting of manufacturing, retail, and other services.

The T4 Urban Transect category includes the historic, inner-ring neighborhoods as well as new neighborhoods intended to be developed in a more intense, urban fashion. In this transect, social interaction is a product of density of housing, a mixture of uses, and streets and open spaces that create a welcoming public realm. Urban neighborhood centers exist within walking distance of homes and provide residents with daily needs and conveniences. These centers are often mixed use in nature and provide commercial and residential services. Mixed use buildings with residential or offices on upper floors and commercial uses on the ground floor promote active uses at the pedestrian level, adding to the bustling atmosphere of the neighborhood. Urban neighborhood centers complement the density and housing mix that surrounds them.

The requested T4 NC policy promotes the development of an urban neighborhood center near the intersection of 9<sup>th</sup> Avenue North and Clay Street. T4 NC policy is appropriate because of the study area's location in relation to residential housing within the area. T4 NC policy facilitates creation of a neighborhood center to enhance the surrounding urban neighborhood by providing retail services and delivering additional housing.

### Key Findings

- T4 NC policy's intent of creating an urban neighborhood center that provides daily needs and services for the surrounding urban neighborhood makes this an appropriate application of the policy to properties located at the intersection of 9<sup>th</sup> Avenue North and Clay Street.
- Uses found in walkable neighborhood centers can assist in creating a lively, bustling streetscape.

### **Transportation and Connectivity**

An urban neighborhood center is situated to serve an urban neighborhood, and where the center's intensification is supported by surrounding existing or planned residential development, adequate infrastructure, and adequate access, such as the intersection of a local and collector avenue street. The Major and Collector Street Plan (MCSP) is a comprehensive plan and implementation tool for guiding public and private investment in the major streets (arterial boulevards, arterial parkways, and collector avenues) that make up the backbone of the city's transportation system. 9<sup>th</sup> Avenue North is classified as a collector avenue, and Clay Street is recognized as a local street. 9<sup>th</sup> Avenue North runs between Cass Street and Buchanan Street, both designated as collector avenues. Cass Street provides access to Interstate 65 via Rosa L. Parks Boulevard approximately 0.79 miles from the site. The study area also has an alley network.

The neighborhood development pattern consists of walkable blocks with sidewalks and moderate to short distances between intersections. Local streets and collector avenues provide high levels of connectivity for those navigating the neighborhood on foot, bicycle, or vehicle. Access to public transit is provided by WeGo Route 42 with a bus stop located approximately 0.12 miles north of the site at the intersection of Avenue North and Cass Street. The approved SP rezoning includes providing a WeGo bus stop on the south side of Clay Street and west of 9<sup>th</sup> Avenue



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North. The rezoning also improves the 9<sup>th</sup> Avenue North and Clay Street intersection with crosswalks at each of the four pedestrian crossing points.

### Key Findings

- Local streets, collector avenues, and alleys in the neighborhood area provide high levels of connectivity.
- Public transit infrastructure surrounding the site makes it accessible and suitable for T4 NC policy.
- The SP rezoning includes providing a bus stop and improving the intersection of 9<sup>th</sup> Avenue North and Clay Street with crosswalks.

### **Relationship to Surrounding Policies**

The housekeeping policy amendment area's relationship to surrounding policies is as follows:

- Urban Neighborhood Maintenance (T4 NM) policy is currently applied to the site as well as residential areas to the immediate north, south, and west of the study area.
- Urban Neighborhood Evolving (T4 NE) policy is applied to the property 0.05 miles east of the study area.
- District Major Institutional (D MI) policy is applied to the property 0.08 miles east of the study area.
- Civic (CI) policy is applied to Metro Government-owned property approximately 0.18 miles northeast and 0.22 miles south of the study area.
- Open Space (OS) policy is applied to property 0.13 miles north of the study area.
- Conservation (CO) policy is applied to property 0.15 miles north of the study area.

Applying T4 NC to the study area allows the opportunity to build an urban neighborhood center in a location that fits with existing community policies.

### Key Finding

- T4 NC policy allows the opportunity to build a small-scale neighborhood center to enhance the existing residential neighborhood while complementing community policies already in place throughout the surrounding area.

### **Analysis Summary**

Amending the Community Character Policy from T4 NM to T4 NC is appropriate at this location. In summary, the change in policy for the housekeeping plan amendment area is appropriate due to the following:

- The housekeeping policy amendment area is identified as a "Neighborhood" on the Growth & Preservation Concept Map, suitable for a small-scale neighborhood center.
- T4 NC policy is an appropriate policy application for the study area because it creates an urban neighborhood center to provide daily needs and services to the surrounding neighborhood.
- Uses found in walkable neighborhood centers can assist in creating a lively, bustling streetscape.
- Local streets, collector avenues, alleys, and public transit infrastructure in the study area and surrounding neighborhood provide adequate accessibility and connectivity suitable for T4 NC policy.



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- T4 NC policy provides a path for building an urban neighborhood center that complements community policies already in place throughout the surrounding area.

### **STAFF RECOMMENDATION**

Staff recommends approval of the Urban Neighborhood Center (T4 NC) policy.



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**2021CP-013-002**

ANTIOCH—PRIEST LAKE COMMUNITY PLAN AMENDMENT

Various Properties

13, Antioch–Priest Lake

29 (Delisha Porterfield), 32 (Joy Styles), 33 (Antionette Lee)



## Metro Planning Commission Meeting of 11/18/21

**Item #15**

**Project Name**

**Major Plan Amendment 2021CP-013-002**

**Antioch–Priest Lake Community Plan**

**Amendment**

**Council Districts**

29 – Porterfield, 32 – Styles, 33 – Lee

**School District**

6 – Bush

**Requested by**

Metro Nashville Planning Department, applicant;  
various owners.

**Staff Reviewer**

McCaig

**Staff Recommendation**

*Approve.*

### **APPLICANT REQUEST**

**Amend Antioch–Priest Lake Community Plan.**

#### Major Plan Amendment

A request to amend the Antioch–Priest Lake Community Plan to adopt the Murfreesboro Pike/Bell Road Study fact sheets and Supplemental Policy for various properties along Murfreesboro Pike, southeastward from Rural Hill Road to approximately 1,200 feet southeast of Hamilton Church Road (232.39 acres).

### **ANTIOCH – PRIEST LAKE COMMUNITY PLAN**

#### **Background**

Murfreesboro Pike is one of Nashville’s major pikes with its own unique character. It is the primary corridor connecting Antioch to Downtown Nashville (to the north), and La Vergne, Smyrna, and Murfreesboro (to the south). The corridor is primarily fronted with commercial, a few industrial uses, and some residential uses. Additional residential areas abut the corridor. Murfreesboro Pike serves an important access point to businesses and residents that use this corridor daily to commute to work and obtain goods and services. The Murfreesboro Pike/Bell Road Study covers one mile of Murfreesboro Pike from Rural Hill Road, north of Bell Road, southeastwards to just south of Hamilton Church Road. Various property lines are followed along the Pike to include varying depths off the corridor.

The existing policy for the study area was adopted in *NashvilleNext* in 2015 and in the update to *NashvilleNext* in 2017. *NashvilleNext* identifies corridors for High Capacity Transit, such as upgraded bus service. WeGo Public Transit utilized the High Capacity Transit Corridors envisioned by *NashvilleNext* as the starting point for the *nMotion Transit Plan*. The 2017 update to *NashvilleNext* tailored corridors to develop a more robust local and regional transit system based upon *nMotion* and included updates to the Major and Collector Street Plan. Murfreesboro Pike is identified as an area for High Capacity Transit in each of these adopted plans and in the *2020 Metro Nashville Transportation Plan*.

Initial discussions to study this section of Murfreesboro Pike began with conversations with area Councilmembers about accommodating growth, incorporating additional quality design principals, and upgrading area infrastructure. Discussions continued with the Mayor’s Office, and other Metro Departments, especially NDOT and WeGo as implementation strategies were developed.



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### ANALYSIS

Prior to beginning community outreach efforts, the long-range planning team coordinated with other Planning Department staff and various city and state agencies, including Metro Councilmembers, NDOT, WeGo Public Transit, Metro Water, and Metro Parks, to complete an analysis of the area.

#### NashvilleNext Growth and Preservation Concept Map

The Growth and Preservation Concept Map reflects Nashvillians' expectations for growth in the future. It identifies tiered centers expected to accommodate a range of future growth, improved public spaces, transit, and sustainable economic activity, and it encourages infill development along transit and multimodal corridors. Within the study area, the Concept Map identifies:

- Tier Two Center, focused on the properties along Murfreesboro Pike and Bell Road corridors. Intended to create a pedestrian-friendly area to accommodate future growth with employment, residences, services, civic uses, retail, and restaurants which receives some investments to manage growth, though less investment than Tier One centers.
- Transition and Infill for one property at the southeastern edge of the study area. Intended to encourage higher density housing appropriate along and around corridors.
- A section of Murfreesboro Pike and Bell Road is also identified as an Immediate Need High Capacity Transit Corridor, which establishes a framework of more intense housing and commercial areas along major roads with more near term improvements to provide frequent transit service.

#### Proximity to Downtown and Transects

The southern boundary of the study area is approximately 13 miles from the center of downtown Nashville. The policy application between downtown and properties southward transitions in intensity by transect from T6 (Downtown) to T4 (Urban) southeast of downtown to T3 (Suburban) around Donelson Pike and the Nashville International Airport. The airport and some surrounding uses are in the D (District) transect designated for special uses, office concentrations, and employment centers.

#### Natural Environment

The primary natural environmental features are streams and stream buffers from two streams that flow northeast to Percy Priest Lake. One stream begins in the northeast corner of the Murfreesboro Pike/Bell Road intersection, while the second stream begins in the southeaster corner of the Murfreesboro Pike/Hamilton Church Road intersection. There are also additional areas of stream buffers for several drainageways.

#### Zoning and Existing Land Uses

Much of the study area is zoned for more intense commercial, Commercial Services (CS) and Shopping Center Community (SCC). There are also smaller areas of Industrial Warehousing/Distribution (IWD), Mixed Use Limited (MUL), Mixed Use Neighborhood (MUN), Office Limited (OL), Office and Residential (OR20), and a mixed use Specific Plan (SP). There are two small areas of Agricultural (AR2a) and an area of One and Two-Family Residential (R10) zoning. Adjacent neighborhoods are zoned for medium density residential uses (R15 and R10).





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There are also older Planned Unit Developments (PUDs) near the Murfreesboro Pike/Bell Road intersection. An Urban Design Overlay (UDO) also runs along this section of Murfreesboro Pike. A Corridor Design Overlay (CDO) covers a portion of Bell Road.

Today, older commercial buildings are the primary use found near the intersection of Murfreesboro Pike and Bell Road. Newer construction, such as the Wal-Mart, can be found closer to the intersection of Murfreesboro Pike and Hamilton Church Road. In the study area, there are two mobile home parks and several single-family homes. Additional residential uses are found adjacent to and outside of the study area, including apartment complexes and townhomes along Hamilton Church Road. There are many garden-style apartment communities southwest of Murfreesboro Pike along Bell Road. Single-family homes are in neighborhoods north of Murfreesboro Pike. There is also a large farm of several hundred acres adjacent to the southern boundary of the study area.

### Existing Policy

This area is part of the *Antioch-Priest Lake Community Plan*. Almost all of the study area is in two policy areas, T3 Suburban Community Center and T3 Suburban Mixed Use Corridor. There is a tiny area of T3 Suburban Residential Corridor on the rear of a deep property along Bell Road. Civic policy recognizes a fire hall at the corner of Murfreesboro Pike and Forest View Drive. Conservation policy applies to stream buffers and waterways throughout the study area.

### Existing Supplemental Policies

Currently, no supplemental policy is applied within the study area.

### Historic Properties

The Traveler's Court Motel at 2622 Murfreesboro Pike is designated as Worthy of Conservation. This is the only property in the study area with a formal designation by the Historical Commission.

### Streets/Connectivity

The Major & Collector Street Plan (MCSP) is a comprehensive plan and implementation tool for guiding public and private investment on major streets (Arterial-Boulevards, Arterial-Parkways, and Collector-Avenues) that make up the backbone of the city's transportation system. It is a part of, and implements, *Access Nashville 2040*, which is the functional plan component of *NashvilleNext*, the General Plan for Nashville and Davidson County.

The MCSP identifies Murfreesboro Pike and Bell Road as arterial-boulevards. Rural Hill Road, Morris Gentry Boulevard, Hamilton Church Road, and Anderson Road are classified as collector-avenues. The remaining intersecting roads are classified as local streets.

The majority of Murfreesboro Pike within the study area operates as a six-lane suburban roadway with a continuous center turn lane. At its major intersection with Bell Road, Murfreesboro Pike is nine lanes. Traveling along Murfreesboro Pike by car is relatively easy, although traffic can get congested during peak travel times. Easy access to interstates, highways, and other areas is considered an asset for people driving. However, the 45 miles per hour speed limit, the 100+ foot-wide crossing distances, the lack of buffers and median islands, and the sheer



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amount of vehicular traffic within the study area all make for an unsafe and uncomfortable setting for other modes of transportation such as walking, bicycling, or transit.

### Transit

WeGo's 55 Murfreesboro Pike bus runs from Downtown Nashville to Global Mall at the Crossings via Murfreesboro Pike and Bell Road. Two of the four stops within the study area include bus shelters. A left-turn queue jump on northbound Bell Road helps buses move through the area quicker.

The NashvilleNext Plan designates Murfreesboro Pike and Bell Road as immediate need high capacity transit corridors. Currently, the Murfreesboro Pike Frequent Service Network route connects Downtown Nashville to Global Mall via Murfreesboro Pike and Bell Road. The route has been identified in the *2020 Metro Nashville Transportation Plan* as a priority project. Over 400 million dollars is expected to be spent in upgrading the route to include majority dedicated lanes with iconic stations, off-board fare collection, platform-level boarding, high-capacity buses, and fast and frequent operations. The project would also include significant roadway, safety, traffic management/ITS, pedestrian crossings, and sidewalk improvements that are much needed along Murfreesboro Pike. As of September 2021, the Murfreesboro Pike Transit Signal Priority project has implemented state-of-the-art technology by enabling a bus that is 2+ minutes behind schedule to receive more traffic signal green time to traverse an intersection and get back on schedule. Additionally, improvements have been made to 42 traffic signal intersections along the Murfreesboro Pike corridor, including 12.5 miles of fiber optic cable that connect all signals to a central traffic control system. The project also includes five queue jumps which enable a bus to jump ahead of a queue of vehicles at intersections.

### **COMMUNITY PARTICIPATION**

The study began with background research in late 2020. Since this study was occurring in entirety during the global pandemic, staff diligently worked to obtain community feedback with the complication of not holding in-person events. A decision was made to focus on a smaller, important area along an Antioch corridor, and the study area along Murfreesboro Pike was chosen. Previous planning efforts and studies provided a starting point to build on the community's vision and develop community priorities.

Initially, a dedicated webpage was created ([AntiochSoutheastStudy.nashville.gov](https://AntiochSoutheastStudy.nashville.gov)) and a notice flyer was mailed to every property within the study area and a 1,300 feet buffer, notifying approximately 900 property owners. The next step was community input was a detailed survey with 60 questions. Area Councilmembers shared the survey link via their networks, and the survey was posted online. The survey remained open for several weeks. Over 620 people took the survey with 70 percent completing each of the 60 questions and providing additional written comments. This comprehensive survey tool built a strong foundation for determining current issues and prioritizing area infrastructure needs. The goals of the study began to take shape.

Short explanatory, narrated slideshows providing overviews of long-range planning and the study were uploaded to the webpage. In subsequent months, planners continued conversations via phone calls, emails, and updates with area Councilmembers.



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### Key Issues and Plan Goals

Throughout the planning process several key issues continued to rise to the surface related to safety, streetscape design, transportation, and appearance. The vision of the study is to create a safe and beautiful, suburban mixed-use corridor along Murfreesboro Pike. Key themes are tree-lined streets, pedestrian enhancements, landscaping, and green space. Today, this area needs upgraded infrastructure, investment, and beautification. While the recommendations of the plan, which are primarily tied to land uses and mobility, cannot directly address all identified issues, the plan can enable solutions to issues identified through best practices of land use and transportation planning. The following are the goals of the plan:

- ***Complete Streets.*** Create complete suburban streets that are lively, equitable, and support mobility for all users.
- ***Beautification.*** Improve area aesthetics and beautify the corridor to increase its attractiveness and visual quality.
- ***Safety.*** Increase public safety through the design and upkeep of the public and private realms.
- ***Green.*** Provide green/open spaces for gathering and recreation, landscaping, and sustainable infrastructure.
- ***Identity.*** Strengthen the identity of the area by making it a destination with unique characteristics.

These goals are anchored in a concept called ***transit-supportive design*** which puts people and places within an easy reach of transit. The goal is to enhance and create a mix of activities and destinations along Murfreesboro Pike (for example, housing, work, shopping, services, and entertainment) to support public transit. Transit-supportive development creates places that make transit work efficiently, even if high quality transit service has not yet arrived. With the bus network upgrades on their way, it is crucial to begin planning for this major investment with strategies that support transit-supportive development.

### Interactive format for study document

As mentioned, planners relied heavily on the detailed input received via an online survey. Since this project was a different type of project than normally undertaken, planners created a new, interactive format for the study document.



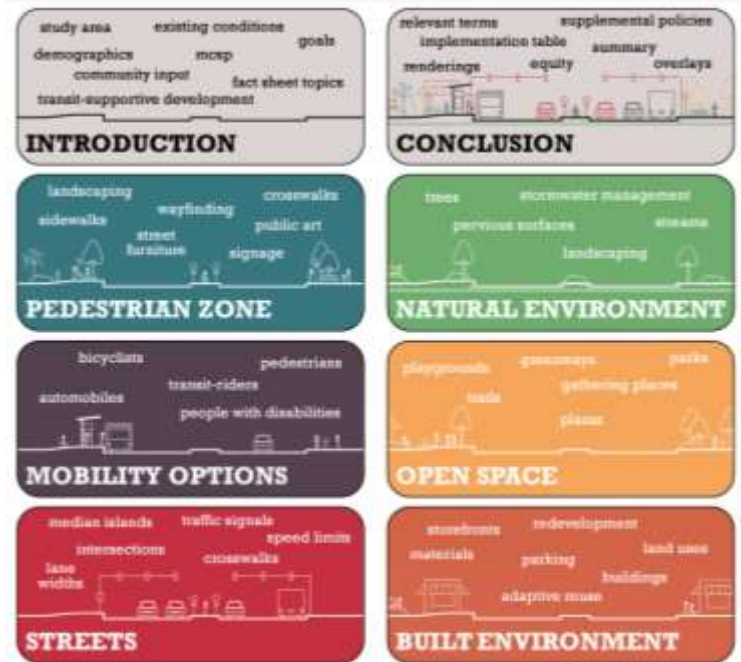
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Planners developed Fact Sheets focused on six topic areas based on community priorities:

- Pedestrian Zone
- Mobility Options
- Streets
- Natural Environment
- Open Space
- Built Environment

Each Fact Sheet includes current conditions, potential key elements, summary of community input, and transit-supportive development examples. Throughout are hyperlinks so the reader can jump to related fact sheets, the complete survey results, additional example photos, and the implementation table. Also, each fact sheet topic includes key strategies that help advance the study's five overarching goals.

Accompanying the six fact sheets are an introduction, a project summary, an implementation table, resources, and additional photos illustrating examples.



### Public Draft Plan Review

While the study area itself is small geographically, many of the concerns and issues raised by Antioch stakeholders apply to the larger community as well. The intent of the fact sheets is to highlight and prioritize infrastructure needs and discuss possible solutions through implementation projects and design. The fact sheets will assist in guiding equitable and sustainable infrastructure projects and development in this important center of the community.

The draft study was posted to the project webpage in mid-October and shared with area Councilmembers and the study's email list. The draft study was available for approximately three weeks; stakeholders were able to view the study and provide feedback via a short survey. Notices were also mailed to property owners in the study area and the surrounding 1,300 foot buffer area. Staff also presented to Councilmember Styles' District community meeting on October 27, 2021. A second draft of the study was posted to the webpage on November 9, 2021, incorporating a suggestion to add homelessness resources. No other changes have been recommended by the community at the time of this writing.



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### RECOMMENDATION

#### **Adopt the Murfreesboro Pike/Bell Road Study Fact Sheets, including a Supplemental Policy.**

The goals and strategies are intended to guide policy interpretation and zone change requests. While not proposing changes to currently adopted land use policy categories in the study area, the study does include a Supplemental Policy for the important intersection of Murfreesboro Pike and Bell Road.

Supplemental policies are intended to provide an additional level of guidance beyond that provided by the Community Character Manual (CCM). They address unique features of the area and expand upon standard guidance of CCM in order to tailor policy to the needs of the study area.

This Supplemental Policy calls for any rezoning to be to Specific Plan (SP) for key properties around the Murfreesboro Pike/Bell Road intersection in order to provide needed infrastructure and quality design. The Supplemental Policy area is shown with a red outline on the map.

In addition, the study will assist in prioritizing requests for the Capital Improvements Budget and focus on streetscape improvements to foster mobility options, improve safety, and provide beautification.

### STAFF RECOMMENDATION

Staff recommends approval.





**NO SKETCH**



## Metro Planning Commission Meeting of 11/18/21

**Item#16**  
**Project Name**  
**Council Bill No.**  
**Council District**  
**School District**  
**Requested by**

**Text Amendment 2020Z-014TX-002**  
**Outdoor Lighting**  
BL2021-974  
Countywide  
Countywide  
Councilmember Burkley Allen, applicant.

**Staff Reviewer**  
**Staff Recommendation**

Hammer  
*Approve.*

### APPLICANT REQUEST

Amend Title 17 of the Metropolitan Code pertaining to outdoor lighting.

### BACKGROUND

NashvilleNext, Metro’s General Plan adopted in 2015, identifies energy conservation and efficiency as a county-wide goal due the effects inefficient energy use has on climate change. In 2016, the Livable Nashville Committee issued recommendations for protecting and enhancing Nashville’s livability and environmental quality including taking actions to reduce building resource-use with milestones for measuring success. The strategies identified included improving energy efficiency in residential, commercial, and institutional buildings and converting streetlights and traffic lights to LED luminaires.

In 2021, legislation was passed to amend 17.28.100 of the Metro Code to create new requirements focused on minimizing light pollution including limiting uplighting, curbing excess skyglow, and specifying the color temperature of luminaires. The original intent of the legislation was to regulate private lighting applications while allowing the policies of Nashville Electric Service (NES) and Nashville Department of Transportation (NDOT) to govern the luminaires being used for public purposes.

### PROPOSED AMENDMENTS TO TITLE 17

The proposed bill as filed at Metro Council amends subsection 17.28.100.B of the Zoning Code by adding subsection 17.28.100.B.3 (deleted text is shown in strike-thru; new text is shown in underline):

B. Application of Provisions. This section shall be applicable to the following lighting applications:

1. Residential and Agricultural: All exterior lighting, excluding freestanding floodlights, is subject to subsection E.4 only. Freestanding floodlights shall be subject to subsections E.1.d, E.2, and E.4.
2. Commercial: For new construction only and the subsequent maintenance of all new construction: any outdoor lighting luminaire.
3. Public Utility Rental lighting: Security lighting installed by the local public utility through a rental program is subject to Sections D, E1, E2, and F.



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### **ANALYSIS OF BL2021-974**

NES, the local electric utility company, has created a program wherein NES-owned security lighting is leased to private property owners for use on private property for a monthly fee. This arrangement creates an unusual circumstance that is not well accounted for by the Outdoor Lighting section of the Metro Code, which divides the regulatory framework simply into residential/agricultural and commercial applications. All Outdoor Lighting standards apply to commercial development and fewer standards, most notably including those related to light trespass, apply to residential/agricultural properties.

This text amendment specifies that this type of lighting should be subject to four sections of the Outdoor Lighting section: prohibited lighting types, light intensity and uniformity, color temperature, and luminaire standards.

### **ZONING ADMINISTRATOR RECOMMENDATION**

No exception taken to this bill.

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### **STAFF RECOMMENDATION**

Staff recommends approval.





**SEE NEXT PAGE**



**NO SKETCH**



## Metro Planning Commission Meeting of 11/18/21

**Item #17**

**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

**Deferrals**

This item was deferred from the October 28, 2021, Planning Commission meeting. No public hearing was held.

**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



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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

### 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.



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### 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.

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### 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 11/18/21

**Item #18**

**Project Name**

**Council Bill No.**

**Council District**

**School District**

**Requested by**

**Text Amendment 2021Z-018TX-001**

**Distance Requirements for Bars/Nightclubs**

BL2021-922

Countywide

Countywide

Councilmember Brandon Taylor

**Staff Reviewer**

Lewis

**Staff Recommendation**

*Approve.*

### APPLICANT REQUEST

Amend the Zoning Code to include distance requirements for bar/nightclub uses.

### PROPOSED AMENDMENTS TO TITLE 17

The proposed text amendment would modify Sections 17.04.060, 17.08.030, and 17.16.070, by implementing a distance requirement for “bar/nightclub” uses. The proposed changes are outlined below with new sections shown in underline, and any sections to be removed shown in strikethrough:

Section 1. That the following definition is added to Section 17.04.060 of the Metropolitan Code in alphabetical order:

“Bar or Nightclub” means any establishment primarily engaged in preparing and serving alcoholic beverages for immediate consumption. These establishments may also provide limited food services.

Section 2. That the Zoning District Land Use Table in Section 17.08.030 of the Metropolitan Code is hereby amended as shown in Exhibit A.

Section 3. That Section 17.16.070, Subsection G of the Metropolitan Code is hereby deleted in its entirety and replaced with the following:

~~G. Bar or Nightclub. Establishments shall be limited to two thousand five hundred square feet of gross floor area per establishment, with no more than one establishment per lot.~~

G. Bar or Nightclub.

1. Establishments shall be a minimum of 100 linear feet from the property line of another property upon which a single family residential, two family residential, day care center (up to 75), day care center (over 75), day care home, school day care, orphanage, monastery or convent, religious institution, or community education use is located.
2. In the MUN, MUN-A, MUN-NS, MUN-A-NS, CN, CN-A, CN-NS, CN-A-NS, SCN, and SCN-NS zoning districts, Establishments shall be limited to two thousand five hundred square feet of gross floor area per establishment, with no more than one establishment per lot.



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### ANALYSIS

The proposed amendment makes several changes to how a bar or nightclub use has been previously regulated.

The first is under Section 17.04.060 which would create a definition for the use “bar/nightclub.” Bar/nightclub is a use under Commercial Uses in the land use table; however, it is not currently defined in the definition section of the code.

Within the Title 17 land use table; a use can be permitted by right, as shown with a “P” in the table, or a use can be permitted with conditions, as shown by “PC” in the land use table. For uses permitted with conditions, there are specific conditions that need to be met in order for the use to be established. Bar/nightclub is currently a use permitted with conditions in the following zoning districts: all MUN and CN based zoning districts, SCN, and SCN-NS. Bar/nightclub is a permitted use within the following zoning districts: all MUL, MUG, MUI, ORI, CL, CS, CA based zoning districts, CF, CF-NS, DTC, SCC, SCC-NS, SCR, and SCR-NS.

Section 2 of the proposed amendment would modify bar/nightclub as a permitted use to a use permitted with conditions for the following zoning districts: MUL (-A, -A-NS, -NS), MUG (-A, -A-NS, -NS), MUI (-A, -A-NS, -NS), ORI (-A, -A-NS, -NS), CS (-A, -A-NS, -NS), CA, CA-NS, CF, CF-NS, SCC, SCC-NS, SCR, and SCR-NS. For bars and nightclubs meeting the definition as established above, they would need to meet two conditions proposed in the text amendment: The first is a requirement for a property where bar/nightclub is located, to be a minimum of 100 linear feet from the property line where a single family residential, two family residential, day care center (up to 75), day care center (over 75), day care home, school day care, orphanage, monastery or convent, religious institution, or community education use is located; and the second condition is in the MUN, MUN-A, MUN-NS, MUN-A-NS, CN, CN-A, CN-NS, CN-A-NS, SCN, and SCN-NS zoning districts a size limit of 2,500 square feet of gross floor area per establishment and the property is limited to one establishment per lot. The size limitation currently exists and is unchanged from the existing Code.

