



METROPOLITAN PLANNING COMMISSION MINUTES

**November 18, 2021
4:00 pm Regular Meeting**

2601 Bransford Avenue
Metro School Administration Building, School Board Meeting Room

MISSION STATEMENT

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

Commissioners Present:

Greg Adkins, Chair
Jessica Farr, Vice Chair
Lillian Blackshear
Jeff Haynes
Edward Henley
Dr. Pearl Sims
Mina Johnson
Councilmember Brett Withers

Staff Present:

Lucy Kempf, Executive Director
Bob Leeman, Deputy Director
George Rooker, Assistant Director
Lisa Milligan, Planning Manager II
Greg Claxton, Planning Manager I
Dustin Shane, Planner II
Amelia Lewis, Planner II
Alex Dickerson, Legal

Commissions Absent:

Brian Tibbs
Jim Lawson

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Notice to Public

Please remember to turn off your cell phones.

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

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

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

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Writing to the Commission

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

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

E-mail: planning.commissioners@nashville.gov

Speaking to the Commission

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

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

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

Meetings are conducted in accordance with the Commission's [Rules and Procedures](#).

Legal Notice

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



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MEETING AGENDA

A: CALL TO ORDER

The meeting was called to order at 4:04 p.m.

B: ADOPTION OF AGENDA

Mr. Withers moved and Ms. Johnson seconded the motion to adopt the agenda. (6-0)

C: APPROVAL OF OCTOBER 28, 2021 MINUTES

Ms. Johnson moved and Ms. Blackshear seconded the motion to approve the minutes. (6-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Hagar stated he believed Items 24a, 24b and 24c were on Consent but will wait to see if they go through. He advised that Councilmember Glover will be handling Item 31, as he has a conflict of interest.

Councilmember Cash said Items 20a and 20b were in Councilmember Sledge's district, but it was right across the street from his, and then spoke in favor of Items 20a and 20b.

Councilmember O'Connell spoke in favor of Item 17. He also spoke in favor Item 18, even though it is not in his district.

Councilmember Sledge spoke in favor of Items 21 and 22 and then spoke in favor of Items 20a and 20b.

Councilmember VanReece spoke in favor of Item 27.

Mr. Henley joined the meeting.

Vice Chair Farr joined the meeting.

E: ITEMS FOR DEFERRAL / WITHDRAWAL 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 25, 28, 32, 33, 36

Ms. Johnson moved and Mr. Haynes seconded the motion to approve the Deferred and Withdrawn Items. (6-0)

F: CONSENT AGENDA ITEMS 40

Mr. Withers moved and Ms. Johnson seconded the motion to approve the Consent Agenda. (8-0)

Ms. Blackshear recused herself from Item 34.

Councilmember Porterfield thanked the Commission for passing Item 15, which was on the Consent Agenda, and wanted to confirm that Item 32 was still deferred to the December 9, 2021 meeting.

Ms. Kempf joined the meeting.

G: REDISTRICTING BRIEFING AND PUBLIC COMMENT

(No vote will be taken at this meeting)

Mr. Claxton presented the briefing on the redistricting process.

Chairman Adkins thanked Mr. Claxton and the team for their hard work on this project. He said Attorney Dickerson advised that the Commission cannot deliberate but can ask questions of the staff and team, and the Commission will deliberate and vote at the December meeting.

Michael Maples, 4010 Brick Church Pike, expressed concerns with the west side of District 3/east side of District 1 and the line drawn right down Whites Creek Pike. He spoke of the differences of densities on either side of the line.

Ingrid Campbell, no address given, stated she is within District 5 and is the President of McFerrin Park Neighborhood Association. She said that Plan A split their community, but Plan B got the community back together again. She stated her community wants to continue

to be involved in the River North and East Bank projects as they are the neighboring communities directly affected by those projects and wants it back in Districts 5 and 6.

David Rutledge, 508 North 2nd Street, said that all the neighborhoods south of Briley are going to be immensely affected by the developments at River North and the East Bank and they deserve to have as loud of voice as possible over the way that development unfolds.

Ethan Link, 4912 Ruskin Avenue, asked why the two neighborhoods in District 5, Greenwood and Maxwell Heights, are still split in Proposal B. He stated they are two very different communities that have vastly different needs, particularly with infrastructure. He felt an easy correction was to restore the Greenwood and Maxwell Heights communities to District 5.

Michael Rivas, 327 Grace Street, said he felt very strongly about the projects that are being developed along Dickerson and over on that side.

Councilmember Cash thanked Mr. Claxton for being thorough, responsive, and fair and is thankful to the Planning Commission for this process.

Councilmember Parker thanked Mr. Claxton and the team for their responsiveness. He stated his concerns are of the neighborhoods being split up; Greenwood and Maxwell are very small neighborhoods that have very tight relationships. He also said, as a practical matter, having two councilmembers having to schedule to attend their monthly meetings is a lot of demand. He believed that the River North and East Bank projects should be included in East Nashville districts.

Councilmember Porterfield stated there were a lot of broken hearts over a community being carved out of their district in Proposal A; but with working with Mr. Claxton and the community, they were able to get their community back into the district. Ms. Porterfield said she wanted to publicly thank Mr. Claxton for the great job working with the communities and Council members and looks forward to continuing to engage her community around Proposal B.

Councilmember VanReece thanked Mr. Claxton for doing an amazing job. Currently District 8 is in three different districts. She said it's important to understand that a lot of the growth in District 8 have not yet been realized. Commercial corridors that are about to become residential corridors need to be taken in to account and transit corridors need to be part of the discussion. She said in Proposal B, in District 7, it stopped at Woodruff Street at Madison Station Blvd, and asked for it to get it up to Old Hickory Blvd, because Madison Station Blvd needs to stay intact for representation.

Councilmember Hancock said she would like to join others in thanking Mr. Claxton. She stated that downtown Madison should stay together in District 9 so the very diverse community can have their voice for the businesses. She felt that the three blocks should not be extended but should be put in District 9, so it can be a cohesive unit.

Chairman Adkins closed the public hearing.

Vice Chair Farr said she needed to process the information and get into more details at the next