Staff’s primary concern with the proposed text amendment is the potential to create non-conforming uses. If there are existing businesses located within the separation requirement, these uses could become legally non-conforming and receive additional protections based on the non-conforming allowances found in Tennessee Code Annotated. Once established, a legally non-conforming use is less likely to close or relocate as possible new locations are limited, further entrenching these uses in their existing locations. The number of bars/nightclubs that would be made non-conforming is difficult to determine due to use classifications by Metro.

A second concern of staff was that the proposed amendment would significantly limit the areas available for bars/nightclubs, either furthering their desire to stay in a non-conforming situation or the areas being so limited it would create large clusters of bars/nightclubs. Planning staff performed a preliminary analysis of how the proposed text amendment could impact corridors across the county. Staff found that while it limited the possibility for smaller neighborhood locations, it did not affect the areas along corridors as initially anticipated.





## Metro Planning Commission Meeting of 11/18/21

As the sponsor of the proposed legislation is aware of the legalities related to the creation of non-conforming uses and the minimal impacts to potential locations for bars/nightclubs, staff recommends approval of the proposed text amendment.

### ZONING ADMINISTRATOR RECOMMENDATION

No exception taken to the proposed legislation and welcome the definition to the zoning code for Bar/ Nightclub which has been absent in the code since its initial adoption.

### 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.

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## SUBSTITUTE ORDINANCE NO. BL2021-922

**An ordinance amending 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 (Proposal No. 2021Z- 018TX-001).**

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

WHEREAS, pursuant to Tennessee Code Annotated Section 57-4-102(31)(A), the state requires establishments to have a seating capacity of at least forty (40) people at tables and derive more than fifty percent (50%) of their gross revenue from the serving of meals to be considered a restaurant for the purposes of regulating the consumption of alcoholic beverages on premises; and

WHEREAS, the Metro Codes Department uses this definition to distinguish establishments between being classified as a restaurant or a bar/nightclub; and

WHEREAS, this legislation does not impact establishments classified as restaurants by the Metro Codes Department.

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

Section 1. That the following definition is added to Section 17.04.060 of the Metropolitan Code in alphabetical order:

“Bar or Nightclub” means any establishment primarily engaged in preparing and serving alcoholic beverages for immediate consumption. These establishments may also provide limited food services.

Section 2. That the Zoning District Land Use Table in Section 17.08.030 of the Metropolitan Code is hereby amended as shown in Exhibit A.

Section 3. That Section 17.16.070, Subsection G of the Metropolitan Code is hereby deleted in its entirety and replaced with the following:



## Metro Planning Commission Meeting of 11/18/21

### G. Bar or Nightclub.

1. Establishments shall be a minimum of 100 linear feet from the property line of another property upon which a single family residential, two family residential, day care center (up to 75), day care center (over 75), day care home, school day care, orphanage, monastery or convent, religious institution, or community education use is located.
2. In the MUN, MUN-A, MUN-NS, MUN-A-NS, CN, CN-A, CN-NS, CN-A-NS, SCN, and SCN-NS zoning districts, Establishments shall be limited to two thousand five hundred square feet of gross floor area per establishment, with no more than one establishment per lot.

Section 4. That this Ordinance shall take effect immediately 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 11/18/21

**Item #19**  
**Project Name**

**Text Amendment 2021Z-019TX-001**  
**Rebuilding Nonconforming Single and Two Family Uses**

**Council Bill No.**  
**Council District**  
**School District**  
**Requested by**

BL2021-975  
Countywide  
Countywide  
Councilmember Sandra Sepulveda

**Staff Reviewer**  
**Staff Recommendation**

Shane  
*Approve.*

### **APPLICANT REQUEST**

Amend the Zoning Code to reduce the limitations on rebuilding nonconforming single and two family uses.

### **PROPOSED AMENDMENTS TO TITLE 17 AND CHAPTER 16.28**

The proposed bill would amend Section 17.40.660 of the Zoning Code to allow nonconforming single and two family uses that are damaged or destroyed by any involuntary means (such as a natural disaster) to be fully reconstructed as long as there is not a substantial increase in the degree of nonconformity of the structure.

These proposed changes are shown below:

Section 1. That Section 17.40.660.D of the Metropolitan Code is hereby amended by deleting it in its entirety and replacing it with the following language:

#### **D. Damage or Destruction of Nonconforming Structures.**

1. A nonconforming structure damaged by any involuntary means to less than fifty percent of its total floor area may be reconstructed. If damage exceeds fifty percent of the total floor area, the structure shall be reconstructed in accordance with all applicable provisions of this title. If requested by the property owner, the board of zoning appeals may consider percentage of reconstruction cost in lieu of percentage of floor area damaged or destroyed. The value of land shall be excluded.

2. Notwithstanding the foregoing and regardless of the percentage of floor area damaged or destroyed, any nonconforming structure damaged or destroyed by the March 3, 2020, tornado may be reconstructed so long as there is not a substantial increase in the degree of non-conformity.

3. A nonconforming structure utilized for the single family use or two family use that is damaged or destroyed by any involuntary means may be fully reconstructed so long as there is not a substantial increase in the degree of non-conformity of the structure.



## Metro Planning Commission Meeting of 11/18/21

### BACKGROUND

The Zoning Code currently requires nonconforming structures damaged by involuntary means to be reconstructed with all nonconformities removed if the damage being repaired represents over 50 percent of the structure's total floor area. Property owners can request that this 50 percent threshold be applied instead to reconstruction cost (excluding the value of the land) rather than floor area. In 2020, an amendment to this section allowed nonconforming structures damaged by the March 3, 2020, tornado to be reconstructed regardless of the degree of damage sustained if the degree of non-conformity was not increased substantially.

### ANALYSIS

The proposed amendments to Title 17 extend the generous reconstruction guidelines governing nonconforming structures damaged during the March 3, 2020, tornado to all nonconforming single and two family uses. Currently, a nonconforming single or two family use that is damaged to less than fifty percent of its total floor area or reconstruction cost may only be rebuilt if the nonconformities are removed. While this requirement may be helpful in removing nonconformities in commercial, multi-family, and industrial districts which are more visible and impinge more directly on the public realm, applying such a standard to the more private single and two family uses has resulted in undue burden and hardship on householders struggling to recover from involuntary episodes of destruction—usually flooding, tornado, or fire. Given the unpredictability of natural disasters, removing the limitations on rebuilding that now burden those living in nonconforming homes represents a more equitable and reasonable application of land use regulation in Metropolitan Nashville and Davidson County. For this reason, planning staff recommends approval of the proposed text amendments.

### ZONING ADMINISTRATOR RECOMMENDATION

No exception taken.

### FISCAL IMPACT RECOMMENDATION

The Codes Department anticipates the proposed amendment to be revenue neutral

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### STAFF RECOMMENDATION

Staff recommends approval of the proposed change to Title 17.

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## ORDINANCE NO. BL2021-975

**An ordinance amending Section 17.40.660 of the Metropolitan Code to amend the limitations of rebuilding a nonconforming structure (Proposal No. 2021Z-019TX-001).**

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

Section 1. That Section 17.40.660.D of the Metropolitan Code is hereby amended by deleting it in its entirety and replacing it with the following language:

D. Damage or Destruction of Nonconforming Structures.



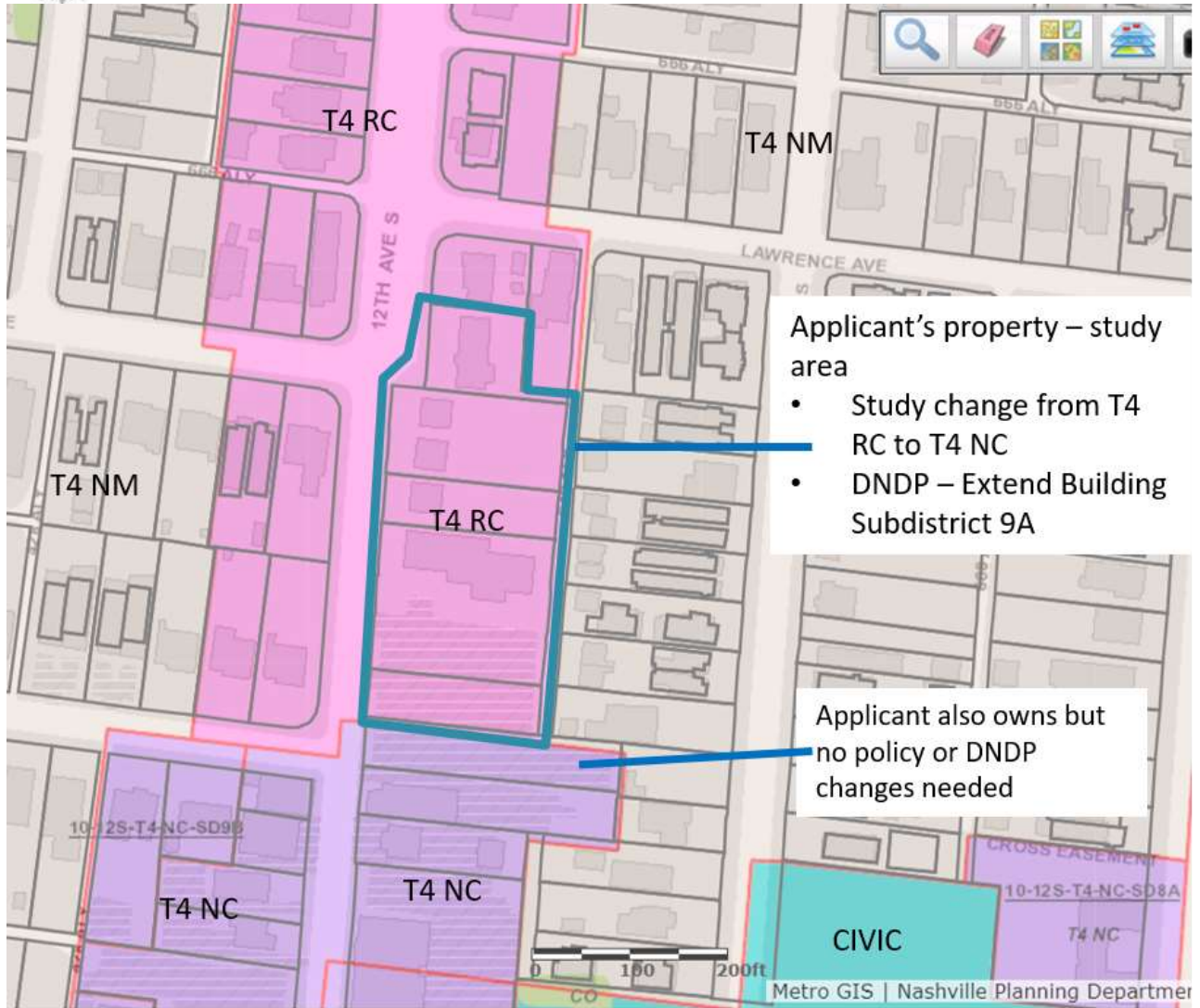
## **Metro Planning Commission Meeting of 11/18/21**

1. A nonconforming structure damaged by any involuntary means to less than fifty percent of its total floor area may be reconstructed. If damage exceeds fifty percent of the total floor area, the structure shall be reconstructed in accordance with all applicable provisions of this title. If requested by the property owner, the board of zoning appeals may consider percentage of reconstruction cost in lieu of percentage of floor area damaged or destroyed. The value of land shall be excluded.
2. Notwithstanding the foregoing and regardless of the percentage of floor area damaged or destroyed, any nonconforming structure damaged or destroyed by the March 3, 2020, tornado may be reconstructed so long as there is not a substantial increase in the degree of non-conformity.
3. A nonconforming structure utilized for the single family use or two family use that is damaged or destroyed by any involuntary means may be fully reconstructed so long as there is not a substantial increase in the degree of non-conformity of the structure.

Section 3. 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.



## Metro Planning Commission Meeting of 11/18/21



### 2021CP-010-002

### GREEN HILLS – MIDTOWN COMMUNITY PLAN AMENDMENT

Map 105-12, Parcel(s) 198, 200-202, 420

10, Green Hills – Midtown

17 (Colby Sledge)





## Metro Planning Commission Meeting of 11/18/21

**Item #20a**  
**Project Name**

**Major Plan Amendment 2021CP-010-002**  
**Green Hills-Midtown Community Plan**  
**Amendment**

**Associated Case**  
**Council District**  
**School District**  
**Requested by**

2021SP-071-001  
05 – Sledge  
08 – Pupo-Walker  
Barge Cauthen & Associates, applicant; Tabernacle  
Missionary Baptist Church, owner.

**Deferrals**

This item was deferred at the October 28, 2021,  
Planning Commission meeting. No public hearing was  
held.

**Staff Reviewer**  
**Staff Recommendation**

McCaig  
*Approve policy change along with minor changes to the  
12<sup>th</sup> Avenue South Corridor Detailed Neighborhood  
Design Plan.*

### **APPLICANT REQUEST**

**Amend Green Hills–Midtown Community Plan to change the policy and 12<sup>th</sup> Avenue South Corridor Detailed Neighborhood Design Plan to change the subdistrict designation.**

#### Major Plan Amendment

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 12<sup>th</sup> 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 One and Two-Family Residential (R8) (1.56 acres)

### **GREEN HILLS–MIDTOWN COMMUNITY PLAN**

#### **Current Policy**

Urban Residential Corridor (T4 RC) policy is intended to maintain, create, and enhance urban residential corridors. Residential corridors are located along prominent arterial-boulevards or collector-arterials that are served by multiple modes of transportation and operated to enable safe, attractive, and comfortable travel for all users.

12<sup>th</sup> Avenue South Corridor Detailed Neighborhood Design Plan currently places these properties in Mixed Housing for the detailed land use policy and Subdistrict 4 – Mixed Housing for the building subdistrict designation.

#### **Requested Policy**

T4 Urban Neighborhood Center (T4 NC) policy is intended to maintain, enhance, and create urban neighborhood centers that serve urban neighborhoods that are generally within a five-minute walk. T4 NC areas are pedestrian friendly areas generally located at intersections of streets that contain commercial, mixed use, residential, and institutional land uses.



## Metro Planning Commission Meeting of 11/18/21

*12<sup>th</sup> Avenue South Corridor Detailed Neighborhood Design Plan* changes are limited to changing the detailed land use policy to Mixed Use and extending the adjacent building Subdistrict 9A – Mixed Use to apply to these properties.

### BACKGROUND

The study area, consisting of five properties, is located along the east side of 12<sup>th</sup> Avenue South, south of Lawrence Avenue and across 12<sup>th</sup> Avenue from Ashwood Avenue. The established 12 South Neighborhood is adjacent to the study area, and the historic Belmont-Hillsboro Neighborhood is across the street to the west.

The plan amendment was requested in conjunction with zone change application 2021SP-071-001, a request to change the zoning from One and Two-Family Residential (R8) to Specific Plan (SP) zoning to permit office and retail uses on 1.87 acres. Part of the property did not need a plan amendment. As part of the application process, the Executive Director determined the plan amendment to be major with a required community meeting.

The properties have been used as a religious institution and houses for years. Property records show that the church purchased its main property in 1966. The church acquired additional adjacent properties in 1982, 1985, 1998, and 2005, both for parking and for residential uses.

In 2008, a small area study created the *12<sup>th</sup> Avenue South Corridor Detailed Neighborhood Design Plan* (DNDP). The overarching goal of the design plan is to maintain the corridor as a livable and walkable community by providing a well-balanced mix of housing, neighborhood-scaled businesses, real transportation options, easily accessible open spaces, employment and social services, and civic and cultural opportunities. As one moves off the 12<sup>th</sup> Avenue corridor, the design plan highlights the importance of preserving the existing housing stock and single-family residential character of the immediately adjacent residential areas.

The study area properties front 12<sup>th</sup> Avenue South and back up to an alley that runs behind existing houses along 11<sup>th</sup> Avenue South. Along 12<sup>th</sup> Avenue to the south is a mix of uses and businesses that are part of the neighborhood center. Adjacent to the north and across 12<sup>th</sup> Avenue South to the west are single-family houses.

The property owner also owns 2220 12<sup>th</sup> Avenue South which is part of the associated rezoning request but not the plan amendment since that property is already in the T4 NC policy and Subdistrict 9A area. The property currently is used as a parking lot.

In 2014, an applicant submitted a plan amendment request to amend the DNDP guidance to allow for a denser, several story, residential development. The proposed design plan accommodated additional housing types by allowing them along the corridor itself. This would have provided additional housing choices while helping to preserve the existing single-family housing. While the 2014 request had merit along with some neighborhood support, there remained some concerns and opposition from neighbors. Staff recommended approval in 2014; but the Planning Commission, after hearing neighborhood concerns, disapproved the policy change. Since that time, other developers expressed interest in this site but could not achieve community support to move forward with rezoning.



## **Metro Planning Commission Meeting of 11/18/21**

### **COMMUNITY PARTICIPATION**

Prior to the Planning-led community meeting on October 11, 2021, the applicant team began by researching the history and concerns voiced about previous proposals discussed for this site. Over the past few months, the applicant team met several times with the neighborhood association, the adjacent 11<sup>th</sup> Avenue neighbors, and other nearby groups to discuss their proposal and work on garnering support and addressing concerns prior to submitting their applications.

On October 11, 2021, Community Plans staff conducted a virtual community meeting to discuss the applicant's plan amendment and zoning requests. The meeting was available via WebEx. Notices were mailed to over 540 property owners in a 1,300 foot buffer of the plan amendment site. Details of the community meeting were made readily available on Metro Nashville Planning Department's webpage. Approximately 30 people attended, including the project's development team, a councilmember from an adjacent district, and Community Plans staff. The development team presented a site plan and conceptual renderings for the proposed development while discussing their focus on creating a vibrant streetscape along 12<sup>th</sup> Avenue South, greening the project with landscaping and street trees, and creating appropriate transitions to adjacent single-family houses.

Following these presentations, attendees were given the opportunity to ask questions. Several attendees had been in previous meetings, and initial concerns already addressed, such as limiting hours of operation so not to go late into the night, widening the alley, and adding traffic calming on Linden and Ashwood. At the Planning-led meeting, attendees asked more specific questions about details. Questions and comments focused on the alley, including alley access, width, turning movements, traffic flow, and accessing the parking garage. Attendees noted that currently it is very difficult to exit the alley and turn on Lawrence Avenue, especially turning left as it is near the intersection with 12<sup>th</sup> Avenue. Other questions and ideas voiced included more details about parking being open to neighbors and substituting live greenery for silk screening along the alley. In general, attendees were supportive of the plan amendment and rezoning applications moving forward at this time.

### **ANALYSIS OF T4 URBAN NEIGHBORHOOD CENTER POLICY**

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

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

The Growth & Preservation Concept Map (Concept Map) is a county-wide vision and tool to shape improvements in quality of life so that new development and redevelopment align with community values. The Concept Map shows the plan amendment area situated in a location designated as a Neighborhood which is intended for primarily residential areas offering a mix of housing types and character, with smaller civic and employment areas and small neighborhood centers. The study area is adjacent to a Transition or Infill area which support a variety of uses that transition in scale between residential areas and mixed use "Center" areas. The NashvilleNext planning process applied the Concept Map designations generally rather than at the parcel-specific level.



## Metro Planning Commission Meeting of 11/18/21

The surrounding neighborhoods near the plan amendment area are compact and walkable with a gridded street pattern, short blocks, and a range of housing types. Along 12<sup>th</sup> Avenue to the south is the neighborhood center with its mix of uses and businesses. One of the foundations of NashvilleNext is fostering strong neighborhoods. Providing a range of services, businesses, and employment options within walking distance of residential uses helps create complete neighborhoods and promote various modes of travel.

### Key Findings

- The plan amendment area is identified as a Neighborhood on the Growth & Preservation Concept Map and is appropriate for a neighborhood center.
- Providing a range of services, businesses, and employment options within walking distance of residential uses helps create complete neighborhoods and promote various modes of travel.

### **Community Character Policy Application**

Community Plans provides history and context for Nashville's 14 Community Planning areas, along with community-specific issues, strategies, and sketches of how different places in the community could change over time. The Green Hills–Midtown Community Plan uses Community Character Policies that are tailored to the urban and suburban character of neighborhoods throughout its area. The Community Plan emphasizes enhancing centers and corridors to revitalize older centers and to provide more services and options, while strategically locating additional housing options, such as various housing types, on prominent corridors to support businesses and transit.

The built environment of Green Hills–Midtown is strikingly diverse. Green Hills–Midtown is home to the significant employment center of Midtown and the famed Music Row, known for its unique contribution to Nashville's arts, culture, economy, and heritage, in addition to Vanderbilt, Belmont, and Lipscomb universities. Green Hills–Midtown is served by several prominent, rapidly redeveloping corridors, including 12th Avenue South and nearby 8<sup>th</sup> Avenue South.

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

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

The requested T4 NC policy encourages a mix of neighborhood-scaled uses in addition to residential. T4 NC policy is intended to enhance and create neighborhood centers that provide a mix of uses and services to meet the daily needs of residents generally within a five- to ten-



## Metro Planning Commission Meeting of 11/18/21

minute walk. T4 NC areas are pedestrian friendly and have high levels of connectivity and complete street networks with sidewalks, bikeways, and existing or planned transit.

### Key Finding

- T4 NC's intent of creating and enhancing neighborhood centers that provide a mix of uses and services to meet the daily needs of nearby residents is appropriate in this location.

### **Transportation and Connectivity**

Land uses are supported by systems: vehicular, pedestrian, and bicycle circulation as well as parking and access. Land use may also be negatively impacted by these systems; excessive parking and the lack of pedestrian, vehicular, and bicycle connectivity, are all missteps that diminish the quality of development.

The properties in the plan amendment area front 12<sup>th</sup> Avenue South. Behind them to the east is an alley that runs behind the houses along 11<sup>th</sup> Avenue South. The alley runs north to Lawrence Avenue. This section of 12<sup>th</sup> Avenue South is classified as a two-lane arterial boulevard by the Major & Collector Street Plan (MCSP).

Public transit service for the plan amendment area is provided by WeGo with a bus route servicing 12<sup>th</sup> Avenue South (#17), connecting this area to midtown and downtown. Both sides of 12<sup>th</sup> Avenue South currently have sidewalks, and the applicant's site plan includes a new, wider sidewalk along with street trees to be constructed along the study area's frontage to further activate uses along the site. The applicant is also proposing parking that is open to the public in the development's parking garage which previously has been noted as a need in the area. Allowing a mix of land uses, supported by T4 NC policy, in locations with convenient access to major transportation and transit networks (existing and planned) near a primary corridor to midtown and downtown Nashville is appropriate.

### Key Findings

- The existing transportation infrastructure surrounding this location makes it an accessible multimodal site and suitable for T4 NC policy.
- The proposed development will construct a new, wider sidewalk with street trees along the area's frontage.

### **Relationship to Surrounding Policies**

The plan amendment area's relationship to surrounding policies is as follows:

- Urban Residential Corridor (T4 RC) policy is applied to the study area and the properties to the north along the 12<sup>th</sup> Avenue corridor.
- Urban Neighborhood Center (T4 NC) policy is applied to properties directly to the south along the 12<sup>th</sup> Avenue corridor.
- Urban Neighborhood Maintenance (T4 NM) policy recognizes the established adjacent neighborhood that surround the corridor.



## Metro Planning Commission Meeting of 11/18/21

Extension of the adjacent T4 NC policy to the study area allows the opportunity for additional services for the neighborhood that can develop in a compatible manner consistent with neighborhood-scale development.

### Key Finding

- T4 NC policy allows the opportunity for compatible development to occur as an extension of existing T4 NC policy (to the south) along 12<sup>th</sup> Avenue South.

### ***12<sup>th</sup> Avenue South Corridor Detailed Neighborhood Design Plan (DNDP) associated changes***

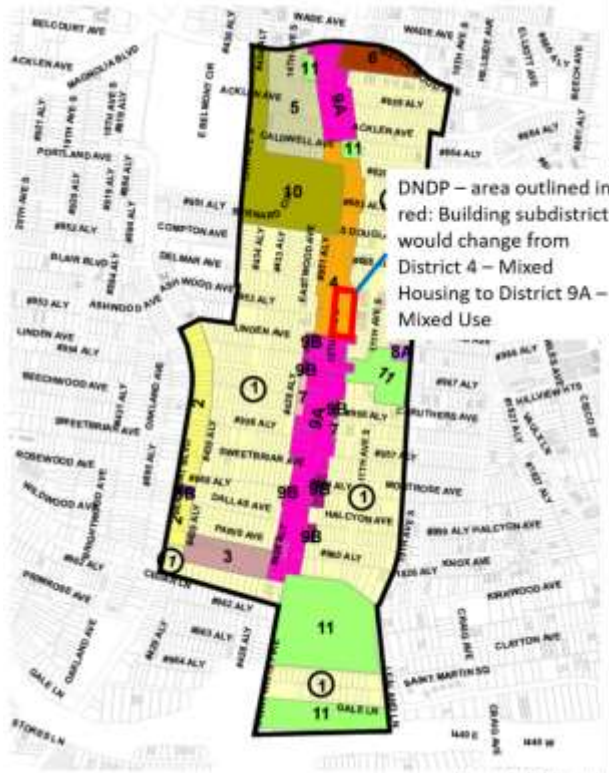
In 2008, a small area study created the *12<sup>th</sup> Avenue South Corridor Detailed Neighborhood Design Plan (DNDP)*. The plan focuses on maintaining and enhancing the corridor as a livable and walkable community. This is accomplished by providing a well-balanced mix of housing, neighborhood-scaled businesses, real transportation options, easily accessible open spaces, employment and social services, and civic and cultural opportunities.

The change in character policy necessitates minor changes to the currently adopted DNDP. Recommended changes to the DNDP are minimal in scope and apply to two items. These minor changes do not alter the DNDP's intent nor change its goals and objectives. The proposed development contributes to achieving the goals of the DNDP. The two changes include:

- Changing the detailed land use policy designation for the study area from Mixed Housing to Mixed Use on the detailed land use plan map on page 47 of the DNDP.
- Changing the subdistrict designation for the study area on the Building Regulating Plan from Subdistrict 4 – Mixed Housing to Subdistrict 9A – Mixed Use. The map is found on page 57 of the DNDP and repeated on subsequent pages.



# Metro Planning Commission Meeting of 11/18/21





## Metro Planning Commission Meeting of 11/18/21

### Analysis Summary

Amending the Community Character Policy from T4 RC to T4 NC and the DNDP designation from Mixed Housing to Mixed Use are appropriate at this location. In summary, the changes in policy and subdistrict designation for the study area are appropriate due to the following:

- The plan amendment area is identified as a Neighborhood on the Growth & Preservation Concept Map and is appropriate for a neighborhood center due to its location along a prominent corridor.
- Providing a range of services, businesses, and employment options within walking distance of residential uses helps create complete neighborhoods and promote various modes of travel.
- T4 NC's intent of creating and enhancing neighborhood centers that provide a mix of uses and services to meet the daily needs of nearby residents is appropriate in this location.
- T4 NC policy allows the opportunity for compatible development to occur as an extension of existing T4 NC policy (to the south) along 12<sup>th</sup> Avenue South.
- The existing transportation infrastructure surrounding this location makes it an accessible multimodal site and suitable for T4 NC policy.
- The proposed development will construct a new, wider sidewalk with street trees along the area's frontage.
- The proposed development contributes to achieving the goals of the 12<sup>th</sup> Avenue South Corridor DNDP.
- Changes to the DNDP are minimal and pertain to the study area only – changing the detailed land use policy to mixed use and the building subdistrict to mixed use.

### STAFF RECOMMENDATION

Staff recommends approval of the Urban Neighborhood Center (T4 NC) policy and changes to the *12<sup>th</sup> Avenue South Corridor Detailed Neighborhood Design Plan*.

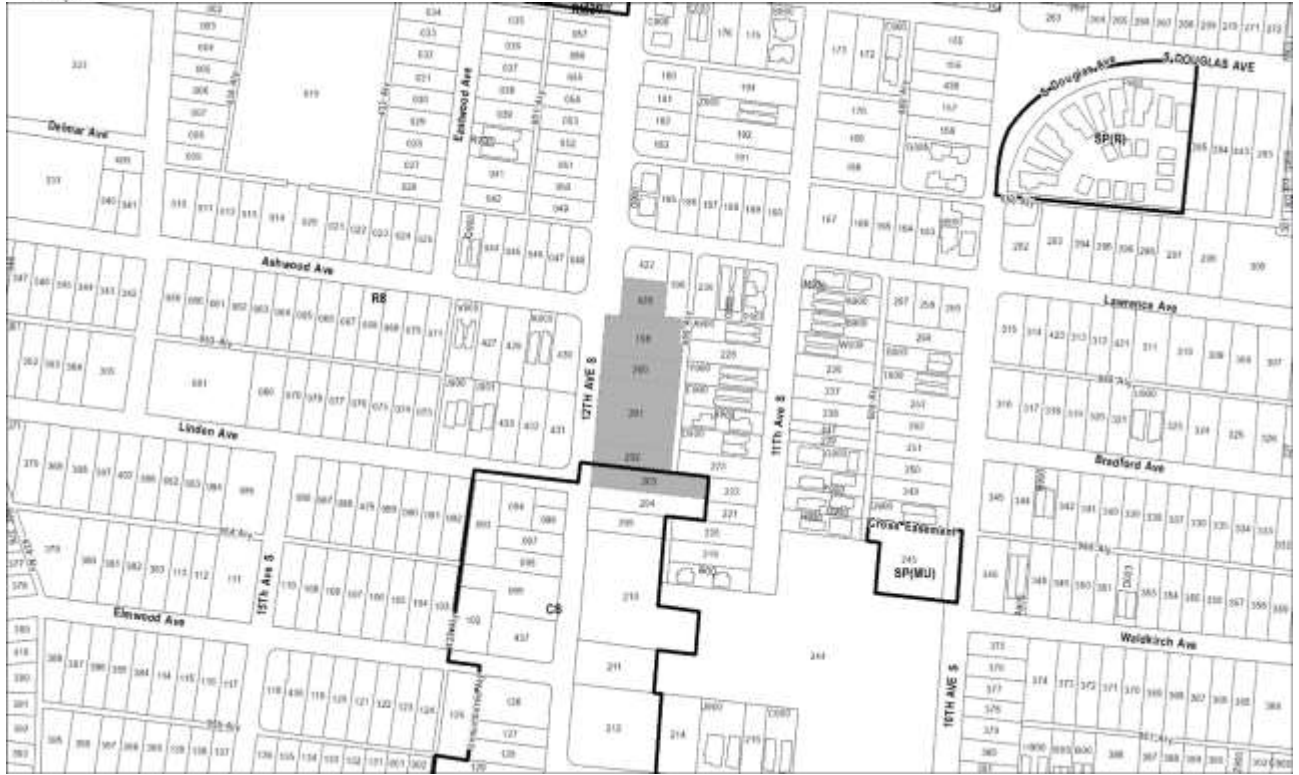




**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 11/18/21



**2021SP-071-001**

12<sup>TH</sup> AVENUE SOUTH

Map 105-13, Parcel(s) 198, 200-203, 420

10, Green Hills – Midtown

17 (Colby Sledge)



## Metro Planning Commission Meeting of 11/18/21

**Item #20b**

**Specific Plan 2021SP-071-001**

**Project Name**

**12<sup>th</sup> Avenue South**

**Associated Case**

2021CP-010-002

**Council District**

17 – Sledge

**School District**

08 – Pupo-Walker

**Requested by**

Barge Cauthen and Associates, applicant; Tabernacle Baptist Church, owner.

**Deferrals**

This item was deferred from the October 28, 2021, Planning Commission meeting. No public hearing was held

**Staff Reviewer**

Shane

**Staff Recommendation**

*Approve with conditions and disapprove without all conditions if the associated plan amendment is approved. If the associated plan amendment is not approved staff recommends disapproval*

**APPLICANT REQUEST**

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

Zone Change

A request to rezone from One and Two-Family Residential (R8) and Commercial Service (CS) to Specific Plan-Mixed Non-Residential (SP-MNR) zoning for properties located at 2206, 2208, 2212, 2214, 2218, and 2220 12<sup>th</sup> Avenue South, approximately 80 feet south of Lawrence Avenue (1.87 acres), to permit a non-residential mixed-use development.

**Existing Zoning**

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 8 lots with 2 duplex lots for a total of 10 units.*

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

**Proposed Zoning**

Specific Plan-Mixed Non-Residential (SP-MNR) 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 office and commercial uses.

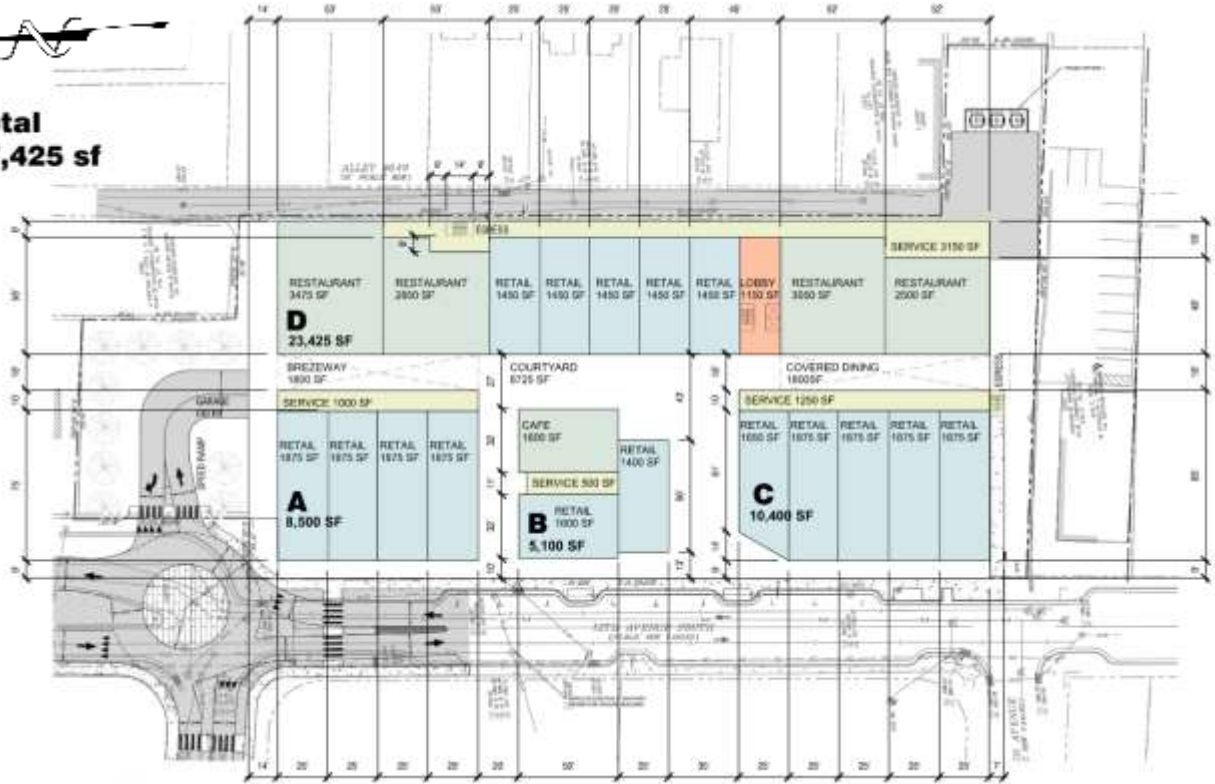
**SITE CONTEXT AND PLAN DETAILS**

The site is located on the east side of 12<sup>th</sup> Avenue South approximately 80 feet south of Lawrence Avenue and extending southward to a point across from Linden Avenue. Alley 649 runs along the rear length and dead-ends into the southernmost parcel (203). The site currently contains three residential parcels (two single-family and one duplex) and the Tabernacle Baptist



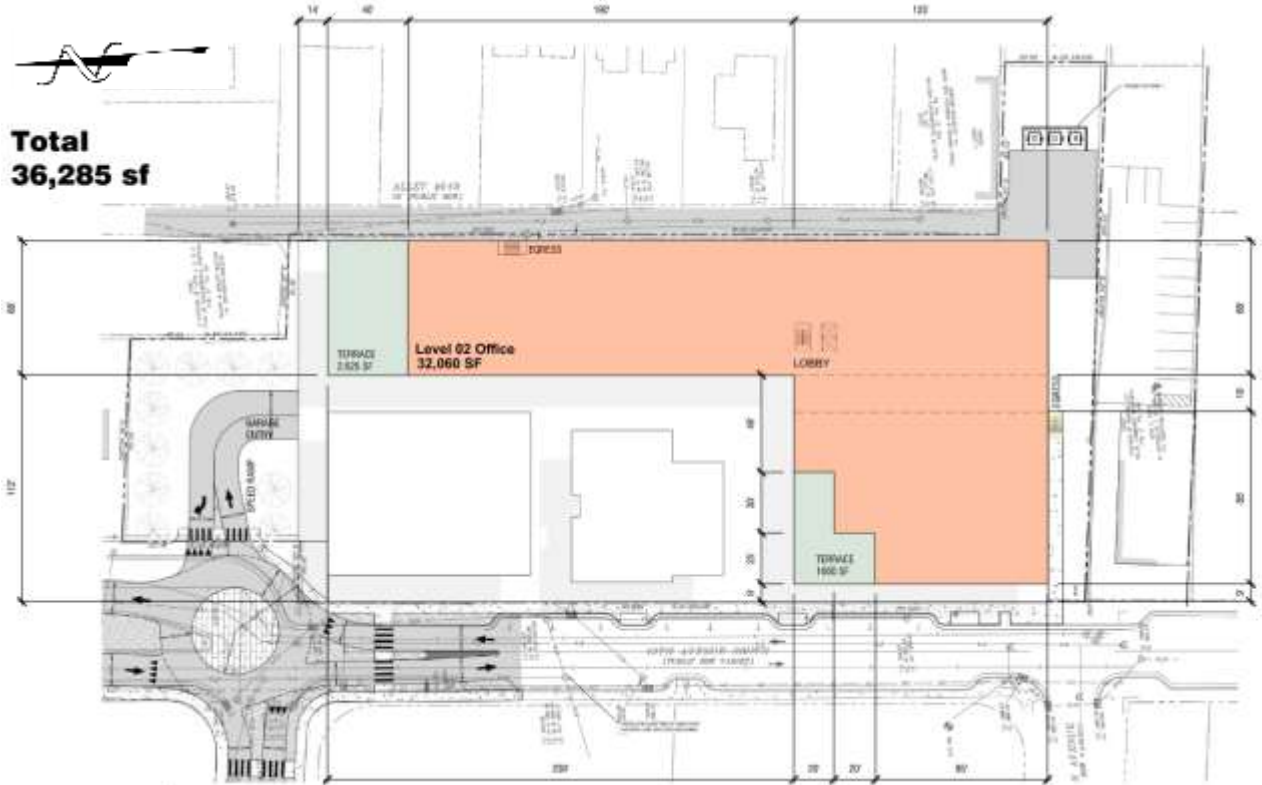
# Metro Planning Commission Meeting of 11/18/21

**Total  
47,425 sf**



**Proposed site plan**

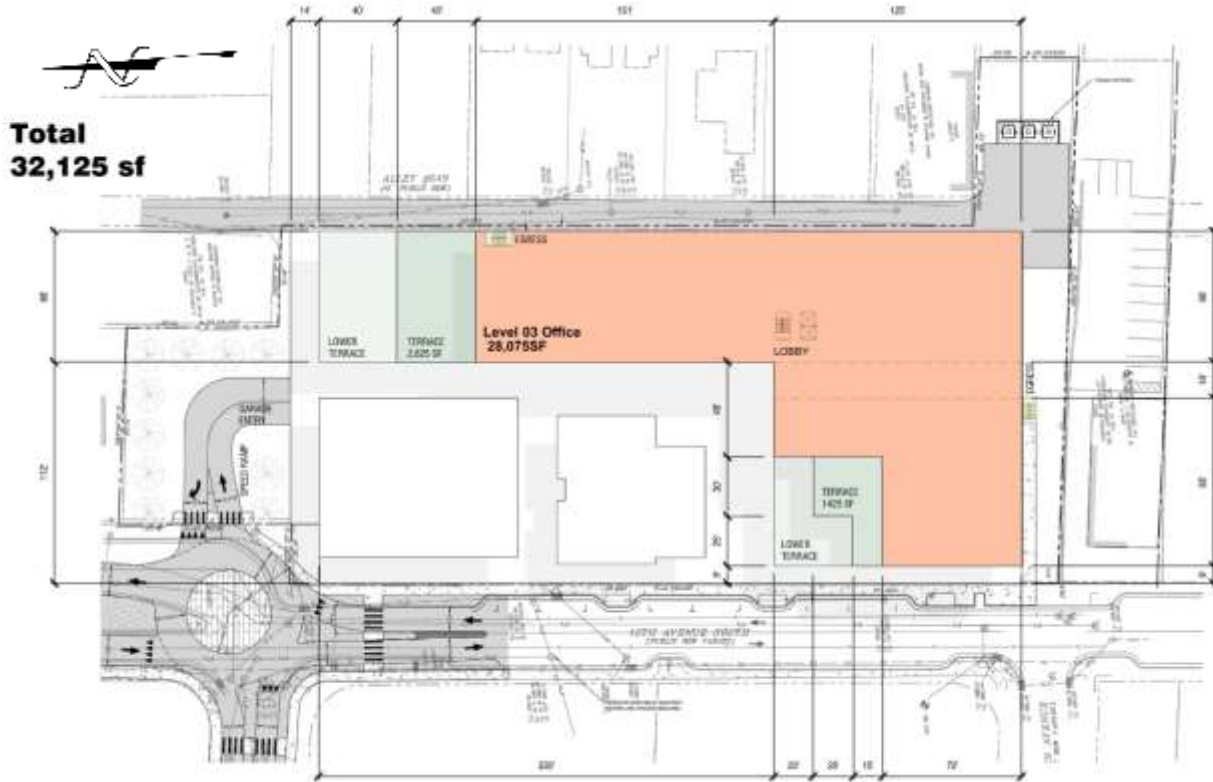
**Total  
36,285 sf**





# Metro Planning Commission Meeting of 11/18/21

## Proposed 2<sup>nd</sup> level



## Proposed 3<sup>rd</sup> level



## Proposed Architecture



## Metro Planning Commission Meeting of 11/18/21

Church campus (including the church building and parking lot). The surrounding zoning districts include R8 to the west, north, and east, and CS to the south. All properties are in the UZO and Parcel 431 across 12<sup>th</sup> Avenue South is within the Belmont-Hillsboro Historic Neighborhood Conservation Overlay.

### Site Plan

The SP is intended to create a mixed-use commercial development. All uses allowed by the MUG-A zoning district are permitted with the exception that residential, owner-occupied short term rental, not owner-occupied short-term rental, and hotel uses are expressly prohibited. The plan limits retail and restaurant floor space to 47,425 square feet and office space to 60,135 square feet (note: these totals have been reduced slightly to accommodate fire apparatus access requirements. The updated plan set will reflect the final totals). The SP includes a site plan as well as bulk standards, architectural renderings, and parking and preliminary landscaping. Buffering will include the equivalent of a Type D along the northern boundary (with a condition of approval being the adding of 4 understory trees and 27 shrubs). For boundaries where limited setbacks do not allow the application of standard buffer yards, a leafy silk green screen made of artificial material will be draped over abutting surfaces. FAR is limited to 1.50 and building height to 3 stories in 45 feet (over an underground level of parking, which, because of topography, will appear as an above-ground story along the alley in the rear). The front build-to line is 0-15 feet, side setbacks are 5 feet, and the rear setback is 0 feet. The requested supplemental policy standards limit the front setback to 5 feet maximum, so it is a condition of approval that this be modified to a 0-5-foot build-to line.

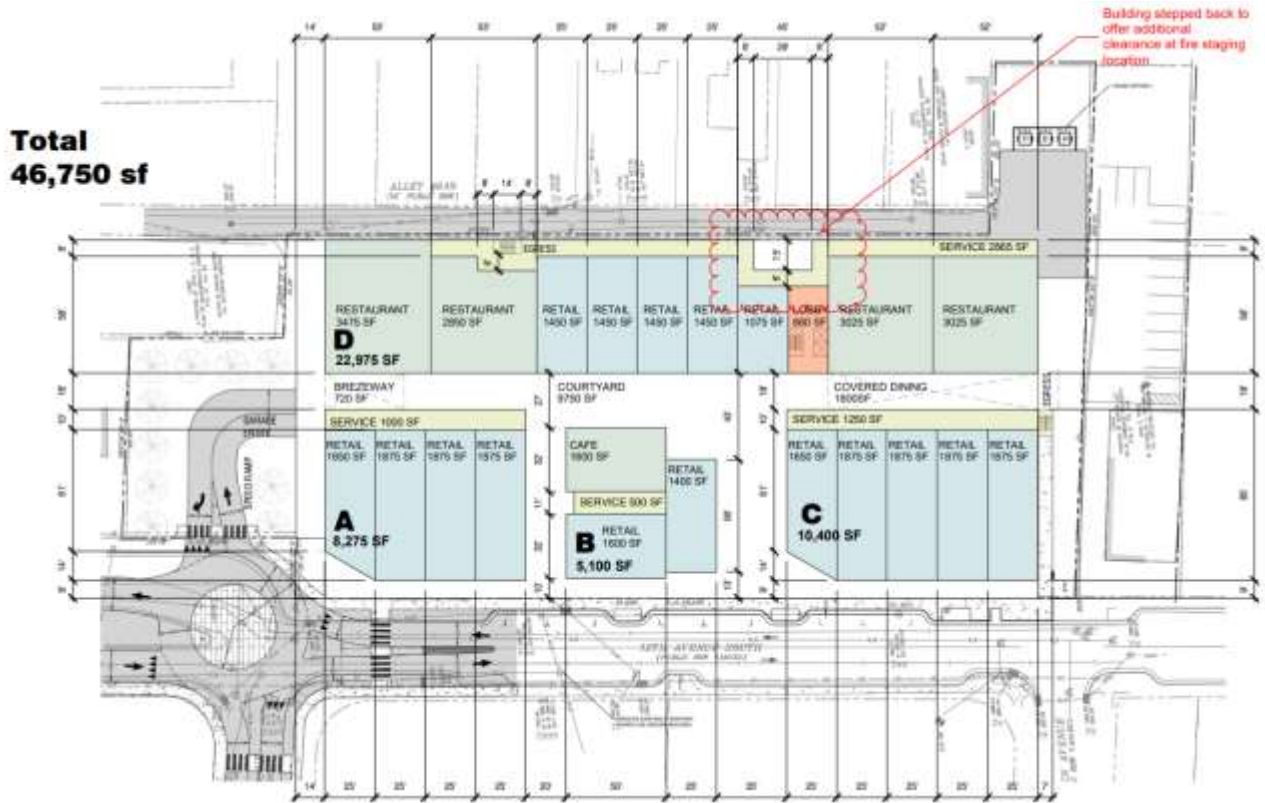
The plan provides a 6-foot-wide sidewalk along 12<sup>th</sup> Avenue South within the right-of-way and a 6-foot-wide pedestrian access easement adjacent to it within the site. Bulb-out tree planting islands are provided between on-street parking spaces. The 6-foot-wide pedestrian access area fulfills the intent of the MCSP's requirement of a 12-foot-wide sidewalk by providing a total pedestrian throughway width of 12 feet. The 6-foot-wide planting strip buffer requirement of the MCSP is similarly satisfied by the buffer that the tree island bulb-outs and on-street parking provide. These provisions will allow the existing constricted ROW to function in the same way the 5 and ½-foot-wider prescribed ROW of the MCSP would. The plan notes that the developer will also work with WeGo to design bus stops to their standards on both sides of the street and a crosswalk connecting them. ROW dedication is provided along the alley to increase its width to 18 feet.

A roundabout is proposed at the intersection of 12<sup>th</sup> Avenue South, Ashwood Avenue, and the entry drive to the development. Extensive street improvements are proposed for 12<sup>th</sup> Avenue South and Ashwood to reconfigure the intersection around the roundabout, including three crosswalks to allow safe pedestrian movement around it. The private drive will provide entrance to the underground parking garage. Automobile and bicycle parking will be provided within the garage and site per Code requirements, pending the final tenant mix. On-street spaces will be created along 12<sup>th</sup> Avenue South and bikeways shown in accord with the 12<sup>th</sup> Avenue corridor project. A fire aerial staging area is also indicated along 12<sup>th</sup> Avenue South that will allow access to the 2<sup>nd</sup> and 3<sup>rd</sup> floors from in front of the buildings. The alley ROW will be widened to 20 feet along all property the developer controls, with alley pavement being widened to at least 15 feet all the way to Lawrence Avenue within the existing ROW. The building has been stepped back



## Metro Planning Commission Meeting of 11/18/21

15 feet along the alley frontage in the rear to allow additional clearance for fire apparatus staging. For final site plan approval, access along this rear alley shall be widened to 20 feet all the way to Lawrence Avenue or 12<sup>th</sup> Avenue South to ensure fire access. This area will remain free of overhead power lines.



### Updated Site Plan Showing Step-Back for Fire Access

The site layout consists of a c-shaped larger building (connected by a breezeway and a covered dining area) wrapping the northern, eastern, and southern edges of the site with a smaller building within the c also fronting 12<sup>th</sup> Avenue South along the western edge. The space between the smaller and larger buildings will create a pedestrian courtyard area with outdoor dining, seating, and landscaping. The architecture proposed is neo-modern with generous glazing.

### GREEN HILLS – MIDTOWN COMMUNITY PLAN

#### Current Policy

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



## Metro Planning Commission Meeting of 11/18/21

### Supplemental Policy

The site is within the 12<sup>th</sup> Avenue South Corridor Detailed Neighborhood Design Plan and specifically Subdistrict 4, which is intended to provide a mixture of housing types to meet the diverse needs of the neighborhood.

### **Requested Policy**

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

### Requested Supplemental Policy

The site is within the 12<sup>th</sup> Avenue South Corridor Detailed Neighborhood Design Plan and specifically Subdistrict 9A, which is intended to provide for neighborhood commercial needs through a vibrant mixed use area with high standards of urban design that provides opportunities to live, work and play.

### **ANALYSIS**

The proposal is accompanied by a community plan amendment request that T4 NC policy and the Subdistrict 9A standards of the 12<sup>th</sup> Avenue South Corridor Detailed Neighborhood Design Plan supplemental policy be extended across the entire site (currently all parcels except Parcel 203 are under T4 Urban Residential Corridor policy and the standards of Subdistrict 4, which limit uses to mixed residential). The proposed plan meets many of the goals of the requested T4 NC policy, including providing for the daily needs and services of the surrounding urban neighborhood; being located along a prominent urban street; providing reduced setbacks and spacing between buildings; hiding parking underneath the building; contributing to a complete street network through provision of bus stops, sidewalks, on-street parking, and a bikeway; limiting tenant space to 10,000 square feet or less and thus providing for small business incubation; and limiting building height to three stories. The proposal also achieves the goals of the requested Subdistrict 9A standards from the supplemental policy. These include pedestrian entrances oriented to the street, vehicular access from the alley, parking provided beneath the buildings, and urban design techniques for the corner buildings that address the corner and activate the streetscape.

Staff recommends approval with conditions and disapproval without all conditions if the associated plan amendment is approved. If the associated plan amendment is not approved staff recommends disapproval. The proposed SP allows an appropriately intense retail, restaurant, and office development that achieves the intent of the requested policy area and supplemental policy. The SP includes design standards that are intended to provide for development that is urban in nature consistent with the T4 NC land use policy and the surrounding commercial context along 12<sup>th</sup> Avenue South. These include, but are not limited to, providing sidewalks, limiting vehicular access, and activating streets with pedestrian entryways and commercial uses. The proposal will expand the successful commercial district of the 12South neighborhood and provide more





## **Metro Planning Commission Meeting of 11/18/21**

opportunities to meet the needs of the surrounding community in a walkable and sustainable way.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

- Rear alley is a required fire department apparatus access road. Alley along the rear of property must comply with 2018 NFPA 1, Section 18.2 and local amendments. Fire department access roads shall have an unobstructed width of not less than 20 feet. 20 foot minimum width shall extend along the property and to Lawrence Ave.

### **STORMWATER RECOMMENDATION**

#### **Approve with conditions**

- Must comply with all regulations in the Stormwater Management Manual 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. 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% Water & Sewer Capacity must be paid before issuance of building permits.

### **NASHVILLE DOT RECOMMENDATION**

#### **Approve with conditions**

- If garage access off alley is proposed, show alley per ST-263, w/ 20 ft. minimum pavement out to Lawrence Ave. If 20' alley width from the site to Lawrence cannot be achieved then prior to Final SP the site is to be designed and engineered to promote one way traffic flow on the alley. Coordination with NDOT Staff prior to Final SP is required.
- Final design of the roundabout is to be coordinated with NDOT Engineering prior to Final SP submittal. The 12th Ave SB approach should be evaluated for a skew into the roundabout per standard design guidelines.
- Comply w/ NDOT traffic comments.
- Comply with existing 12th Ave S streetscape.

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **Approve with conditions**

- Continue to work with NDOT on design of 12th Avenue South at Ashwood Avenue intersection. Mini-roundabout is the preferred traffic control. Addition design details are required with Final SP such as gutters and heavy vehicle accommodations. Additional ROW may be required along property frontage.
- Continue to coordinate with NDOT on design of 12th Avenue South between Ashwood Avenue and Lawrence Avenue on bikeway transition.



## Metro Planning Commission Meeting of 11/18/21

- Traffic signal is not recommended at the intersection of 12th Avenue South at Ashwood Avenue. All-way stop or two-way stop control may be considered in lieu of roundabout. Additional analysis may be required prior to Final SP approval.

Maximum Uses in Existing Zoning District: **R8**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	1.56	5.445 D	10 U	125	12	11

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.31	0.6 F	8,102 SF	306	8	31

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)	1.87	-	8,525 SF	97	35	11

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)	1.87	-	28,150	1,063	26	107

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	1.87	-	11,700 SF	1,313	116	114

Traffic changes between maximum: **R8, CS, and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+2,042	+97	+190

### METRO SCHOOL BOARD REPORT

**Projected student generation existing R8 district: 1 Elementary 1 Middle 1 High**

**Projected student generation proposed SP-MNR district: 0 Elementary 0 Middle 0 High**

The proposed SP-MNR zoning district is expected to generate 1 fewer student than what is typically generated under the existing R8 zoning district. Students would attend Waverly-Belmont Elementary School, J.T. Moore Middle School, and Hillsboro High School. Waverly-



## Metro Planning Commission Meeting of 11/18/21

Belmont Elementary School and Hillsboro High School have been identified as having additional capacity while J.T. Moore Middle School is listed as having no 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 if the associated plan amendment is approved. If the associated plan amendment is not approved staff recommends disapproval.

### CONDITIONS

1. Permitted uses shall be limited to all uses permitted by the MUG-A zoning district except for the following use shall be prohibited: residential, short term rental property-owner occupied, short term rental property-not owner occupied, and hotel/motel uses. Square footage of permitted uses is limited as per the plan.
2. On the corrected plan set, modify the build-to line from 0-15 feet to 0-5 feet to comply with the requested supplemental policy standards of Subdistrict 9A for a building 3 stories in height.
3. On the corrected plan set, add 4 understory trees and 27 shrubs to the northern landscaping boundary area.
4. On the corrected plan set, show landscaping strategy for the southern boundary.
5. On the corrected plan set, show bikeway per 12<sup>th</sup> Avenue corridor project.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. For final site plan approval, access along the rear alley shall be widened to 20 feet all the way to Lawrence Avenue or 12<sup>th</sup> Avenue South to ensure adequate fire access. If the required access cannot be provided, the square footage permitted by the plan may have to be reduced.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. The final site plan shall label all internal driveways as "Private Driveways".
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits
11. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application.
12. 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.
13. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.



## Metro Planning Commission Meeting of 11/18/21



### **2015SP-037-003**

#### **SOUTHGATE STATION (AMENDMENT)**

Map 105-11-2-D, Parcel(s) 001-007, 019-029, 031-058, 900-901

11, South Nashville

17 (Colby Sledge)



## Metro Planning Commission Meeting of 11/18/21

**Item #21**

**Specific Plan 2015SP-037-003**

**Project Name**

**Southgate Station (Amendment)**

**Council Bill No.**

BL2021-987

**Council District**

17 – Sledge

**School District**

05 - Buggs

**Requested by**

Councilmember Colby Sledge, applicant; various property owners.

**Staff Reviewer**

Lewis

**Staff Recommendation**

*Approve with conditions and disapprove without all conditions.*

### **APPLICANT REQUEST**

**Amend the SP to prohibit Short Term Rental Property (STRP) as a land use.**

#### Zone Change

A request to amend the Southgate Station Specific Plan (SP) for various properties located north of Southgate Avenue and on either side of Marshall Hollow Drive (1.97 acres), to prohibit short term rental property, owner occupied and short term rental property, not owner occupied.

#### **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**

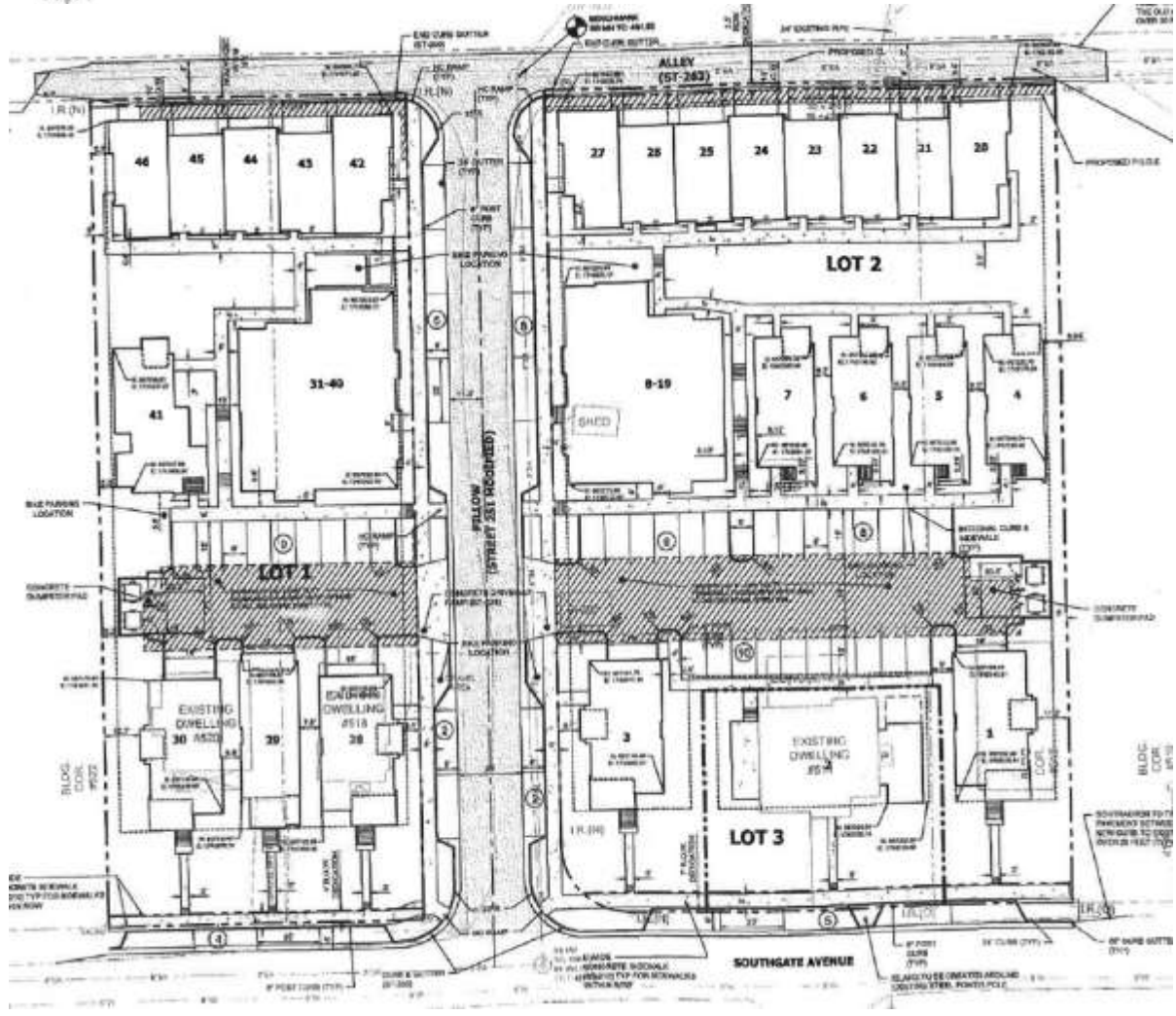
Specific Plan-Mixed Residential (SP-MR) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes a mixture of housing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

### **SOUTH NASHVILLE COMMUNITY PLAN**

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



# Metro Planning Commission Meeting of 11/18/21



Approved Final SP Plan (layout unchanged with this application)



## **Metro Planning Commission Meeting of 11/18/21**

The site is within two supplemental policy areas in the Wedgewood Houston Chestnut Hill (WHCH) Planning Study, 11-WHCH-2a and 11-WHCH-2a-TR. Generally, the WHCH Plan identifies Character Areas and provides long range goals, detailed bulk standards, and zoning district guidance. Character Area 2a is intended to evolve to allow flexibility in housing types to address affordability. Along Southgate Avenue there is a transition zone, 2a-TR, which is intended to create harmonious development on both sides of the street.

### **EXISTING PLAN DETAILS**

The preliminary SP was approved in 2015 to permit up to 46 residential units across the approximately two acre site. The approved plan included different building types including single-family detached, single-family attached, and stacked flats. The only permitted use identified in the plan is for residential.

### **PROPOSED PLAN**

The proposed amendment would prohibit Short Term Rental Property (STRP) – owner occupied and Short Term Rental Property (STRP) - not-owner occupied units as uses within the development. The application does not propose any physical modifications to the existing buildings.

### **ANALYSIS**

The Metro Council established Short Term Rental Properties (STRP) as a use in the Zoning Ordinance with the adoption of BL2014-909. With the adoption of this ordinance, STRPs were treated as an accessory use in all zoning districts that allow residential uses, except for Specific Plans (SP). The uses permitted in an SP are only those that are expressly permitted in the council adopted SP ordinance. Since the adoption of BL2014-909, there have been various updates to the Zoning Ordinance related to STRPs including the creation of 2 types of STRPs – owner occupied and not owner occupied.

The language of the SP limited the uses to 46 residential units, which means that uses listed under the Residential heading of the zoning Ordinance would be permitted including owner occupied STRPs. No other use conditions or limitations were included in the SP. A Final SP plan was approved administratively in 2016 and the development has mostly been completed. There are currently several issued permits for owner occupied STRPs within this development. If this amendment is approved, the existing permitted units could continue to operate as long as they are compliant with adopted ordinances; however, no new STRPs could be permitted in the development.

The intent of the T4 NE Policy is to create and enhance neighborhoods. The WHCH Plan describes Character Area 2a as having experienced a significant amount of infill residential development over the last decade. Specific guidance in the 2a character area states, “this area should continue to evolve to allow flexibility in house types to address affordability.” By prohibiting STRPs, owner occupied and not-owner occupied, the intent to provide housing options for residents as identified in the T4 NE policy and the WHCH supplemental policy is met.



## **Metro Planning Commission Meeting of 11/18/21**

### **WATER SERVICES RECOMMENDATION**

**Approve**

### **NASHVILLE DOT RECOMMENDATION**

**N/A**

### **STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

### **CONDITIONS**

1. Permitted uses shall be limited to a maximum of 46 multi-family residential units. Short term rental property-not owner occupied and short term rental property-owner occupied shall be prohibited.
2. All conditions of 2015SP-037-001 and 2015SP-037-002 apply, with the exception of the permitted uses of 2015SP-037-001, which shall be replaced with the new use condition above.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance
5. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.





**SEE NEXT PAGE**





## Metro Planning Commission Meeting of 11/18/21

<b>Item #22</b>	<b>Specific Plan 2016SP-013-003</b>
<b>Project Name</b>	<b>522 – 526 Southgate Avenue (Amendment)</b>
<b>Council Bill No.</b>	BL2021-993
<b>Council District</b>	17 – Sledge
<b>School District</b>	05 - Buggs
<b>Requested by</b>	Councilmember Sledge, applicant; various property owners.
<b>Staff Reviewer</b>	Lewis
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions.</i>

### APPLICANT REQUEST

**Amend the SP to prohibit Short Term Rental Property (STRP) as a land use.**

#### Zone Change

A request to amend the 522-526 Southgate Avenue Specific Plan (SP) for various properties located north of Southgate Avenue and approximately 120 feet west of Marshall Hollow Drive (0.97 acres), to prohibit short term rental property, owner occupied, and short term rental property, not owner occupied.

#### **Existing Zoning**

#### **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.

#### **Proposed Zoning**

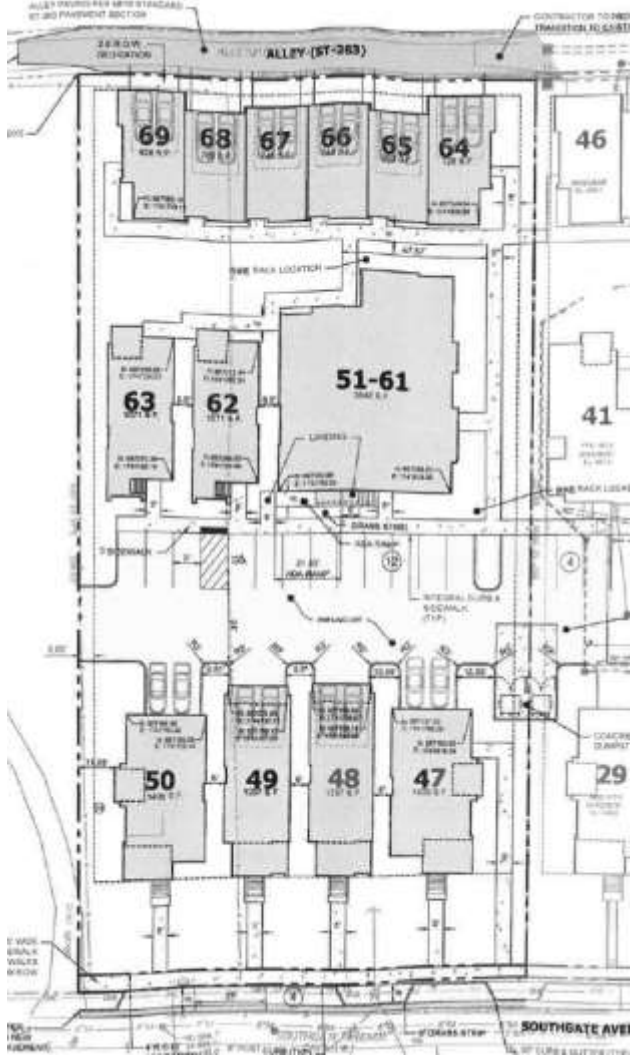
Specific Plan- Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan.

### **SOUTH NASHVILLE COMMUNITY PLAN**

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



# Metro Planning Commission Meeting of 11/18/21



**Approved Final SP Plan** (layout unchanged with this application)



## **Metro Planning Commission Meeting of 11/18/21**

The site is within two supplemental policy areas in the Wedgewood Houston Chestnut Hill (WHCH) Planning Study, 11-WHCH-2a and 11-WHCH-2a-TR. Generally, the WHCH Plan identifies Character Area and provides long range goals, detailed bulk standards, and zoning district guidance. Character Area 2a is intended to evolve to allow flexibility in housing types to address affordability. Along Southgate Avenue there is a transition zone, 2a-TR, which is intended to create harmonious development on both sides of the street.

### **EXISTING PLAN DETAILS**

The preliminary SP was approved in 2016 to permit up to 23 units across the approximately one-acre site. The approved plan included different building types including single-family detached, townhomes, and stacked flats. The only permitted use identified in the plan is for residential units.

### **PROPOSED PLAN**

The proposed amendment would prohibit Short Term Rental Property (STRP) – owner occupied and Short Term Rental Property (STRP) - not-owner occupied units as use within the development. The application does not propose any physical modifications to the existing buildings.

### **ANALYSIS**

The Metro Council established Short Term Rental Properties (STRP) as a use in the Zoning Ordinance with the adoption of BL2014-909. With the adoption of this ordinance, STRPs were treated as an accessory use in all zoning districts that allow residential uses, except for Specific Plans (SP). The uses permitted in an SP are only those that are expressly permitted in the council adopted SP ordinance. Since the adoption of BL2014-909, there have been various updates to the Zoning Ordinance related to STRPs including the creation of 2 types of STRPs – owner occupied and not owner occupied.

The language of the SP limited the uses to 23 residential units, which means that uses listed under the Residential heading of the zoning Ordinance would be permitted including owner occupied STRPs. No other use conditions or limitations were included in the SP. No other use conditions or limitations were included in the SP. 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. Planning Staff was not able to determine if there were any existing, permitted STRPs in the development. If there are, they could continue to operate, however no new permits could be issued. A Final SP plan was approved administratively in 2019 and the development is under construction.

The intent of the T4 NE Policy is to create and enhance neighborhoods. The WHCH Plan describes Character Area 2a as having experienced a significant amount of infill residential development over the last decade. Specific guidance in the 2a character area states, “this area should continue to evolve to allow flexibility in house types to address affordability.” By prohibiting STRPs, owner occupied and not-owner occupied, the intent to provide housing options for residents as identified in the T4 NE policy and the WHCH supplemental policy is met.



## Metro Planning Commission Meeting of 11/18/21

### WATER SERVICES RECOMMENDATION

Approve

### STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

### CONDITIONS

1. Permitted uses shall be limited to a maximum of 23 multi-family residential units. Short term rental property-not owner occupied and short term rental property-owner occupied shall be prohibited.
2. All conditions of 2016SP-013-001 and 2016SP-013-002 apply, with the exception of the the permitted uses of 2016SP-013-001, which shall be replaced with the new use condition above.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.



**SEE NEXT PAGE**







## Metro Planning Commission Meeting of 11/18/21

### Item #23a

### 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 request was deferred from the October 14, 2021, Planning Commission meeting. A public hearing was held and closed.

#### Staff Reviewer

Swaggart.

#### Staff Recommendation

*Approve with conditions and disapprove without all conditions.*

### APPLICANT REQUEST

**Preliminary SP to permit up to 112 multi-family 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 and 2151 Summitt Avenue, approximately 330 feet northeast of Reshna Lane and located within a Commercial Planned Unit Development Overlay District (14.96 acres), to permit up to 112 multi-family residential units and maintain an existing telecommunication facility.

#### **Existing Zoning**

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 81 lots with 20 duplex lots for a total of 101 residential units.*

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



# Metro Planning Commission Meeting of 11/18/21



**Proposed Site Plan**



## Metro Planning Commission Meeting of 11/18/21

### **HISTORY**

At the October 14, 2021, Planning Commission meeting, the Commission requested that the applicant work with the neighbors to address concerns regarding the location of the new access points onto Summit Avenue. Modifications have been made to allow the existing driveways to remain and to shift the pavement slightly to the north.

### **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.

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

The approximately 15-acre site consist of two parcels and is located on the north side of West Summitt Avenue. West Summitt Avenue intersects with Clarksville Pike approximately 750 feet to the west. The paved portion of West Summitt Avenue ends at the eastern property line. The site mostly consists of dense vegetation and contains some pockets of steep slopes in excess of 25 percent. The site sits on a hill and has views of downtown and the surrounding area. Most of the steep slopes are located along the northern site boundary. The site is vacant with the exception of a telecommunication tower (cell tower). Surrounding zoning districts include R8 and R10. Surrounding land uses include single-family residential and multifamily residential.

#### Site Plan

The plan includes 112 multi-family attached units with a density of approximately six units per acre. Units range from three to four bedroom. Units front either a public street or open space. The max height is four stories in 45 feet. Sample elevations are provided.

Vehicular access is provided by a new public street that loops to West Summitt Avenue. A four-foot-wide planting strip and five-foot-wide sidewalk is provided along all new public streets as well as the site frontage on West Summitt Avenue. Private drives off the new public street provide vehicular access to all units and parking. All units have a two-car garage. Surface and bicycle parking is also provided.

The open space provided includes passive as well as active areas. Passive areas provide areas to meet stormwater facilities. Active areas include a pocket park and green areas in front and beside units. The plan identifies approximately 5.5 acres of conservation area that includes a walking path that connects to the internal sidewalk system.

### **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



## Metro Planning Commission Meeting of 11/18/21

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.

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

### **ANALYSIS**

As proposed, staff finds that the plan is consistent with the CO and T3 NE land use policies. The areas containing pockets of slopes that are 25 percent or greater is maintained in open space/conservation area with the only disturbance in the conservation area being in the form of a low impact pedestrian pathway/trail. The SP allows the flexibility to lessen the impact to the site by allowing for a smaller development footprint than what would be needed to develop under the existing R8 zoning district. Consistent with the T3 NE land use policy, the plan provides an alternative housing option from the mostly single-family area that surrounds the site. Given the sites proximity to Clarksville Pike, which is a major commercial corridor, the slight increase in density supports the services located and planned along Clarksville Pike.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

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

### **STORMWATER RECOMMENDATION**

#### **Approve with conditions**

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

### **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.



# Metro Planning Commission Meeting of 11/18/21

## 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. On final: Include proposed public roadway construction drawings(profiles, grades, drainage) . (cont.) Roadway construction drawings shall comply with NDOT Subdivision Street Design Standards. Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Show 'Now Entering Private Drive' signage where applicable off public roads. Dimension ROW pavement widths for clarity. Provide stop control and sight distance where applicable. Note: A private hauler will be required for waste/recycle disposal.

## TRAFFIC AND PARKING RECOMMENDATION

### Approve with conditions

- Cliff Drive shall be widened to a minimum of 20ft. of pavement from Summit Avenue to Buena Vista Pike.

Maximum Uses in Existing Zoning District: **R8**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	14.56	5.445 D	101 U	1,030	75	100

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	14.96	-	112 U	609	38	49

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-11 U	-449	-44	-53

## METRO SCHOOL BOARD REPORT

Projected student generation existing R8 district: 11 Elementary 11 Middle 10 High

Projected student generation proposed SP district: 16 Elementary 8 Middle 6 High

The proposed SP zoning is expected to generate two additional students than the existing R8 zoning. 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.



## Metro Planning Commission Meeting of 11/18/21

### STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

### CONDITIONS

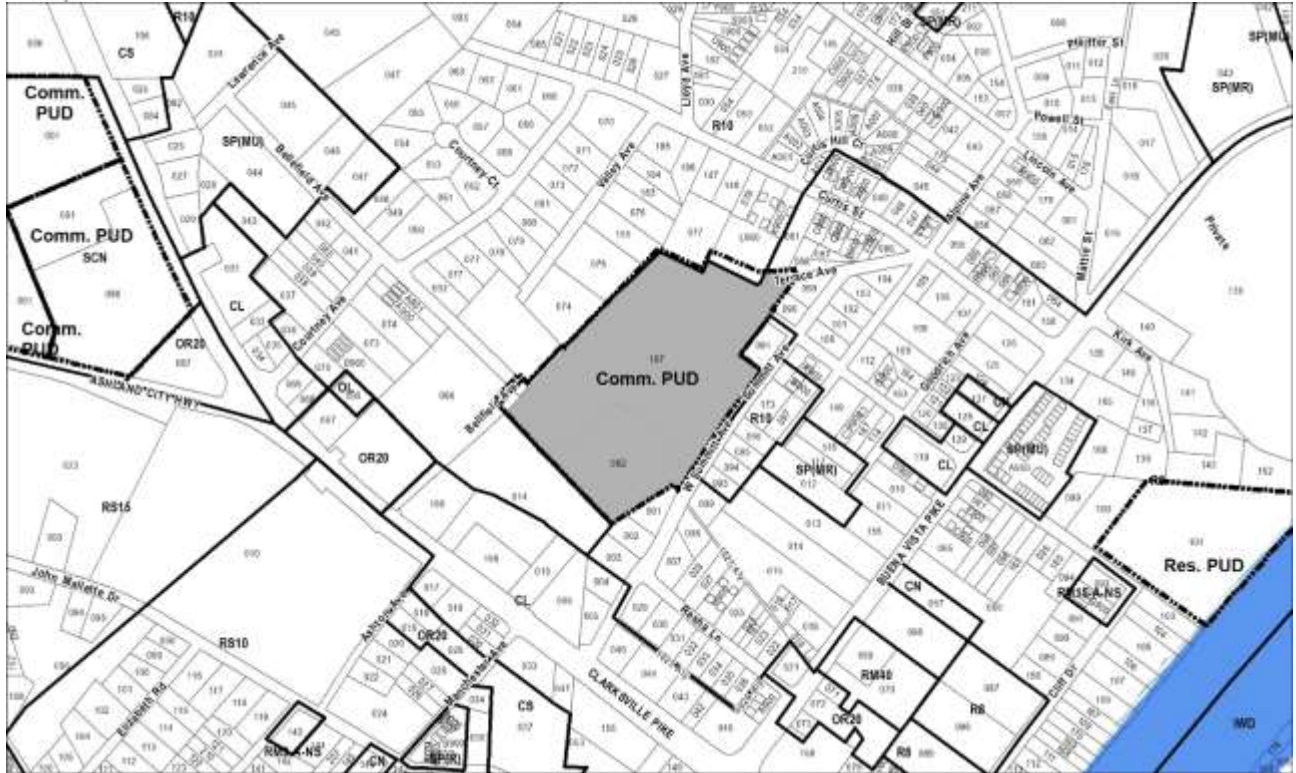
1. Permitted uses shall be limited to 112 multi-family residential units and telecommunication facility. Short term rental property-owner occupied and short term rental property-not owner occupied shall be prohibited.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. On the corrected copy, add the following note: Maximum height is 45' as measured by the Zoning Code. Adjustments may be permitted with the final site plan based on topography.
4. On the corrected set, replace Note 23 Standard SP Notes with the following: Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.
5. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
6. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
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 RM6 zoning district as of the date of the applicable request or application.
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.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



**SEE NEXT PAGE**



## Metro Planning Commission Meeting of 11/18/21



### **27-79P-001**

SUMMIT VIEW PUD (Cancellation)

Map 070-09, Parcel(s) 092, 167

03, Bordeaux - Whites Creek - Haynes Trinity

02 (Toombs)





## Metro Planning Commission Meeting of 11/18/21

### Item #23b

#### Project Name

### Planned Unit Development 27-79P-001

#### Summit View PUD (Cancellation)

#### Associated Case

2021SP-046-001

#### Council District

02 - Toombs

#### School District

01 - Gentry

#### Requested by

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

#### Deferrals

This request was deferred from the October 14, 2021, Planning Commission meeting. A public hearing was held and closed.

#### Staff Reviewer

Swaggart

#### Staff Recommendation

*Approve subject to the approval of the associated zone change. Disapprove if the associated zone change is not approved.*

---

### APPLICANT REQUEST

#### Cancel 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).

#### **Existing Zoning**

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *In this case, the Planned Unit Development Overlay District (PUD) only allows for telecommunication facility. If the overlay did not apply, then R8 would permit up to 105 residential lots with 26 being duplex eligible for a maximum of 131 residential units.*

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



## **Metro Planning Commission Meeting of 11/18/21**

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

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

### **ANALYSIS**

The existing PUD was approved in 1979. Records are incomplete; however, it has been determined that the PUD only permits telecommunication facilities. Telecommunication facilities is permitted with conditions in all zoning districts and would be permitted under R8 without the PUD overlay. The existing tower is within the area of a proposed SP and the telecommunication facility is a permitted use in the proposed SP. Staff is recommending approval of the cancelation subject to the approval of the associated SP.

### **FIRE MARSHAL RECOMMENDATION**

**Approve**

### **NASHVILLE DOT RECOMMENDATION**

**Approve**

### **TRAFFIC & PARKING RECOMMENDATION**

**Approve**

### **STAFF RECOMMENDATION**

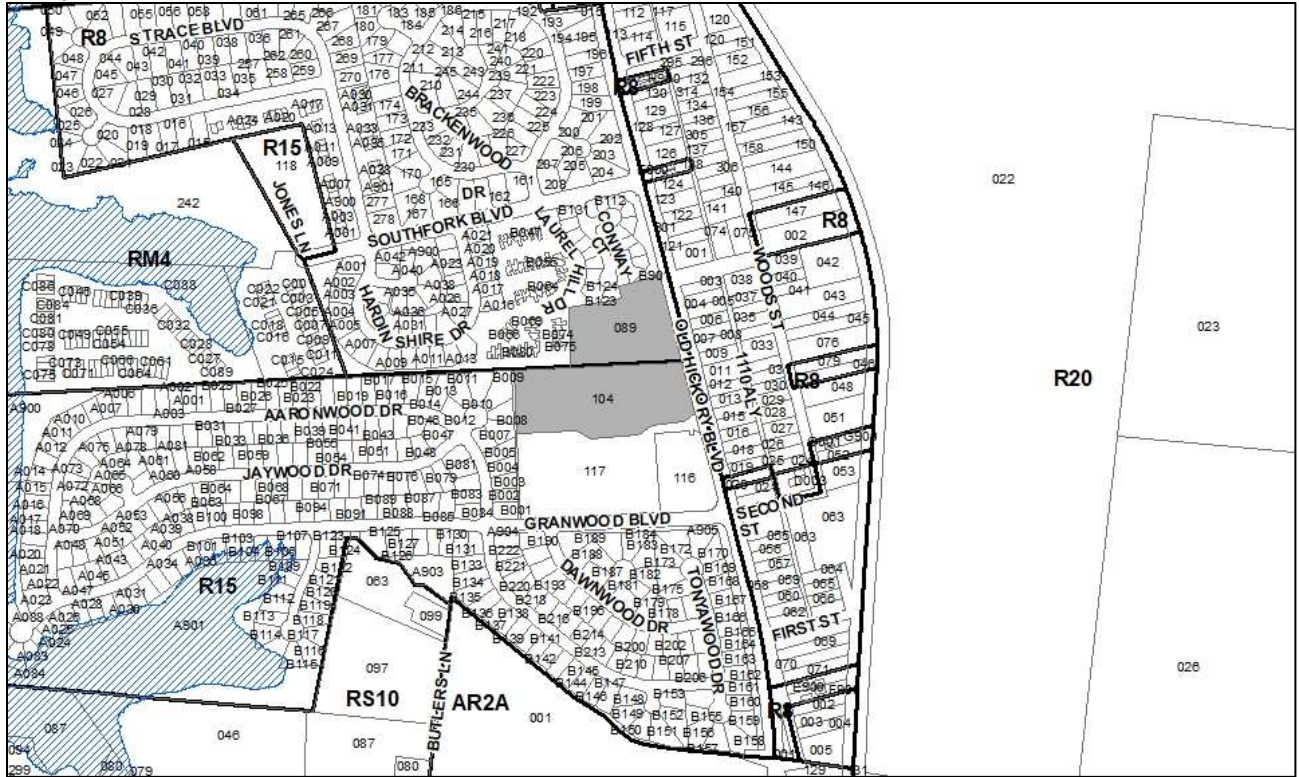
Staff recommends approval subject to the approval of the associated zone change. If the associated zone change is not approved, then staff recommends disapproval.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 11/18/21



**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 11/18/21

<b>Item #24a</b>	<b>Specific Plan 2021SP-062-001</b>
<b>Project Name</b>	<b>4321 Old Hickory Boulevard</b>
<b>Associated Case(s)</b>	123-84P-001, 45-86P-003
<b>Council District</b>	11 - Hagar
<b>School District</b>	04 – Little
<b>Requested by</b>	SWS Engineering, Inc., applicant; William L. Butler, owner.

**Deferrals** This item was deferred from the September 9, 2021, September 23, 2021, and October 14, 2021, Planning Commission meetings. No public hearing was held.

**Staff Reviewer** Shane  
**Staff Recommendation** *Approve with conditions and disapprove without all conditions.*

### 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 (R8 and R15) 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 (8.16 acres), to permit 72 multi-family residential units.

#### **Existing Zoning**

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. *R15 would permit a maximum of 14 lots with 4 duplex lots for a total of 18 units. The existing commercial PUDs control the permitted uses.*

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 19 lots with 5 duplex lots for a total of 24 units. The existing commercial PUDs control the permitted uses.*

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



## Metro Planning Commission Meeting of 11/18/21

of essential utilities and streets. *The PUDs control uses on the property. This PUD permits a variety of office and commercial uses, including a convenience store with gasoline sales.*

### **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.

### **DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN**

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

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**

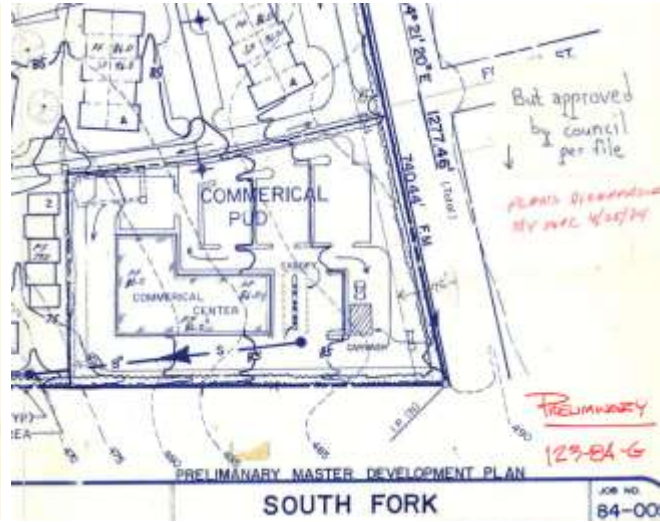
The 8.16-acre site is located approximately 470 feet north of Granwood Boulevard on the west side of Old Hickory Boulevard. The site is mostly grassy with stands of trees interspersed throughout. CO policy encumbers a small portion of the detention pond in the southwest corner of Parcel 104 that it shares with Parcel 117 to the south. There is a 30-foot-wide Access and Utility Easement that runs along the southern boundary of Parcel 104 to a concrete pad in the southwest corner of the parcel. The pad contains a telecommunications monopole with a maximum 85-foot fall radius, and the easement allows access to the tower from Old Hickory Boulevard. A 20-foot-wide Grading, Drainage, and Public Utility Easement extends along the western edge of the property. A 40-foot-wide Drainage Easement enters the southwestern corner of the property from the south to connect to the existing detention pond.

The parcels abut the Conway Court Subdivision (single-family homes) to the north and the Laurel Hill Courtyard Homes townhome development to the northwest (both zoned R8 and part of PUD No. 123-84-G). To the west is Hampton Park (formerly Chitwood Downs), zoned R15 and part of PUD No. 45-86-P). To the south is Granwood Village, a commercial subdivision zoned R15 and also part of PUD No. 45-86-P.



## Metro Planning Commission Meeting of 11/18/21

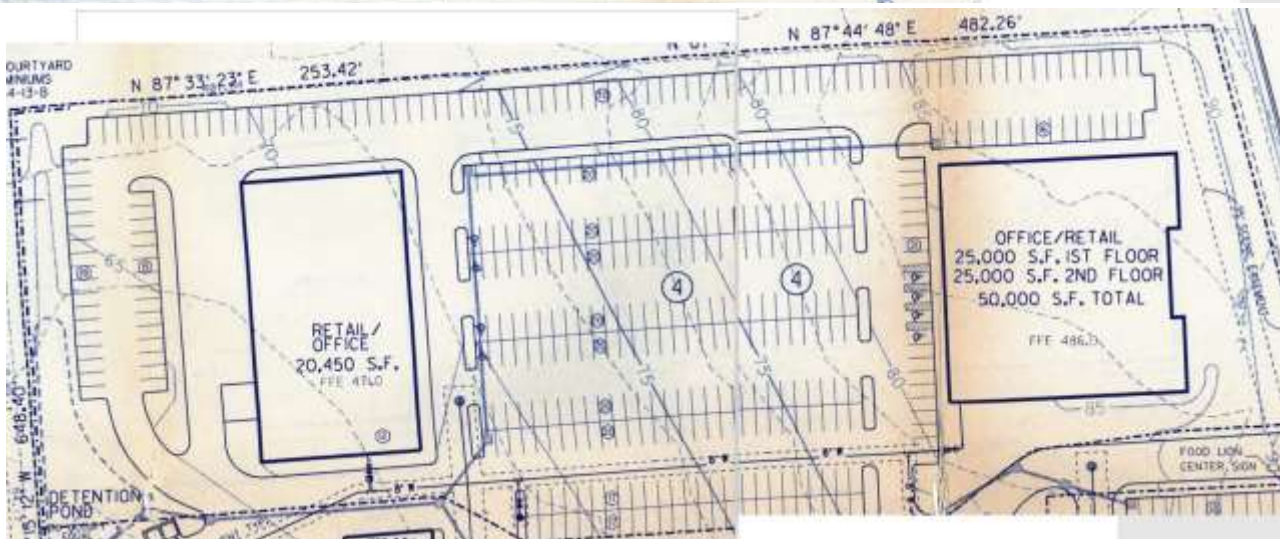
<b>COMMERCIAL P.U.D.</b>	
3.02 Acres	
General Commercial Building-One Story	7,600 S.F.
Convenience Commercial Building-One Story	2,400 S.F.
Office Building-Two Story	<u>10,000 S.F.</u>
<b>Total Square Feet</b>	<b>20,000 S.F.</b>
<b>Floor Area Ratio</b>	<b>.16</b>
<b>Required Parking:</b>	
General Commercial Building	25
Convenience Commercial Building	16
Office Building	<u>33</u>
<b>Total Parking Required</b>	<b>74</b>
<b>Provided Parkings:</b>	
Handicapped	3
General Commercial Building	34
Convenience Commercial Building	21
Office Building	40
<b>Total Parking Provided</b>	<u>98</u>
Commercial Building to contain general commercial with convenience store with gasoline sales.	



**Parcel 089 – Part of PUD No. 123-84-G**

Parcel 104 was slated for 70,450 square feet of office and retail with 315 parking spaces.

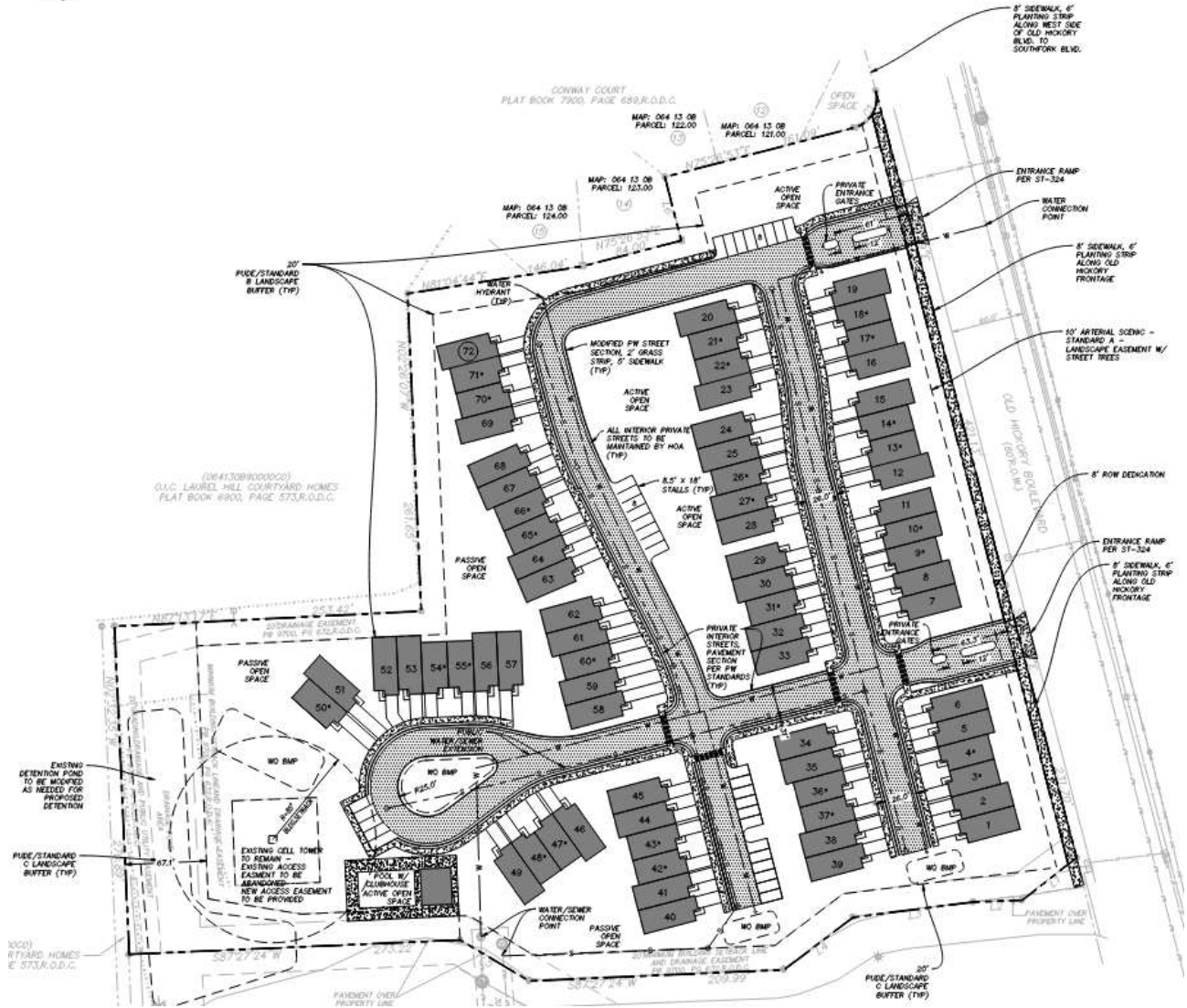
SITE DATA	PARCEL 1	PARCEL 2	PARCEL 3	PARCEL 4	TOTALS
TOTAL GROSS FLOOR AREA BY STRUCTURE, TYPE, AND LOT	50,890 S.F. 1.17 AC.	2000 S.F. .05 AC.	3000 S.F. .07 AC.	70,450 S.F. 1.62 AC.	126,340 S.F. 2.9 AC.
TOTAL BUILDING GROUND COVERAGE	50,890 S.F. 1.17 AC.	2000 S.F. .05 AC.	3000 S.F. .07 AC.	45,450 S.F. 1.04 AC.	
GROSS SITE ACREAGE	225,012 S.F. 5.17 AC.	39,794 S.F. .9 AC.	40,646 S.F. .93 AC.	217,268 S.F. 5.00 AC.	12.00 AC.
ACREAGE IN STREETS AND PARKING	89,702 S.F. 2.06 AC.	24,756 S.F. .57 AC.	32,636 S.F. .75 AC.	116,759 S.F. 2.68 AC.	
FLOOR AREA RATIO	.23	.05	.08	.32	.24
TOTAL NUMBER OF PARKING SPACES	HANDICAP REQ. 1 HANDICAP SHO. 8 REQUIRED 113 TOTAL SHOWN 250	HANDICAP REQ. 2 HANDICAP SHO. 2 REQUIRED 7 TOTAL SHOWN 24	HANDICAP REQ. 3 HANDICAP SHO. 3 REQUIRED 20 TOTAL SHOWN 43	HANDICAP REQ. 8 HANDICAP SHO. 8 REQUIRED 234 TOTAL SHOWN 315	434 REQ. PER. ORD. 604 REQ. @ 5/1000 1635 SHOWN



**Parcel 104 – Part of PUD No. 45-86-P**



# Metro Planning Commission Meeting of 11/18/21



Site Layout Exhibit





## Metro Planning Commission Meeting of 11/18/21

The parcels themselves are currently part of the two PUDs mentioned above. Parcel 089 was slated for 20,000 square feet of general commercial and office and a convenience store with 98 parking spaces.

### Site Plan

The plan calls for a townhome residential development, including a maximum of 72 multi-family units at a density of 8.82 units per acre. The units will be three-bedroom with one- and two-car garages, in addition to 20-foot-long driveways that will accommodate parking. Parking will also be provided along private streets in 90-degree rows. The units will range in size from 1,650 square feet to 1,850 square feet and in height from 2 to 3 stories. The units adjacent to Old Hickory Boulevard will have rear facades designed to appear as front facades to create a welcoming pedestrian environment along Old Hickory Boulevard.

The plan calls for two private drive connections to Old Hickory Boulevard with controlled access gates for residents only. The drives will terminate in two dead-ends and a small loop cul-de-sac, with access to townhomes provided along all segments. Units front onto either private drives or open space. Open space buffers the units that front Old Hickory Boulevard. Sidewalks will be provided to connect each unit to open space and to the sidewalk network along the proposed private streets and Old Hickory Boulevard. Stormwater management features are located within the common areas and within interstitial open space. The existing detention pond in the southwestern corner will remain and be modified to handle the increased flows post-development. A pool with clubhouse and active open space is also proposed for this area.

For development standards not specified in the SP Plan, the property will be subject to the standards of the RM15 zoning district. A total of 202 parking spaces (garage, driveway, and surface) are provided per Code. Street trees are programmed along Old Hickory Boulevard and throughout the site. This section of Old Hickory Boulevard is classified as a Scenic Arterial, so buffering is required along this frontage. Buffer yards are also proposed along the northern, western, and southern property lines per Code requirements. Units will maintain an appropriate setback from the existing telecommunications tower based on the lowest engineered break point of the structure (85 feet).

### **ANALYSIS**

The plan with proposed conditions is consistent with the T3 NC and CO policies. The T3 NC policy is intended to enhance and create suburban neighborhood centers. These are pedestrian friendly areas, generally located at intersections of suburban streets that contain commercial, mixed use, residential, and institutional land uses. The subject property is located adjacent to an existing commercial center. The added density in the T3 NC policy area will support the uses in the center and further connect the surrounding neighborhoods to it through the provision of wide sidewalks and street trees along Old Hickory Boulevard. The developer has agreed to extend the sidewalk and street trees north of the site to Southfork Boulevard. The developer has also committed to contributing \$50,000 toward a traffic light at the Old Hickory Boulevard/Southfork Boulevard intersection which will further encourage local trips in the vicinity and facilitate pedestrian crossings.



## **Metro Planning Commission Meeting of 11/18/21**

The development fulfills the policy intent of creating highly connected residential communities with minimal spacing between buildings. The plan enhances the pedestrian realm by relying mostly on driveway parking and garages to house vehicles, thereby reducing the amount of surface parking required.

CO policy is intended to preserve environmentally sensitive land features through protection and remediation. The small area of CO policy applies to the area of steep slope on the property in excess of 20%. The plan preserves this area within open space and outside of building envelopes.

Staff recommends approval with conditions and disapproval without all conditions.

### **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**

#### **Approve with conditions**

- Modifications to the existing detention pond will be addressed during the technical review phase. Additional detention areas may be required.

### **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 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.

### **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.
- On final, show curb & gutter, per ST-200, along OHB frontage.

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **Approve with conditions**

- Prior to Final SP approval, coordinate with NDOT on gate operations. Include turn around and queuing diagrams and postal operations plan.



## Metro Planning Commission Meeting of 11/18/21

### Maximum Uses in Existing Zoning District: R15

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)	4.92	2.904 D	17 U	204	17	19

\*Based on two-family lots

### Maximum Uses in Existing Zoning District: R8

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential* (210)	3.60	5.445 D	23 U	269	21	25

\*Based on two-family lots

### Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	8.52	-	78 U	423	27	35

### Traffic changes between maximum: R15/R8 and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+33 U	-50	-11	-9

## METRO SCHOOL BOARD REPORT

**Projected student generation existing R8 and R15 districts: 3 Elementary 2 Middle 2 High  
 Projected student generation proposed SP-R district: 6 Elementary 4 Middle 4 High**

The proposed SP-R zoning is expected to generate 7 more students than the existing R8 and R15 zoning districts. Students would attend Andrew Jackson Elementary School, Dupont Hadley Middle School, and McGavock 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 72 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. No fencing shall be allowed along Old Hickory Boulevard.
3. The developer shall contribute \$50,000 towards installation of a traffic light at Southfork Boulevard and Old Hickory Boulevard intersection and extend the sidewalk and street trees



## Metro Planning Commission Meeting of 11/18/21

along the western edge of Old Hickory Boulevard proposed with this development north to Southfork Boulevard.

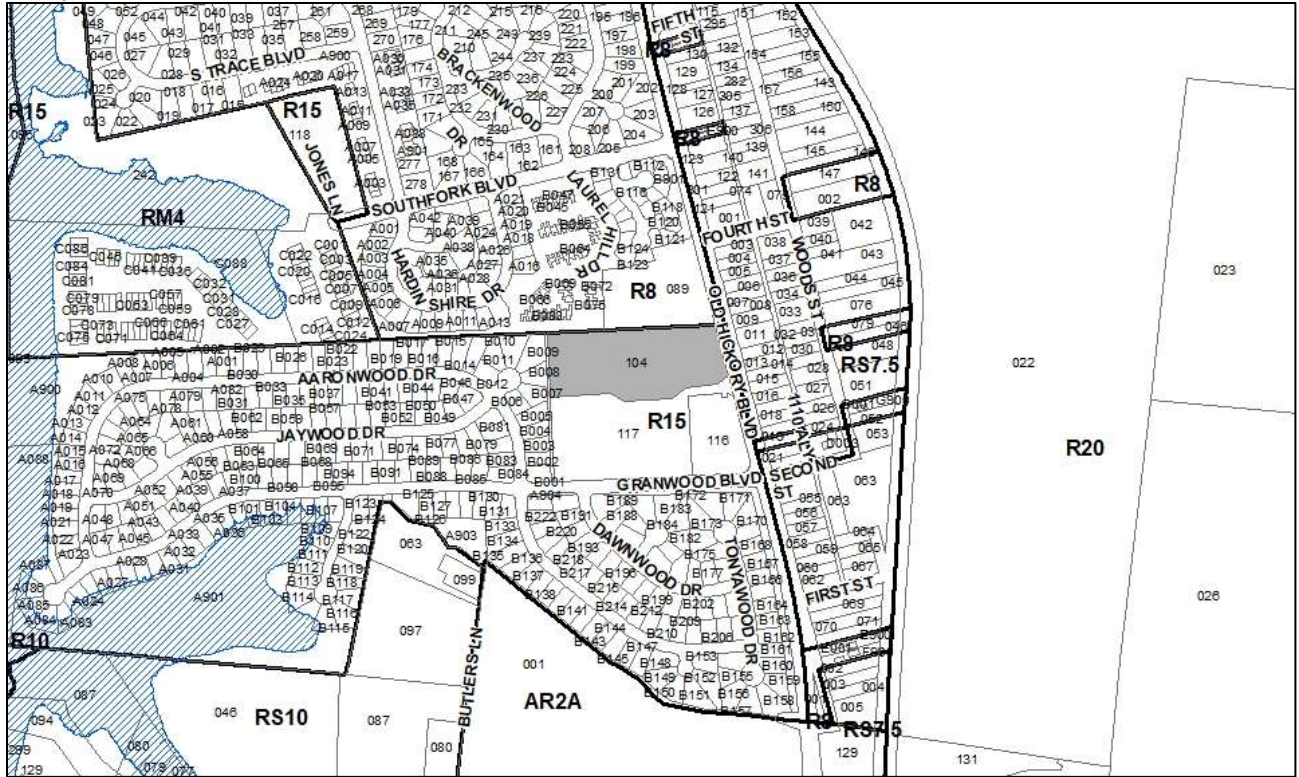
4. No buildings shall be erected within the 85-foot fall radius of the telecommunications monopole on site.
5. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
6. The final 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.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
8. Comply with all conditions and requirements of Metro reviewing agencies.
9. 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 RM15 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
11. 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.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 11/18/21



**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 11/18/21

<b>Item #24b</b>	<b>Planned Unit Development 45-86P-003</b>
<b>Project Name</b>	<b>Granwood Village PUD (Cancellation)</b>
<b>Associated Case(s)</b>	2021SP-062-001; 123-84P-001
<b>Council District</b>	11 - Hagar
<b>School District</b>	04 – Little
<b>Requested by</b>	SWS Engineering, Inc., applicant; William L. Butler, owner.

**Deferrals** This item was deferred from the September 9, 2021, September 23, 2021, and October 14, 2021, Planning Commission meetings. No public hearing was held.

**Staff Reviewer** Shane  
**Staff Recommendation** *Approve if the associated zone change is approved and disapprove if the associated zone change is not approved.*

### 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).

##### **Existing Zoning**

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. *R15 would permit a maximum of 14 lots with 4 duplex lots for a total of 18 units.*

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of Title 17. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. *The PUD controls uses on the property. This PUD permits a variety of office and commercial uses.*

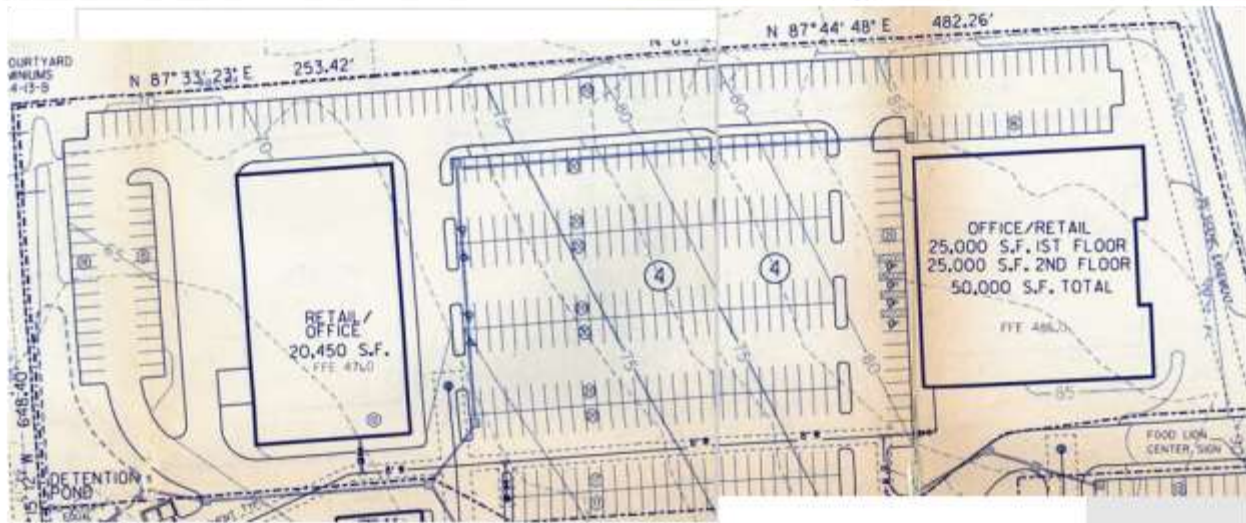
##### **DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN**

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



## Metro Planning Commission Meeting of 11/18/21

SITE DATA	PARCEL 1	PARCEL 2	PARCEL 3	PARCEL 4	TOTALS
TOTAL GROSS FLOOR AREA BY STRUCTURE, TYPE, AND LOT	50,890 S.F. .17 AC.	2000 S.F. .05 AC.	3000 S.F. .07 AC.	70,450 S.F. 1.62 AC.	126,340 S.F. 2.9 AC.
TOTAL BUILDING GROUND COVERAGE	50,890 S.F. .17 AC.	2000 S.F. .05 AC.	3000 S.F. .07 AC.	45,450 S.F. 1.04 AC.	
GROSS SITE ACREAGE	225,012 S.F. 5.17 AC.	39,794 S.F. .9 AC.	40,646 S.F. .93 AC.	217,260 S.F. 5.00 AC.	12.00 AC.
ACREAGE IN STREETS AND PARKING	89,702 S.F. 2.06 AC.	24,756 S.F. .57 AC.	32,636 S.F. .75 AC.	18,759 S.F. 2.68 AC.	
FLOOR AREA RATIO	.23	.05	.08	.32	.24
TOTAL NUMBER OF PARKING SPACES	HANDICAP REQ. 7 HANDICAP SHO. 8 REQUIRED 173 TOTAL SHOWN 250	HANDICAP REQ. 2 HANDICAP SHO. 2 REQUIRED 7 TOTAL SHOWN 24	HANDICAP REQ. 3 HANDICAP SHO. 3 REQUIRED 20 TOTAL SHOWN 43	HANDICAP REQ. 8 HANDICAP SHO. 8 REQUIRED 234 TOTAL SHOWN 315	434 REQ. PER. ORD. 604 REQ. @ 5/1000 635 SHOWN



**Parcel 104 – Site Pan and Commercial Entitlements**





## Metro Planning Commission Meeting of 11/18/21

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.

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

### **ANALYSIS**

This PUD (File No. 45-86-P) was originally approved in 1986 and included a residential section and a commercial section. Parcel 104 made up the northern half of the commercial area (“Parcel 4”) and included a total gross floor area of 70,450 square feet planned for office and retail uses in two commercial buildings (a 50,000-square foot two-story building and a 20,450-square foot one-story building). 315 parking spaces (81 more than required by Code at the time) were planned, resulting in a massive parking lot covering most of the site. Cancellation of this portion of the PUD would remove entitlements that no longer meet the intent of the adopted NashvilleNext general plan and replace them with a multi-family residential plan that more closely meets the intent of the T3 NC policy for the site.

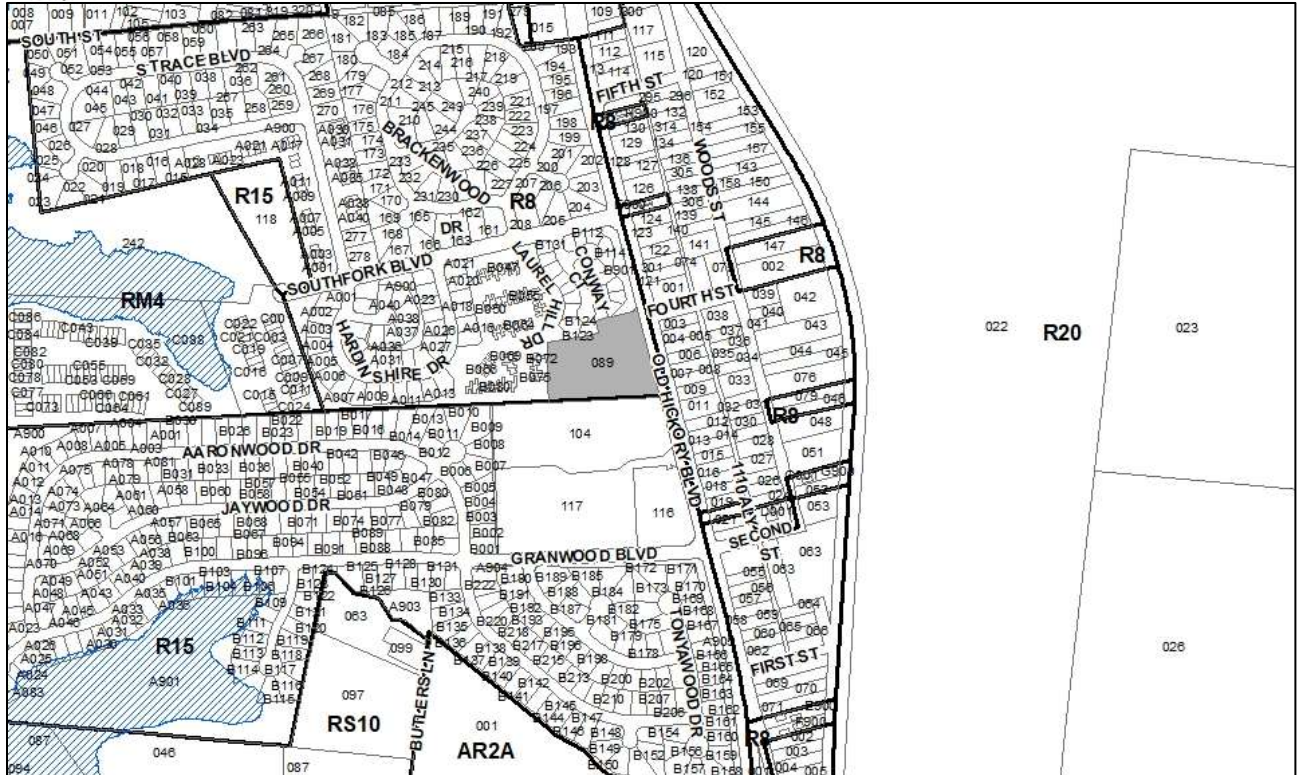
If the associated SP is approved, then staff recommends approval of this portion of the PUD overlay being canceled. The remaining portion of the PUD will remain active and function in its current form independent of this site.

### **STAFF RECOMMENDATION**

Staff recommends approval if the associated SP zoning district is approved and disapproval if the associated SP zoning district is not approved.



# Metro Planning Commission Meeting of 11/18/21



**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 11/18/21

<b>Item #24c</b>	<b>Planned Unit Development 123-84P-001</b>
<b>Project Name</b>	<b>South Fork Commercial PUD (Cancellation)</b>
<b>Associated Case(s)</b>	2021SP-062-001; 45-86P-003
<b>Council District</b>	11 - Hagar
<b>School District</b>	04 – Little
<b>Requested by</b>	SWS Engineering, Inc., applicant; William L. Butler, owner.

**Deferrals** This item was deferred from the September 9, 2021, September 23, 2021, and October 14, 2021, Planning Commission meetings. No public hearing was held.

**Staff Reviewer** Shane  
**Staff Recommendation** *Approve if the associated zone change is approved and disapprove if the associated zone change is not approved.*

### 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).

##### **Existing Zoning**

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. *R15 would permit a maximum of 14 lots with 4 duplex lots for a total of 18 units.*

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 19 lots with 5 duplex lots for a total of 24 units.*

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



## Metro Planning Commission Meeting of 11/18/21

of essential utilities and streets. *The PUD controls uses on the property. This PUD permits a variety of office and commercial uses, including a convenience store with gasoline sales.*

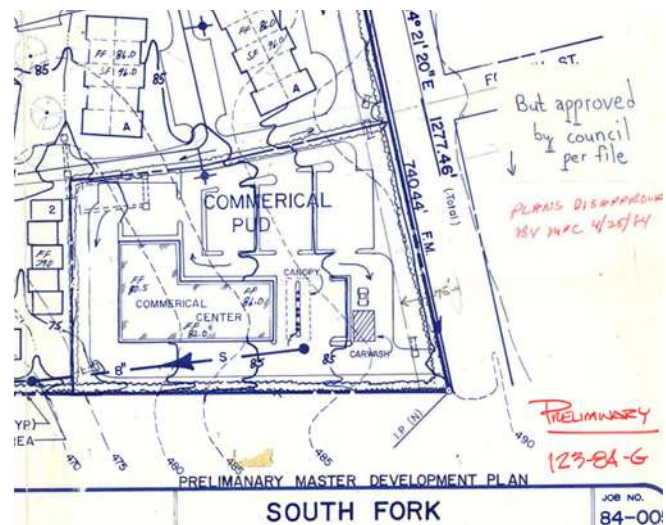
### DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

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

### ANALYSIS

This PUD (File No. 123-84-G) was originally approved in 1984 and included a residential section and a commercial section. Parcel 89 made up the commercial area and included a total gross floor area of 20,000 square feet planned for general commercial, convenience commercial, and office uses in three attached commercial buildings (a 7,600-square foot one-story commercial building, a 2,400-square foot one-story convenience store building, and a 10,000-square foot two-story office building), along with a small carwash structure. 98 parking spaces (24 more than required by Code at the time) were planned, resulting in a large parking lot covering most of the site. This created extensive setbacks from the ROW, discouraging pedestrian traffic. Cancellation of this portion of the PUD would remove entitlements that no longer meet the intent of the adopted NashvilleNext general plan and replace them with a multi-family residential plan that more closely meets the intent of the T3 NC policy for the site.

COMMERCIAL P.U.D.	
3.02 Acres	
General Commercial Building-One Story	7,600 S.F.
Convenience Commercial Building-One Story	2,400 S.F.
Office Building-Two Story	10,000 S.F.
<b>Total Square Feet</b>	<b>20,000 S.F.</b>
<b>Floor Area Ratio</b>	<b>.16</b>
<b>Required Parking:</b>	
General Commercial Building	25
Convenience Commercial Building	16
Office Building	33
<b>Total Parking Required</b>	<b>74</b>
<b>Provided Parking:</b>	
Handicapped	3
General Commercial Building	34
Convenience Commercial Building	21
Office Building	40
<b>Total Parking Provided</b>	<b>98</b>
Commercial Building to contain general commercial with convenience store with gasoline sales.	



### Parcel 089 – Site Plan and Commercial Entitlements

If the associated SP is approved, then staff recommends approval of this portion of the PUD overlay being canceled. The remaining portion of the PUD will remain active and function in its current form independent of this site.



## **Metro Planning Commission Meeting of 11/18/21**

### **STAFF RECOMMENDATION**

Staff recommends approval if the associated SP zoning district is approved and disapproval if the associated SP zoning district is not approved.



## Metro Planning Commission Meeting of 11/18/21



**2021SP-067-001**

WESTSIDE RETREAT

Map 114, Parcel 091

Map 114, Part of Parcel 092

06, Bellevue

22 (Gloria Hausser)



## Metro Planning Commission Meeting of 11/18/21

**Item #25**

**Specific Plan 2021SP-067-001**

**Project Name**

**Westside Retreat**

**Council District**

22 - Hausser

**School District**

09 - Tylor

**Requested by**

Dale and Associates, applicant; Bruce Little and Yvonne Brown, owners.

**Deferrals**

This item was deferred at the October 14, 2021, Planning Commission meeting. No public hearing was held.

**Staff Reviewer**

Elliott

**Staff Recommendation**

*Approve with conditions and disapprove without all conditions.*

### **APPLICANT REQUEST**

**Preliminary SP to permit a multi-family development.**

Zone Change

A request to rezone from One and Two-Family Residential (R15) to Specific Plan (SP) zoning for properties located at 7545 Charlotte Pike and a portion of property located at 7533 Charlotte Pike, approximately 450 feet northeast of Woodland Way (2.7 acres), to permit 20 multi-family residential units.

**Existing Zoning**

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. *R15 would permit a maximum of 7 lots with 1 duplex lots for a total of 8 units.*

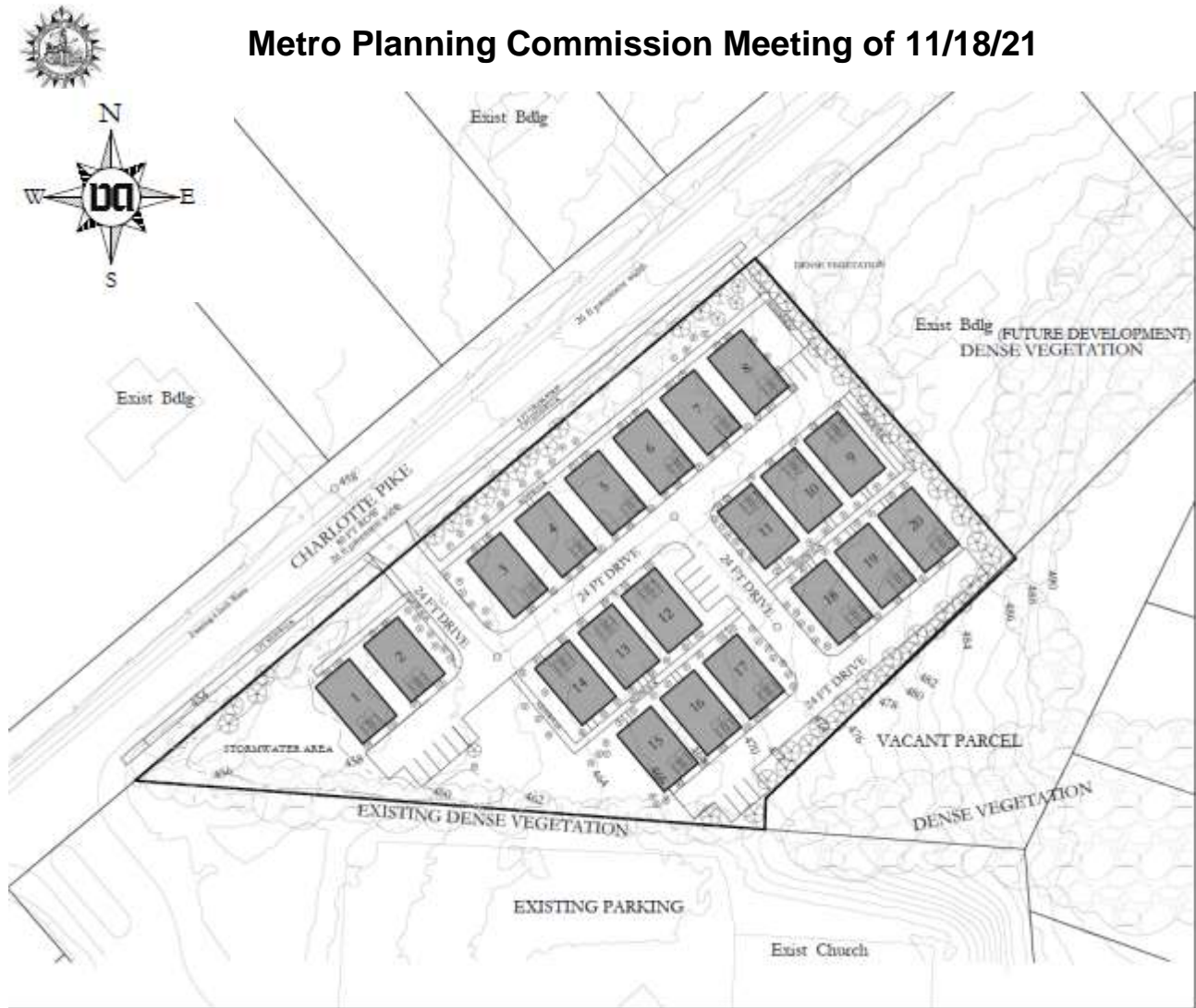
**Proposed Zoning**

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

### **BELLEVUE 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

# Metro Planning Commission Meeting of 11/18/21



**Proposed Site Plan**





## **Metro Planning Commission Meeting of 11/18/21**

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.

### **SITE**

The subject site comprises the entirety of a single parcel and a portion of another parcel to total 2.7 acres. The site is located on the south side of Charlotte Pike, west of the Sawyer Brown intersection and east of Overall Creek. This portion of Charlotte Pike is classified as a Scenic Arterial in the Major and Collector Street Plan. The site currently contains a single-family residence and is surrounded by other single family, two-family, institutional, and vacant land uses. The Western Hills Church is located to the south.

### **PLAN DETAILS**

The application proposes 20 detached multi-family units that are served with private drives. The plan proposes a single access point on Charlotte Pike and otherwise proposes to improve Charlotte Pike consistent with the requirements of the Major and Collector Street Plan. A landscape buffer is provided along Charlotte Pike consistent with the requirements of the Scenic Arterial roadway standards in the Zoning Code. The units include two car garages and additional surface parking is dispersed throughout the site. The site plan includes a private sidewalk network throughout the site with open space and trees shown between the rows of units. The stormwater area is proposed at the south-western corner of the property and the design of this feature will be providing with the final SP application. An open space area is provided along the southern property boundary. The plans indicate that existing vegetation along the perimeter of the property will be maintained and otherwise supplemented to meet the type B landscape buffer requirements. The plans limit the maximum building height of the units to 2.5 stories in 30 feet as measured by the Zoning Code. The plans also indicate that the building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function.

### **ANALYSIS**

The application proposes a form and intensity that is consistent with the T3 NE policy in this location and is appropriate given the surrounding development pattern. The T3 NE policy describes that development should be suburban in its pattern, but at a higher density and with greater housing variety than classic suburban neighborhoods. The plan appropriately addresses the corridor with the orientation of the units and otherwise orients units to open space.

### **FIRE MARSHAL RECOMMENDATION**

**Approve**

### **STORMWATER RECOMMENDATION**

**Approve**

### **WATER SERVICES RECOMMENDATION**

**Not Applicable**

- Harpeth Valley Water and Sewer Utility District.



## Metro Planning Commission Meeting of 11/18/21

### HARPETH VALLEY WATER AND SEWER UTILITY DISTRICT RECOMMENDATION

#### Approve with conditions

- See letter dated 8/27/21 from Jay Tant, Assistant General Manager, HVUD

### 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. Confirm w/ planning on MCSP requirements along frontage. Callout sidewalks, ramps, curb/gutter per NDOT standards and specs. Show in detail sheets. Dimension additional ROW along frontage entirety, between sidewalks and property line, for reference. As noted, solid waste/recycle by private hauler.

### TRAFFIC AND PARKING RECOMMENDATION

#### Approve

Maximum Uses in Existing Zoning District: **R15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	2.70	2.904 D	8 U	102	11	9

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	2.70	-	20 U	107	7	10

Traffic changes between maximum: **R15 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+12 U	+5	-4	+1

### METRO SCHOOL BOARD REPORT

Projected student generation existing **R15** district: 0 Elementary 0 Middle 0 High

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

The proposed SP zoning is expected to generate 1 additional students than the existing R15 zoning. Students would attend Gower Elementary School, H.G. Hill Middle School, and Hillwood High School. H.G. Hill Middle School is identified as being overcapacity. Gower Elementary School 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.



## Metro Planning Commission Meeting of 11/18/21

### STAFF RECOMMENDATION

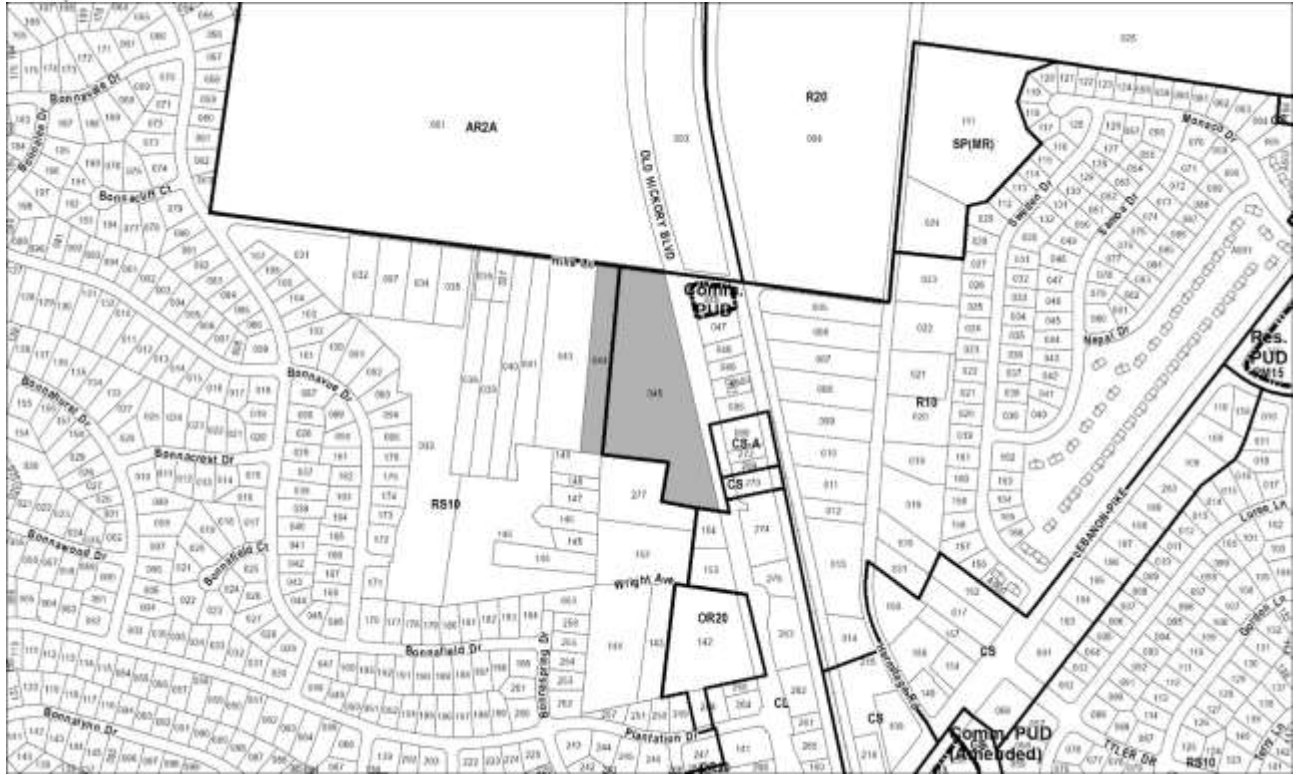
Staff recommends approval with conditions and disapproval without all conditions.

### CONDITIONS

1. Permitted uses shall be limited to a maximum of 20 multi-family residential units. Short term rental property, owner occupied and short term rental property, not-owner occupied shall be prohibited.
2. The final site plan application shall include an interconnected network of private sidewalks internal to the site.
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.
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 RM15 zoning district as of the date of the applicable request or application.
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.



# Metro Planning Commission Meeting of 11/18/21



**2021Z-070PR-001**

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

14, Donelson – Hermitage – Old Hickory

14 (Kevin Rhoten)



## Metro Planning Commission Meeting of 11/18/21

**Item#26**  
**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 from the July 22, 2021, August 26, 2021, September 23, 2021 and the October 14, 2021, Planning Commission meetings. No public hearing was held.

**Staff Reviewer**  
**Staff Recommendation**

Swaggart  
*Approve.*

### **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).

**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. *R10 (7.82 acres) would permit a maximum of 34 lots with 8 duplex lots for a total of 42 residential units.*

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 (1.76 acres) would permit a maximum of 7 residential units.*

**Proposed Zoning**

Multi-Family Residential-Alternative-No Short Term Rentals (RM15-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM15-A would permit a maximum of 144 units. Short Term Rentals are prohibited.*

**DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN**

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 NE policy may be applied either to undeveloped or substantially



## Metro Planning Commission Meeting of 11/18/21

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 need to take into account considerations such as timing and some elements of the existing developed character, such as the street network, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers.

### ANALYSIS

The approximately 9.8 acre site is located on the west side of Old Hickory Boulevard. The Hermitage is to the north on the opposite side of Old Hickory Boulevard. The northern property line abuts property associated with the Hermitage. The site is vacant and densely wooded. Surrounding development includes residential and commercial. The abutting zoning to the north is AR2a. The abutting zoning to the south and west is RS10 and R10. The zoning on the opposite side of Old Hickory Boulevard includes, and is not limited to, R6, CL and CS. The abutting land use policy to the north is Open Space (OS). The abutting land use policy area to the west and south is Suburban Neighborhood Evolving (T3 NE) and Suburban Community Center (T3 CC). The land use policy on the opposite side of Old Hickory Boulevard is T3 CC. The Major and Collector Street Plan (MCSP) classifies Old Hickory Boulevard as a mixed use arterial (T3 M AB5 S).

Staff finds that the proposed RM15-A-NS zoning district is consistent with the T3 NE land use policy at this location. The proposed RM15-A-NS only permits residential uses consistent with the policy. Given the adjacent OS policy to the north and T3 CC policy along Old Hickory Boulevard, the site is in a transitional area. The proposed RM15-A-NS allows for less intensity than what would likely be supported under the T3 CC policy south of the site; therefore, it provides for a transition between the OS and T3 CC land use policy areas. It also provides a transition from the more intense commercial and residential zoning districts to the south of the site.

### 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.

### TRAFFIC AND PARKING RECOMMENDATION

N/A

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

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)	7.82	4.356 D	42 U	478	35	45

\*Based on two-family lots



## Metro Planning Commission Meeting of 11/18/21

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)	1.76	4.356 D	7 U	385	29	36

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	4.79	1.0 F	209 U	1,137	70	90

Traffic changes between maximum: **R10/RS10 and RM15-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+160	+274	+6	+9

### **METRO SCHOOL BOARD REPORT**

**Projected student generation existing RS10/R10 district: 5 Elementary 4 Middle 4 High**  
**Projected student generation proposed District: 10 Elementary 9 Middle 5 High**

The proposed RM15-A-NS zoning district is expected to generate 11 additional students than what is typically generated under the existing RS10/R10 zoning districts. Students would attend Hermitage Elementary School, Donelson Middle School, and McGavock High School. Hermitage Elementary and McGavock High School are identified as having additional capacity. Donelson Middle School is 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 as the request is consistent with the T3 NE policy at this location.



# Metro Planning Commission Meeting of 11/18/21



**2021Z-105PR-001**

Map 042-01, Parcel(s) 056-057, 096

04, Madison

08 (Nancy VanReece)





## Metro Planning Commission Meeting of 11/18/21

**Item #27**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2021Z-105PR-001**  
08 – VanReece  
03 – Masters  
XE Development Company, LLC, applicant; Shannon & Amy Eastridge, Wendell E. & Julie M. Darrow, and Pandora Properties, LLC, owners.

**Deferrals**

This item was deferred from the October 28, 2021, Planning Commission meeting. No public hearing was held.

**Staff Reviewer**  
**Staff Recommendation**

Harrison  
*Approve.*

**APPLICANT REQUEST**  
**Zone change from RS20 to RM9-NS.**

Zone Change

A request to rezone from Single-Family Residential (RS20) to Multi-Family Residential – No Short Term Rentals (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).

**Existing Zoning**

Single-Family Residential (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre. *RS20 would permit a maximum of 4 units.*

**Proposed Zoning**

Multi-Family Residential – No Short Term Rentals (RM9-NS) is intended for single-family, duplex, and multi-family dwellings at a density of nine dwelling units per acre. *RM9 would permit a maximum of 23 units.*

**MADISON COMMUNITY PLAN**

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

Special Policy Area 04-T3-CM-01 – Motor Mile

The site is within the Motor Mile Special Policy Area (SPA). This SPA is intended to maintain the “motor mile” as an economic resource for Madison and Davidson County, allowing the expansion and creation of such uses with design guidelines not found in other areas along Gallatin



## Metro Planning Commission Meeting of 11/18/21

Pike. The SPA for this site is not applicable when a residential zoning is requested and should utilize the underlying policy of T3 CM.

### ANALYSIS

This 2.59 acre site consists of three properties located on the south side of East Campbell Road and north side of Old Amqui Road. Currently, the site consists of single-family residences with primary access from either East Campbell Road or Old Amqui Road. The surrounding area is zoned RS20, R10, and CS, with a variety of uses ranging from residential to commercial and institutional.

The T3 CM policy on the site calls for higher density than surrounding neighborhood zoning with residential uses located off major intersections. The requested zoning of RM9-NS is the least dense zoning recommended and is used as a transition from the commercial zoning to the west, to the single-family and one and two-family residential zoning districts. With the surrounding residential zoning consisting of lower density, the increase to the denser RM9-NS, and location away from major intersections, Staff has determined the requested zoning of RM9-NS would be consistent with the T3 CM policy.

### FIRE RECOMMENDATION

#### Approve

Maximum Uses in Existing Zoning District: **RS20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	2.59	2.178 D	5 U	66	8	6

Maximum Uses in Proposed Zoning District: **RM9-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 3-10 (221)	2.59	9 D	23 U	124	8	11

Traffic changes between maximum: **RS20 and RM9-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+18 U	+58	-	+5

### METRO SCHOOL BOARD REPORT

**Projected student generation existing RS20 districts: 1 Elementary 0 Middle 0 High**  
**Projected student generation proposed RM9-NS district: 4 Elementary 3 Middle 2 High**

The proposed RM9-NS zoning is expected to generate 8 additional students than the RS20 zoning. Any additional students would attend Old Center Elementary School, Goodlettsville Middle School, and Hunters Lane High School. Old Center Elementary and Goodlettsville Middle School are identified as being over capacity. Hunters Lane High School is identified as having



## **Metro Planning Commission Meeting of 11/18/21**

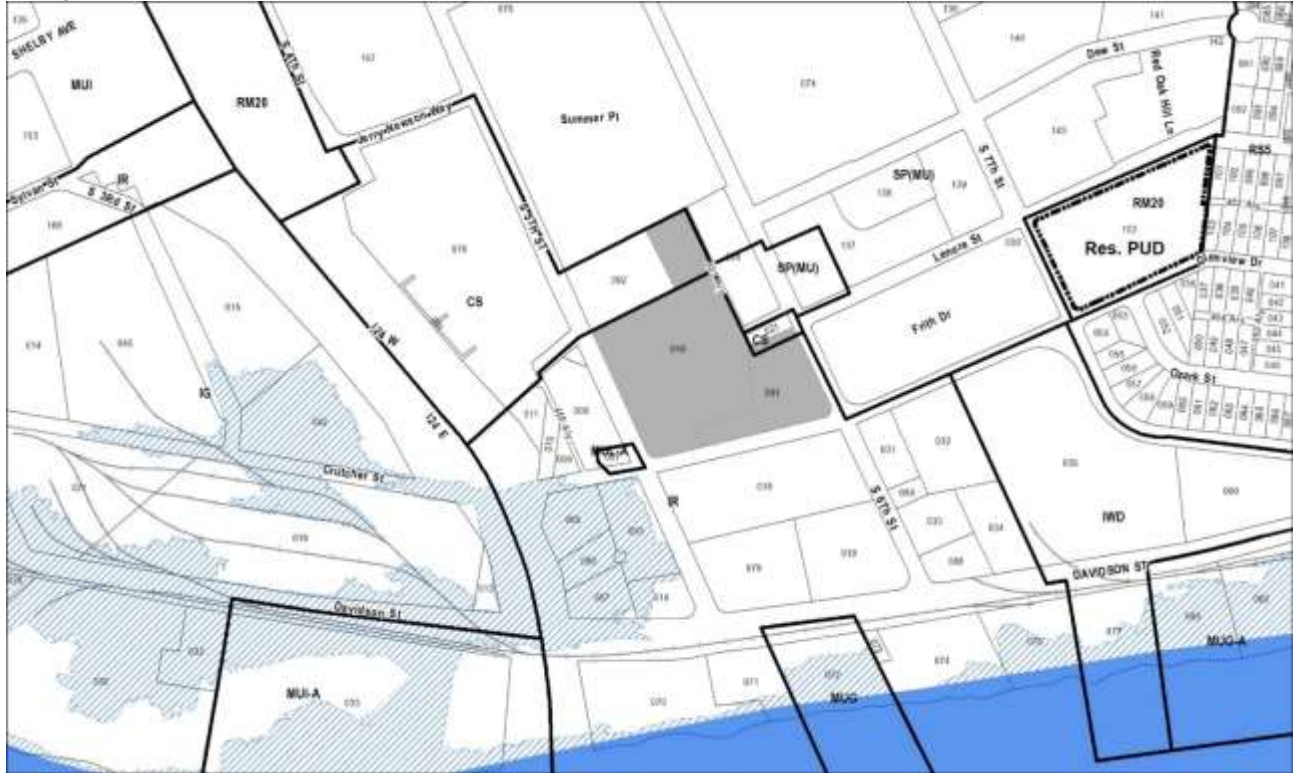
additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

### **STAFF RECOMMENDATION**

Staff recommends approval.



## Metro Planning Commission Meeting of 11/18/21



### **2021Z-114PR-001**

Map 093-08, Parcel(s) 016, 091

05, East Nashville

06 (Brett Withers)



## Metro Planning Commission Meeting of 11/18/21

**Item #28**

**Council District**

**School District**

**Requested by**

**Zone Change 2021Z-114PR-001**

06 – Withers

05 – Buggs

Dale and Associates, applicant; Terry C. Reeves and W. Lipscomb Davis III, owners.

**Staff Reviewer**

Shane

**Staff Recommendation**

*Defer to the December 9, 2021, Planning Commission meeting.*

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**APPLICANT REQUEST**

**Zone change from CS and IR to MUG-A.**

Zone Change

A request to rezone from Commercial Service (CS) and Industrial Restrictive (IR) zoning to Mixed Use General–Alternative (MUG–A) zoning for property located at 501 and 515 Crutcher Street, at the northeast corner of Crutcher Street and South 5<sup>th</sup> Street (6.82 acres).

**STAFF RECOMMENDATION**

Staff recommends deferral to the December 9, 2021, Planning Commission meeting.



## Metro Planning Commission Meeting of 11/18/21



### **2021Z-118PR-001**

Map 070-13, Parcel(s) 068

03, Bordeaux-Whites Creek-Haynes Trinity

02 (Kyonzté Toombs)



## Metro Planning Commission Meeting of 11/18/21

**Item #29**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2021Z-118PR-001**  
02 - Toombs  
1 - Gentry  
Benesch, applicant; James Reese, owner.

**Staff Reviewer**  
**Staff Recommendation**

Rickoff  
*Disapprove RM40-A-NS and approve RM9-A-NS.*

### **APPLICANT REQUEST**

**Zone change from R8 to RM40A-NS.**

#### Zone Change

A request to rezone from One and Two-Family Residential (R8) to Multi-Family Residential-Alternative-No STRP (RM40-A-NS) zoning for property located at 2122 Buena Vista Pike, approximately 350 feet northeast of Resha Lane (1.68 acres).

#### **Existing Zoning**

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 7 lots with 1 duplex lot for a total of 8 units. Application of the Subdivision Regulations may result in fewer units. Metro Codes provides final determinations on duplex eligibility.*

#### **Proposed Zoning**

Multi-Family Residential-Alternative-No STRP (RM40-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 40 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. The -NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property - Not-Owner Occupied uses from the district. *RM40-A-NS would permit a maximum of 67 units.*

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

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

#### Supplemental Policy

This site is located within the Haynes Trinity Small Area Plan area of the Bordeaux-Whites



## Metro Planning Commission Meeting of 11/18/21

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

### **SITE AND CONTEXT**

The vacant site comprises 1.68 acres and is located mid-block on the south side of Buena Vista Pike, northeast of Clarksville Pike. Buena Vista Pike and Clarksville Pike are arterial-boulevards designated by the Major and Collector Street Plan (MCSP). Cliff Drive is an L-shaped road located to the south that bends to the north and connects to Buena Vista Pike, east of the site. The Cumberland River is located south of properties which front onto Cliff Drive. Surrounding properties to the north and south are primarily zoned R8, with the exception of two parcels, located to the southeast at the corner of Cliff Drive, that were recently rezoned to RM15-A-NS. Adjacent properties to the west have been zoned RM40, Multi-Family Residential, since 2001. The adjacent parcel to the east has been zoned CN, Commercial Neighborhood, since 2002. The development pattern east of the CN-zoned property and wrapping the remainder of the Cliff Drive block includes primarily one and two-family residential uses. Transportation connectivity in the area is limited due to geographic barriers, such as the Cumberland River, large undeveloped tracts of land, and topographically challenged areas, contributing to an incomplete street system within the community.

### **ANALYSIS**

The site is located Urban Neighborhood Evolving (T4 NE) policy, within the Haynes Trinity Small Area Plan. The Haynes Trinity Small Area Plan includes a supplemental mobility policy with a network of proposed street connections to enhance the block structure and support the additional intensity expected by the T4 NE policy. The mobility policy reflects the community's needs to provide a strong and cohesive block structure and a highly connected street system with sidewalks, bikeways, and transit facilities.

At this site, the mobility plan identifies a future north/south street that connects Buena Vista Pike to Cliff Drive along the western boundary, and an east/west street that wraps the southern boundary and continues to the east. A future alley runs through the center of the site, connecting to the future streets. The future road/alley network continues to the east, on either side of Buena Vista Pike, resulting in an urban grid form that is anticipated to connect to the broader network within and outside of the Haynes Trinity community.

The requested RM40-A-NS district supports development that is too intense for this site, given the area's limited transportation connectivity and need for enhanced infrastructure. The supplemental policy envisioned that the area would accommodate additional density in concert with the installation of infrastructure, specifically an integrated road and alley network that would accommodate increased capacity. Application of RM40-A-NS to this site would be inappropriate without providing the public infrastructure that is needed at this site and throughout the area, in the future, as more properties redevelop along the block, implementing the goals of the policy. The area needs to have a cohesive master plan that addresses all infrastructure needs at once as opposed to on a piecemeal, lot by lot basis.





## Metro Planning Commission Meeting of 11/18/21

Absent the improved infrastructure needed to handle the proposed intensity, staff finds the RM40-A-NS district to be inappropriate at this site and recommends approval of RM9-A-NS, which permits multi-family development at 9 dwelling units per acre. Staff finds a lower level of intensity, such as RM9-A-NS, to be more appropriate at this site, given the lack of infrastructure in the area although staff would note that development at RM9-A-NS level of intensity may preclude this block from reaching the full potential of the policy as this property is in a key location related to infrastructure needs. Rezoning of this individual lot will limit all future rezonings in this block.

### FIRE MARSHAL RECOMMENDATION

**Approve**

### NASHVILLE DOT COMMENT

Without the Haynes Trinity plan proposed infrastructure, the proposed density is not appropriate for the existing road network.

Maximum Uses in Existing Zoning District: **R8**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	1.68	5.445 D	11 U	136	12	13

\*Based on two-family lots

Maximum Uses in Proposed Zoning District: **RM40-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	1.68	40 D	67 U	363	23	30

Traffic changes between maximum: **R8 and RM40-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+56 U	+227	+11	+17

### METRO SCHOOL BOARD REPORT

**Projected student generation existing R8 district: 1 Elementary 1 Middle 1 High**

**Projected student generation proposed RM40-A-NS district: 11 Elementary 5 Middle 4 High**

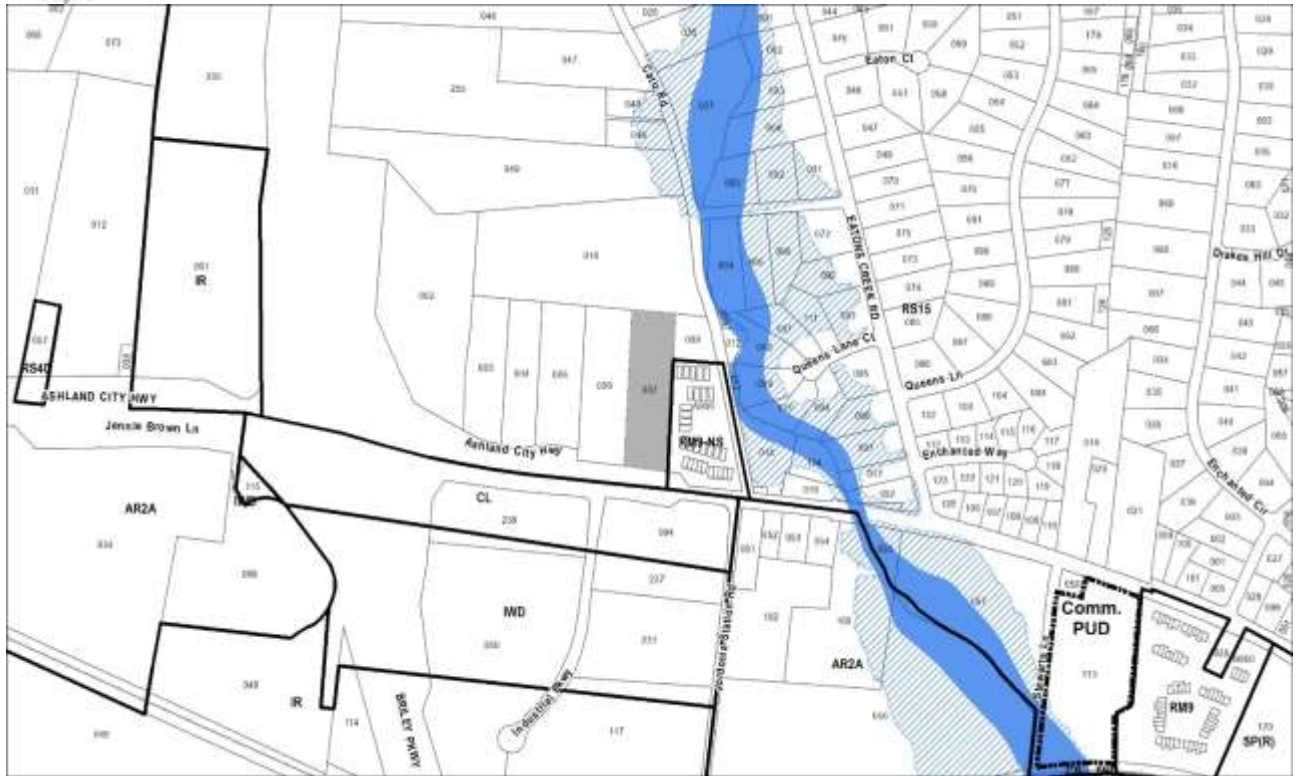
The proposed RM40-A-NS zoning district is expected to generate 17 additional students than what is typically generated under the existing R8 zoning district. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. All three schools have been identified 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 disapproval of RM40-A-NS and approval of RM9-A-NS.



## Metro Planning Commission Meeting of 11/18/21



**2021Z-119PR-001**

Map 069, Parcel(s) 007

03, Bordeaux – Whites Creek – Haynes Trinity

01 (Jonathan Hall)



## Metro Planning Commission Meeting of 11/18/21

**Item #30****Council District****School District****Requested by****Zone Change 2021Z-119PR-001**

01 – Hall

01 - Gentry

Smith Gee Studio, applicant; Joy Kimbrough, owner.

**Staff Reviewer**

Lewis

**Staff Recommendation***Approve with conditions.***APPLICANT REQUEST****Zone change from RS15 to RM9-NS.**Zone Change

A request to rezone from Single-Family Residential (RS15) to Multi-family Residential – No Short Term Rental (RM9-NS) zoning for property located at Ashland City Highway (unnumbered), approximately 340 feet west of Cato Road (3.29 acres).

**Existing Zoning**

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *RS15 would permit a maximum of nine single-family lots based solely on a minimum lot size of 15,000 square feet as required by the zoning. This calculation does not account for infrastructure, road layout, functional lot configuration, or meeting all requirements of the Metro Subdivision Regulations.*

**Proposed Zoning**

Multi-Family Residential – No Short Term Rentals (RM9-NS) is intended for single-family, duplex, and multi-family dwellings at a density of nine dwelling units per acre. *The proposed zoning district would permit approximately 30 multi-family units on the site.*

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

**ANALYSIS**

The 3.29 acre site is located on the north side of Ashland City Highway, west of Cato Road. The site is currently vacant. The properties on the north side of Ashland City Highway are primarily residential and zoned RS15. The adjacent property to the east is zoned RM9-NS. The property to



## Metro Planning Commission Meeting of 11/18/21

the north is Cumberland Elementary. The properties on the south side of Ashland City Highway are zoned Commercial Limited (CL), Industrial Warehousing/Distribution (IWD), and Agricultural/Residential (AR2a).

T3-NE 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. A site's location in relation to centers and corridors will be weighed when considering which zoning districts would be appropriate in a given situation. The size of the site, environmental conditions on and near the site, and the character of adjacent Transect and policy areas will be considered. The site is located along Ashland City Highway which is classified as an arterial boulevard in the Major and Collector Street Plan (MCSP). The site is not far from where Ashland City Highway leads to Briley Parkway. There are no existing environmental features on the three acre site. The surrounding policy is primarily T3 NE, with the exception of the school site to the north. Providing additional residential opportunities along a corridor and near an existing school is consistent with the intent to provide denser infill developments in key locations while still maintaining a suburban density and transitioning into the existing neighborhood to the east.

### 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: **RS15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	3.29	2.904 D	9 U	113	11	10

Maximum Uses in Proposed Zoning District: **RM9-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 3-10 (221)	3.29	9 D	30 U	162	11	14

Traffic changes between maximum: **RS15 and RM9-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+21 U	+49	-	+4



## **Metro Planning Commission Meeting of 11/18/21**

### **METRO SCHOOL BOARD REPORT**

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

**Projected student generation proposed RM9-NS district: 5 Elementary 2 Middle 2 High**

The proposed RM9-NS zoning district is expected to generate six additional students than the existing zoning districts. 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**

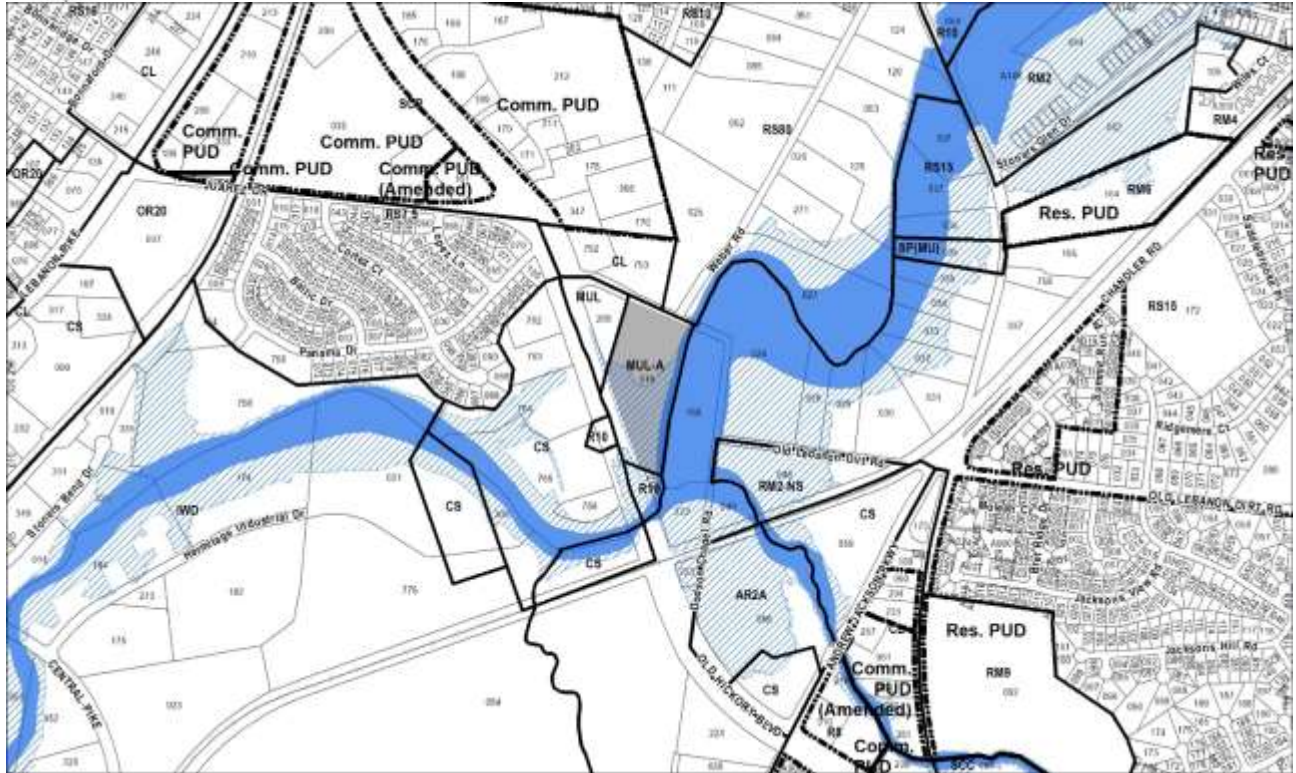
Staff recommends approval with conditions.

### **CONDITIONS**

1. No vehicular access is permitted on Ashland City Highway. Vehicular access shall be permitted through a cross access easement on parcel 069010A90000CO.



## Metro Planning Commission Meeting of 11/18/21



**2021Z-121PR-001**

Map 086, Parcel(s) 019

14, Donelson – Hermitage – Old Hickory

11 (Larry Hagar)



## Metro Planning Commission Meeting of 11/18/21

**Item #31**

**Council District**

**School District**

**Requested by**

**Zone Change 2021Z-121PR-001**

11 – Hagar

04 – Little

Modern Marine, applicant, Patricia Hager and Larry Hager, owners.

**Staff Reviewer**

Swaggart

**Staff Recommendation**

*Approve.*

**APPLICANT REQUEST**

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

Zone Change

A request to rezone from Mixed Use Limited-Alternative (MUL-A) to Commercial Services (CS) zoning for property located at 304 Old Lebanon Dirt Road, at the southern terminus of Weber Road (6.94 acres).

**Existing Zoning**

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

**Proposed Zoning**

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

**DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN**

T3 Suburban Community Center (T3 CC) is intended to enhance and create suburban community centers that serve suburban communities generally within a 10 to 20-minute drive. They are pedestrian friendly areas, generally located at prominent intersections that contain mixed use, commercial and institutional land uses, with transitional residential land uses in mixed use buildings or serving as a transition to adjoining Community Character Policies. T3 CC areas are served by highly connected street networks, sidewalks and existing or planned mass transit leading to surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

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



## Metro Planning Commission Meeting of 11/18/21

### ANALYSIS

The proposal is for property located at 304 Old Lebanon Dirt Road, at the southern terminus of Weber Road and just east of Old Hickory Boulevard. The surrounding land use is commercial, residential, and vacant. The goal of the T3CC policy is to create mixed use suburban neighborhoods specifically related to corridors. This property is bordered by commercial and mixed-use zoning to the north and Old Hickory Boulevard to the west. CS zoning is in the general area and the proposed CS is consistent with the surrounding zoning pattern and permits uses consistent with surrounding land uses that are appropriate along major corridors.

Staff is recommending approval of a rule suspension for the public hearing notice requirements. The suspension of the rule is to allow the notice to be sent out ten days prior to this meeting instead of 13 days. Public hearing signs were placed as required.

### 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.

### TRAFFIC AND PARKING RECOMMENDATION

N/A

#### Maximum Uses in Existing Zoning District: MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	3.48	1.0 F	152 U	827	51	66

#### Maximum Uses in Existing Zoning District: MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.74	1.0 F	75,794 SF	2,861	71	289

#### Maximum Uses in Existing Zoning District: MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	1.74	1.0 F	75,794 SF	8,503	753	740

#### Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	6.94	0.6 F	181,384 SF	6,847	171	691





## Metro Planning Commission Meeting of 11/18/21

Traffic changes between maximum: MUL-A and CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-5,344	-704	-404

### METRO SCHOOL BOARD REPORT

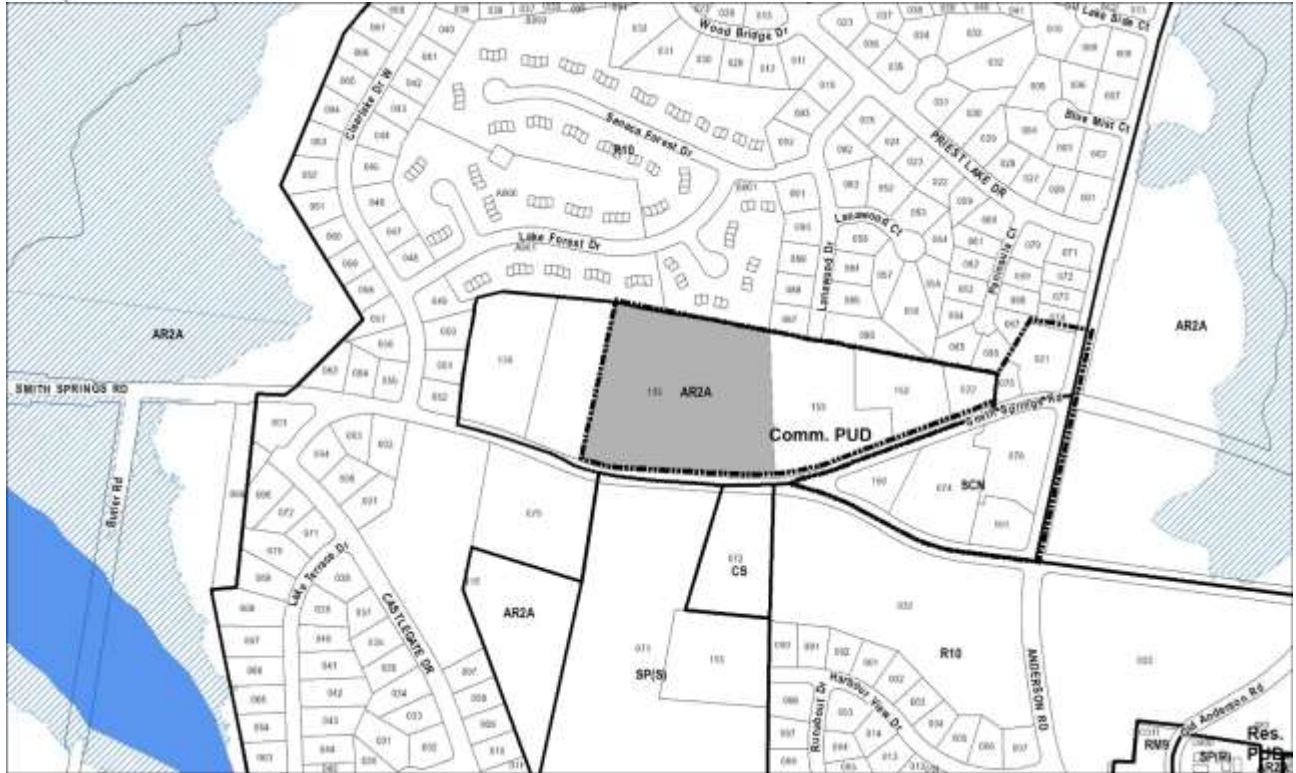
The proposed CS zoning district is not expected to generate any students.

### STAFF RECOMMENDATION

Staff recommends approval.



## Metro Planning Commission Meeting of 11/18/21



**89P-031-002**

**SMITH SPRINGS COMMERCIAL PUD (CANCELLATION)**

Map 136, Part of Parcel(s) 135

13, Antioch – Priest Lake

29 (Delishia Porterfield)



## Metro Planning Commission Meeting of 11/18/21

**Item #32**  
**Project Name**

**Planned Unit Development 89P-031-002**  
**Smith Springs Commercial PUD**  
**(Cancellation)**

**Council District**  
**School District**  
**Requested by**

29 - Porterfield  
07 - Player-Peters  
Eponymous LLC, applicant and owner.

**Staff Reviewer**  
**Staff Recommendation**

Swaggart  
*Disapprove.*

### **APPLICANT REQUEST** **Cancel PUD.**

#### PUD Cancellation

A request to cancel a portion of a Planned Unit Development Overlay District for a portion of property located at 2804 Smith Springs Road, approximately 360 feet east of Clearlake Drive West, zoned Agricultural and Residential (AR2a) (6.4 acres).

#### **Existing Zoning**

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

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

#### **ANTIOCH – PRIEST LAKE COMMUNITY PLAN**

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



## **Metro Planning Commission Meeting of 11/18/21**

### **ANALYSIS**

The PUD was approved in 1989 for various commercial uses. The underlying AR2a zoning district is not consistent with the T3 NC land use policy so staff recommends disapproval. AR2a permits a variety of uses not consistent with the policy including but not limited to large single family and two family residential lots, mobile home parks, construction/demolition landfill, and recycling collection centers.

### **FIRE MARSHAL RECOMMENDATION**

N/A

### **NASHVILLE DOT RECOMMENDATION**

Approve

### **TRAFFIC & PARKING RECOMMENDATION**

Approve

### **STAFF RECOMMENDATION**

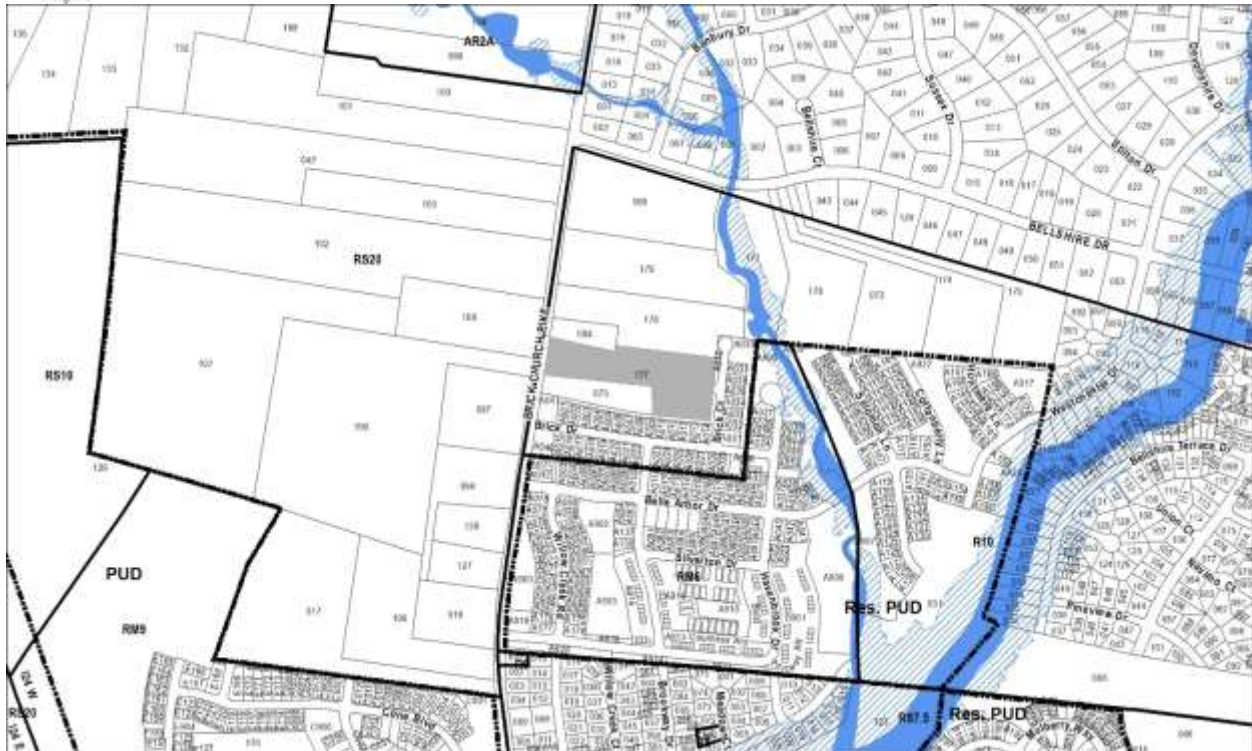
Staff recommends disapproval.



**SEE NEXT PAGE**



## Metro Planning Commission Meeting of 11/18/21



**2021S-210-001**

**0 BRICK CHURCH PIKE SUBDIVISION**

Map 041, Parcel 127

02, Parkwood - Union Hill (2007)

03 (Jennifer Gamble)



## Metro Planning Commission Meeting of 11/18/21

**Item #33**

**Project Name**

**Council District**

**School District**

**Requested by**

**Concept Plan 2021S-210-001**

**0 Brick Church Pike Subdivision**

03 - Gamble

1 - Gentry

Dale and Associates, applicant; Fesmire Investments, owner.

**Staff Reviewer**

**Staff Recommendation**

Elliott

*Approve with conditions.*

**APPLICANT REQUEST**

**Concept plan approval to create 19 single-family cluster lots.**

Concept Plan

A request for concept plan approval to create 19 single-family cluster lots on property located at Brick Church Pike (unnumbered), approximately 230 feet north of Brick Drive, zoned One and Two-Family Residential (R10) (6.41 acres).

**SITE DATA AND CONTEXT**

**Location:** The site is located on the east side of Brick Church Pike, adjacent to the Belle Arbor subdivision.

**Street Type:** The site has frontage onto Brick Church Pike, classified as an Arterial Boulevard in the Major and Collector Street Plan and also onto Brick Court, a local residential street.

**Approximate Acreage:** 6.41 acres or 279,219 square feet.

**Parcel/Site History:** This site is comprised of the entire parcel: 04100012700. The parcel has existed since at least 1984 and was established by deed.

**Zoning History:** The parcel has been zoned R10 since at least 1974.

**Existing land use and configuration:** The land is currently vacant with no curb cuts or access from public streets being available.

**Surrounding land use and zoning:**

North: Vacant, One and Two-Family Residential (R10)

West: Single-family residential (RS20)

South, East: One and Two-Family Residential (R10, clustered down to R6)

**Zoning:**

Single-Family Residential (R10)

Min. lot size: 10,000 square feet

Max. height: 3 stories

Min. street setback: 20 feet

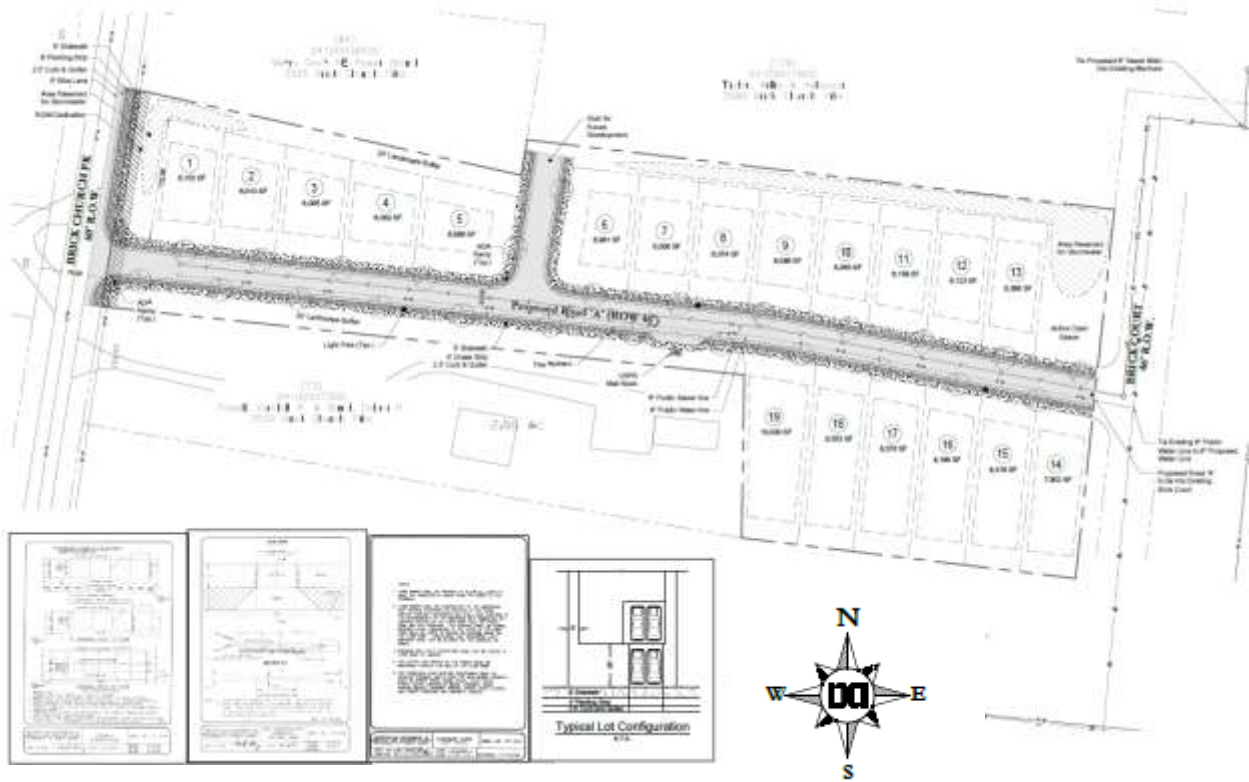
Min. rear setback for all properties: 20'

Min. side setback for all properties: 5'

Maximum Building Coverage: 0.40



# Metro Planning Commission Meeting of 10/28/21



**Proposed Concept Plan**





## Metro Planning Commission Meeting of 10/28/21

### PROPOSAL DETAILS

This proposal is for subdivision development under existing zoning entitlements. No rezoning is proposed with this application. This proposal utilizes the by-right Cluster Lot Option standards of Section 17.12.090 of the Metro Zoning Code (see analysis below).

**Number of lots:** 19 single-family lots.

**Lot sizes:** Lots from 6,002 to 10,000 square feet.

**Access:** The site draws access from Brick Church Pike and connects to the Brick Court stub at the eastern end of the site. The plan also proposes a stub street to the parcel to the north for future connectivity opportunities.

**Open space:** Approximately 2.26 acres of the site, or 98,451 square feet (approximately 30% of the total site area) of the site is proposed as open space. The open space area includes an active open space area, landscape buffer areas, and stormwater facilities.

**Subdivision Variances or Exceptions Requested:** None

### APPLICABLE ZONING REGULATIONS FOR THE CLUSTER LOT OPTION

The proposal utilizes the by-right Cluster Lot Option provisions of Section 17.12.090 of the Metro Zoning Code.

#### **Plan Requirements (Section 17.12.090.A)**

The concept plan establishes that clustering is proposed and displays the layout of all lots and common areas. This cluster lot proposal includes only single-family lots. The concept plan delineates the alternative lot size to be employed and describes the land area required to satisfy open space requirements.

#### **Minimum Area Required to be Eligible (Section 17.12.090.B)**

The minimum area within the cluster lot subdivision shall be no less than ten times the minimum lot area for the base zoning district. The site is zoned R10 which has a minimum lot area of 10,000 square feet. The minimum area within a cluster lot subdivision in the R10 district is 100,000 square feet (10 x 100,000 sf). The site contains approximately 279,219 square feet and exceeds the minimum area requirement to be eligible to utilize the cluster lot option.

#### **Maximum Lot Yield (Section 17.12.090.E)**

The Cluster Lot Option includes specific standards for calculation of maximum lot yield within a cluster lot subdivision that ensure that the maximum number of lots does not exceed what is permitted by the existing base zoning. The Zoning Code specifies that the lot yield shall be based on the gross acreage of the site, minus 15 percent of area which is reserved for streets, and then division of the remaining 85 percent of the gross area by the minimum lot size of the base zoning district.

The gross area within the R10 zoning district is approximately 6.41 acres or 279,219 square feet. The minimum lot size of the existing zoning district, R10, is 10,000 square feet.



## Metro Planning Commission Meeting of 10/28/21

$279,219 \text{ sq. ft.} \times 0.15 = 41,882 \text{ square feet}$  (15% of the zoning district area reserved for streets)  
 $279,219 \text{ sq. ft.} - 41,882 \text{ sq. ft.} = 237,337$  (85% of the gross area remaining to yield lots)  
 $237,337 \text{ sq. ft.} / 10,000 \text{ sq. ft.} = 23 \text{ lots}$

The concept plan proposes 19 lots, which is less than the maximum number of lots that could be permitted based on the lot yield calculation established in the Zoning Code and the existing R10 base zoning.

### **Open Space Requirements (Section 17.12.090.D)**

A minimum of 15 percent of the gross land area of each phase is required to be provided as open space in a cluster lot subdivision. The proposed concept plan is proposed as a single phase. The required open space is  $0.15 \times 6.41 \text{ acres} = 0.96 \text{ acres}$  and the application proposes 2.26 acres of open space.

### **Alternative Lot Sizes (Section 17.12.090.C)**

Lot within a cluster lot subdivision may be reduced in area the equivalent of two smaller base zone districts. The subject site is zoned R10 and a reduction of two base zone districts would be down to the R6 district. The minimum lot size in the R6 district is 6,000 square feet and the smallest lot proposed is 6,002 square feet.

The bulk standards of the zoning district which most closely resembles the alternative lot sizes chosen for any given phase of the development shall be employed for that phase of the subdivision. Based on the proposed lot sizes, the bulk standards of R6 will apply. Those standards are:

R6  
Min. street setback for local streets: 20'  
Min. street setback for all other streets: 40'  
Min. rear setback for all properties: 20'  
Min. side setback for all properties: 5'  
Maximum Building Coverage: 0.50

The proposed lots do not abut conventional subdivisions of RS or R zoned property; however, the application does provide for Landscape Buffer Yards along the rear of units 1-5 and along parcel 04100007300. The adjacent subdivision to the south and to the east is a Cluster Lot subdivision with similar or smaller lot sizes than the proposed lot sizes on the subject site.

### **Hillside and Floodplain Areas (Section 17.12.090.F)**

This site does not contain steeply sloped areas or any area of floodplain.

### **Recreational Facilities (Section 17.12.090.G)**

This section establishes the requirements for recreational facilities in subdivisions utilizing the cluster lot option. Per Subsection 17.12.90.G.3.a, residential developments containing more than 25 units are required to install recreation facilities. This concept plan proposes 19 units and is not



## Metro Planning Commission Meeting of 10/28/21

required to provide a recreation facility. The plan does include an active open space near Brick Court.

### **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 T3 NE policy. For sites within the T3 transect, the conventional regulations found in Chapter 3 are utilized.

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

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

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

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**

The application does not include any critical lots and the site does not include any land that the Planning Commission considers unsuitable for subdivision or development.

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

All proposed lots comply with the minimum lot size of the zoning code pursuant to the Cluster Lot Option in Section 17.12.090. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of R6, zoning at the time of building permit.

#### **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.



## Metro Planning Commission Meeting of 10/28/21

The proposed subdivision is within Neighborhood Evolving policy so the compatibility requirements do not apply. Otherwise, all lots meet the minimum standards of the zoning code, all lots have frontage onto a public street, and all lots meet the minimum frontage requirement for T3 NE policy areas.

### **3-6 Blocks**

Section 3-6.2 limits block lengths in residential areas to no more than 1,200 feet and no less than 200 feet, or four lot widths, whichever is greater. As proposed, all newly proposed blocks comply with this standard.

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

Public street requirements are reviewed by Metro Public Works. Public Works has reviewed the concept plan and found it to be in compliance with the standards of this section subject to several conditions. Those conditions are listed in the recommendations from all agencies section below.

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

The application provides for the standard local street right-of-way for the newly proposed public street. The local street standard grass strip and sidewalk are provided for this newly proposed street.

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

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

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

Public Works reviews street names and signage requirements for public roads and has recommended approval of this concept plan. See comments in the recommendations from all agencies section below.

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

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

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

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



## Metro Planning Commission Meeting of 10/28/21

### 3-15 Public Water Facilities

Public Water is provided to this site by Metro Water. Water has reviewed this plan and has recommended approval with conditions. These conditions are listed in the recommendations from all agencies section below.

### 3-16 Sewerage Facilities

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

### 3-17 Underground Utilities

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

### PLANNING STAFF COMMENTS

The proposed subdivision meets the standards of the Metro Subdivision Regulations and the standards of the Metro Zoning Code for the by-right Cluster Lot Option as described above. Staff recommends approval with conditions.

### COMMENTS FROM OTHER REVIEWING AGENCIES

### STORMWATER RECOMMENDATION

#### Approve with conditions

- Add Preliminary Note to plans:  
Drawing is for illustration purposes to indicate the basic premise of the development, as it pertains to Stormwater approval / comments only. The final lot count and details of the plan shall be governed by the appropriate stormwater regulations at the time of final application.

### 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.

### NASHVILLE DOT RECOMMENDATION

#### Approve with conditions

- Final construction plans and road grades shall comply with the design regulations established by the Department of Nashville Department of Transportation / Public Works. Slopes along roadways shall not exceed 3:1.
- Location for postal service in compliance with USPS Policy.  
Vehicles should be out of roadway when accessing kiosks and mailbox clusters.  
USPS POC: SANDY.L.ALSMAN@USPS.gov  
Caryville, TN Office: (423) 562-3243



## Metro Planning Commission Meeting of 10/28/21

USPS Links below:

'<https://about.usps.com/what-we-are-doing/current-initiatives/delivery-growth-management/residential-delivery.htm>'

'<https://about.usps.com/what-we-are-doing/current-initiatives/delivery-growth-management/operations-developers-and-builders-guide.pdf> '

- Comment – Plan identifies a driveway ramp / note at the Brick Church pike intersection. Proposed Road “A” – public street. Remove the driveway ramp note / not required.

### **TRAFFIC AND PARKING RECOMMENDATION**

**Ignore**

### **WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Concept Plan 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 Water and Sanitary Sewer related fees or assessments, including capacity must be confirmed paid before issuance of building permits.

### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

### **CONDITIONS**

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

### **RECOMMENDED ACTION**

Motion to approve proposed subdivision Case No. 2021S-210-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances, and resolutions, as noted in the staff report, subject to all of the staff recommended conditions.



**SEE NEXT PAGE**



## Metro Planning Commission Meeting of 10/28/21



**2021S-219-001**  
**SHERWOOD HOMES AT PARK PRESERVE**  
Map 060, Parcel(s) 070, 079  
03, Bordeaux – Whites Creek – Haynes Trinity  
01 (Kyonzté Toombs)





## Metro Planning Commission Meeting of 10/28/21

<b>Item #34</b>	<b>Final Plat 2021S-219-001</b>
<b>Project Name</b>	<b>Sherwood Homes at Park Preserve</b>
<b>Council District</b>	01 – Toombs
<b>School District</b>	01 – Gentry
<b>Requested by</b>	Ragan Smith, applicant, Habitat for Humanity of Greater Nashville and Metro Government, owners.
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Approve with conditions.</i>

### APPLICANT REQUEST

**Concept plan to permit 26 single-family cluster lots.**

#### Concept Plan

A request for concept plan approval to create 26 single-family cluster lots on properties located at Brick Church Pike (unnumbered), at the current terminus of Sophie Springs Court, zoned Single-Family Residential (RS7.5) (11.82 acres).

### SITE DATA AND CONTEXT

**Location:** The two parcels that make up the site are located on the east side of Park Preserve Subdivision.

**Street Type:** The street that provides access to the site is a local street. All proposed streets will be local.

**Approximate Acreage:** 11.82 acres or 514,879 sq. ft.

**Parcel/Site History:** This site is comprised of two parcel that are not platted lots.

**Zoning History:** The site is zoned Single-Family Residential (RS7.5). The site has been zoned RS7.5 since 1997.

**Existing land use:** The two parcels are identified as vacant residential land.

#### **Surrounding land use and zoning:**

- **North:** Single-Family Residential (RS7.5)
- **South:** Single-Family Residential (RS7.5)
- **East:** Industrial Warehousing/Distribution (IWD)
- **West:** Multi-Family Residential (RM9)/Planned Unit Development



# Metro Planning Commission Meeting of 10/28/21



Proposed Concept Plan



## Metro Planning Commission Meeting of 10/28/21

### **Zoning: Single-Family Residential (RS7.5)**

- Min. lot size: 7,500 sq. ft.
- Min. lot coverage: 0.45
- Max. height: 3 stories
- Min. street setback: 20’.
- Min. rear setback for all properties: 20’
- Min. side setback for all properties: 5’

### **PROPOSAL DETAILS**

This proposal is for a subdivision development under existing zoning entitlements. No rezoning is proposed with this application. This proposal utilizes the by-right Cluster Lot Option standards of Section 17.12.090 of the Metro Zoning Code.

**Number of lots:** 26 single family.

**Lot sizes:** Lots range in size between 5,000 sq. ft. to 8,083 sq. ft.

**Access:** Access into the development is proposed from the extension of a public street from the west. All lots will be accessed by new public streets.

**Subdivision Variances or Exceptions Requested:** None

### **CLUSTER LOT OPTION**

#### **Plan Requirements (Section 17.12.090.A)**

The concept plan establishes that clustering is proposed and displays the layout of all lots and common areas. This cluster lot proposal includes only single-family lots. The concept plan delineates the alternative lot sizes to be employed and describes the land areas required to satisfy open space requirements.

#### **Minimum Area Required to be Eligible (Section 17.12.090.B)**

The minimum area within the cluster lot subdivision shall be no less than ten times the minimum lot area for the base zoning district. The site is zoned RS7.5, which has a minimum lot area of 7,500 sq. ft. The minimum area within a cluster lot subdivision in the RS7.5 district is 75,000 sq. ft.

$$7,500 \text{ sq. ft.} \times 10 = 75,000 \text{ sq. ft.}$$

The site contains approximately 514,879 sq. ft. and exceeds the minimum area requirement to be eligible to utilize the cluster lot option.

#### **Maximum Lot Yield (Section 17.12.090.E)**

The Cluster Lot Option includes specific standards for calculation of maximum lot yield within a cluster lot subdivision that ensure that the maximum number of lots does not exceed what is permitted by the existing base zoning. The Zoning Code specifies that the lot yield shall be based on the gross acreage of the site, minus 15 percent of area which is reserved for streets, and then



## Metro Planning Commission Meeting of 10/28/21

division of the remaining 85 percent of the gross area by the minimum lot size of the base zoning district.

The gross area of this site is approximately 11.82 acres or 514,879 sq. ft. The minimum lot size of the existing zoning district, RS7.5, is 75,00 sq. ft.

$514,879 \text{ sq. ft.} \times 0.15 = 77,231 \text{ sq. ft.}$  (15% of the gross site area reserved for streets)  
 $514,879 \text{ sq. ft.} - 77,231 \text{ sq. ft.} = 437,648 \text{ sq. ft.}$  (85% of the gross area remaining to yield lots)

$437,648 \text{ sq. ft.} / 7,500 \text{ sq. ft.} = 58 \text{ lots}$

This plan includes 26 single-family lots and is well below the maximum 58 lot permitted by this section.

### **Open Space Requirements (Section 17.12.090.D)**

A minimum of 15 percent of the gross land area of each phase is required to be provided as open space in a cluster lot subdivision. Given the land area of the site a minimum 1.7 acres of open space is required.

$11.82 \text{ acres} \times 0.15 = 1.77 \text{ acres}$

The proposed concept plan includes one phase that includes approximately eight acres or 67% of the total land area as open space. This includes areas for stormwater, landscape buffer yards, stream buffers, as well as 4.5 acres reserved for Metro Parks. The proposed open space exceeds the minimum requirement.

### **Alternative Lot Sizes (Section 17.12.090.C)**

Lots within a cluster lot subdivision may be reduced in area the equivalent of two smaller base zone districts (depending on location). The subject site is zoned RS7.5. A reduction of two base zone districts would be down to the RS3.5 zone district. The RS3.5 zone district requires a minimum lot size of 3,500 sq. ft. The proposed subdivision has clustered down one zone district (RS5) and all lots are 5,000 sq. ft. or larger.

The bulk standards of the zoning district which most closely resembles the alternative lot sizes chosen for any given phase of the development shall be employed for that phase of the subdivision. As proposed, both phases meet this requirement.

Perimeter lots oriented to an existing street are required to be at least ninety percent of the minimum lot size of the actual zoning of the property. No perimeter lots oriented to an existing street are proposed.

Minimum lot size for perimeter lots not oriented to an existing street depend on the abutting residential zoning district. Lots may be reduced in size the equivalent of one zoning district (RS7.5 to RS5) with the installation of a standard B landscape buffer yard located within common open space or reduced the equivalent of two zoning districts (RS7.5 to RS3.75) with the



## **Metro Planning Commission Meeting of 10/28/21**

installation of a standard C landscape buffer yard located within common open space. Due to the similar lot size of the adjacent Park Preserve Subdivision a landscape buffer yard is not required; however, a standard B landscape buffer yard is provided as the proposed lots are reduced one zone district.

### **Landscape Buffer Yard Requirements (Article IV)**

When incompatible zoning districts abut, the Zoning Code requires landscape buffer yards between the incompatible districts. The zoning district abutting the eastern property line is industrial (IWD). Section 17.24.230 of the Zoning Code dictates the type of buffer yard required. It requires a D landscape buffer yard between the RS7.5 zoning district that applies to the proposed subdivision and the adjacent IWD zoning district. As proposed, the plan meets this requirement.

### **Hillside Development Standards (Section 17.28.030)**

In general lots created under the cluster lot option shall be clustered on those portions of the site that have natural slopes of less than 20% grade. Areas with natural slopes that are 25% or greater shall be placed outside of building envelopes and preserved to the greatest extent possible. The Planning Commission may authorize lots with natural slopes 25% or greater subject to the concept plan demonstrating that the lots can meet the critical lot standards. These standards generally require building envelopes to be outside of the areas with 25% or steeper slopes. With the exception of a small area along the eastern property line there are no steep slopes as defined by the Code on the site.

### **Floodplain Development Standards (Section 17.28.40)**

The site contains no floodplain.

### **Recreational Facilities (Section 17.12.090.G)**

This section establishes the requirements for recreational facilities in subdivisions utilizing the cluster lot option. The concept plan proposes 26 lots, and one recreational facility is required. The plan provides a recreational facility consistent with the Code. It is also important to note that Metro Parks has accepted a portion of the land for future use. This subdivision will have direct access to any future park and/or greenway.

### **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



## Metro Planning Commission Meeting of 10/28/21

site is within a T3 Suburban Neighborhood Evolving (T3 NE) and Conservation (CO) policy areas. For sites within the T3 Suburban transect land use policies including T3 NE, the conventional regulations found in Chapter 3 are utilized. The CO policy recognizes a stream that bisects a portion of the property.

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

Staff finds that all standards are met.

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

Monuments will be placed on property corners or referenced to property lines consistent with the requirements of the subdivision regulations.

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

Land which the Planning Commission finds to be unsuitable for development due to flooding, steep slopes, rock formations, problem soils, sink holes, other adverse earth formations or topography, utility easements, or other features which may be harmful to the safety, health and general welfare of inhabitants of the land and surrounding areas shall not be subdivided or developed unless adequate methods to solve the problems created by the unsuitable land conditions are formulated.

A small stream bisects the site from north to south. The stream is to be protected in accordance with Stormwater Regulations. Stream buffers are shown on the plan and the limit of disturbance is outside of the stream buffers. There are no other features on the site that staff finds unsuitable for development and staff finds that all standards are met.

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

All proposed lots comply with the minimum lot size of the Zoning Code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of RS7.5 zoning at the time of building permit.

All lots are in compliance with this section.

### **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.

Not applicable. No lots are proposed on an existing street.

### **3-6 Blocks**

All proposed block lengths meet the distance requirements as established in the subdivision regulations.



## Metro Planning Commission Meeting of 10/28/21

### **3-7 Improvements**

Construction plans for any required public or private improvements (stormwater facilities, water and sewer, public roads, etc.) will be reviewed with the final site plan.

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

Sidewalks are required in association with new streets. The proposed subdivision includes new public streets. The proposed concept plan indicates sidewalks will be provided consistent with the local street standard. Sidewalks will be required at the time of building permit pursuant to Section 17.20.120 of the Zoning Code. Sidewalks construction is not required along Brick Church Lane through either the Subdivision Regulations or the Zoning Code.

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

All streets as shown on the concept plan meet the minimum requirements for a local public street.

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

Staff finds that all standards are met.

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

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

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

Public Works will require the review and approval of streets with the submittal of the final site plan. Street names for new streets will be reserved at that time.

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

Not applicable to this case. The concept plan does not propose any new private streets.

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

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

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

Metro Water Services has reviewed this proposed concept plan for water and has recommended approval with conditions.

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

Metro Water Services has reviewed this proposed concept plan for sewer and has recommended approval with conditions.



## Metro Planning Commission Meeting of 10/28/21

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

Utilities are required to be located underground whenever a new street is proposed. The concept plan notes all new utilities will be placed underground as required.

### **PLANNING STAFF COMMENTS**

The proposed subdivision meets the standards of the subdivision regulations and zoning code, including the Cluster lot provisions. Future development will be required to meet the standards of the Metro Zoning Code in regard to setbacks, etc. Staff recommends approval with conditions as the proposed subdivision meets the requirements of the Zoning Code and Subdivision Regulations.

### **COMMENTS FROM OTHER REVIEWING AGENCIES**

#### **FIRE MARSHAL RECOMMENDATION**

**Approve**

#### **STORMWATER RECOMMENDATION**

**Approve**

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

#### **NASHVILLE DEPARTMENT OF TRANSPORTATION**

**Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the NDOT, 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.

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

**Approve**

#### **WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Concept Plan 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 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% of W&S Capacity must be paid before issuance of building permits.

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.





## **Metro Planning Commission Meeting of 10/28/21**

### **CONDITIONS**

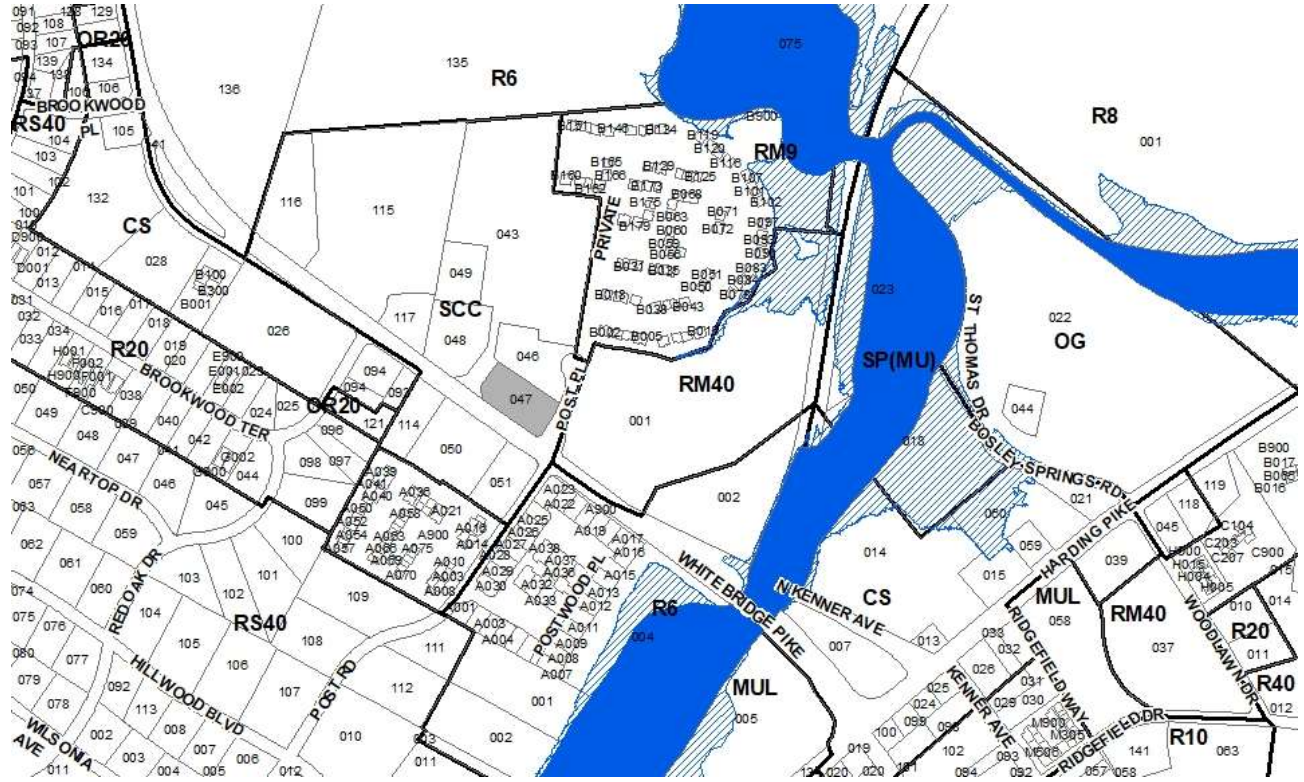
1. Comply with all conditions and requirements of Metro agencies.

### **RECOMMENDED ACTION**

Motion to approve proposed subdivision Case No. 2021S-219-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, including the Cluster Lot provisions, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.



# Metro Planning Commission Meeting of 10/28/21



## 78-74P-004

LIONS HEAD PUD (RAISING CANE'S)

Map 103-15, Parcel(s) 047

07, West Nashville

24 (Kathleen Murphy)



## Metro Planning Commission Meeting of 10/28/21

**Item #35**

**Planned Unit Development 78-74P-004**

**Project Name**

**Lions Head PUD (Raising Cane's)**

**Council District**

24 - Kathleen Murphy

**School District**

09 - Tylor

**Requested by**

Kimley-Horn, applicant; Lagasse Commercial Investments, LLC, owner.

**Staff Reviewer**

Elliott

**Staff Recommendation**

*Approve with conditions.*

### **APPLICANT REQUEST**

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

#### Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final site plan approval for a portion of the Lions Head Planned Unit Development Overlay District for property located at 36 White Bridge Pike, at the northwest corner of Post Place and White Bridge Pike (1.21 acres), zoned Shopping Center Community (SCC), to permit a 3,460 square foot fast food restaurant with a drive-thru.

#### **Existing Zoning**

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

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

### **REQUEST DETAILS**

This is a request to revise the preliminary PUD and for final site plan approval for a portion of the Lions Gate Village PUD. The subject portion of the PUD is currently approved for a commercial building with surface parking and this application is proposing to revise a portion of the site plan to permit a restaurant with a drive through.



# Metro Planning Commission Meeting of 10/28/21



**Proposed Site Plan**



## Metro Planning Commission Meeting of 10/28/21

### PLAN DETAILS

The proposed revision is to permit a single-story 3,400 square foot restaurant with two drive through lanes. The site is accessed from Post Place and an internal driveway. The plan proposes to improve White Bridge Pike consistent with the Major and Collector Street Plan and Post Place consistent with the local street standard. The site plan includes surface parking and is providing the required landscaping per the Metro Zoning code. The plan includes outdoor seating for the restaurant internal to the site. The site is lower than White Bridge Pike so a retaining wall is being provided along White Bridge Pike. The application includes example details for this retaining wall and a fence/hand rail is included parallel to this retaining wall and the proposed sidewalk along White Bridge Pike.

### ANALYSIS

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

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

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
  - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
  - b. The boundary of the planned unit development overlay district is not expanded;
  - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
  - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
  - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
  - f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
  - g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
  - h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;



## Metro Planning Commission Meeting of 10/28/21

- i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
- m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

The proposed plan does not meet any of the criteria above for requiring concurrence by the metropolitan council. The application proposes to modify a portion of the site plan to accommodate a restaurant with two drive-through lanes.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve**

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

### **STORMWATER RECOMMENDATION**

#### **Approve with conditions**

- Current site layout is approvable by stormwater; Any revisions will require additional review.
- Must comply with all Stormwater regulations to be handled through the SWGR permitting process.



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### **WATER SERVICES RECOMMENDATION**

#### **Approve with conditions**

- MWS recommends approval, on the following conditions: Approval does not apply to private water and sewer line design. Plans for these must be submitted and approved through a separate review process with Metro Water Permits before their construction may begin. Any W&S Capacity must be paid before issuance of building permits.

### **NASHVILLE DOT RECOMMENDATION**

#### **Approve with conditions**

- All work within the state ROW requires a permit from TDOT.
- 1' min level landing required between edge of sidewalk and top of retaining wall. Handrail may be required to protect from fall.
- Submit a copy of the recorded ROW dedication prior to bldg permit sign off.

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **Approve**

### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

### **CONDITIONS**

1. Cast-in-place concrete is a prohibited material for the retaining wall along White Bridge Pike.
2. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
5. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to or with the final plat application or, when no final plat application is required, prior to the issuance of any permit for this property.
6. Prior to the issuance of any permits, confirmation of the final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
7. Prior to the issuance of any permits, confirmation of the final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
8. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of



## **Metro Planning Commission Meeting of 10/28/21**

permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.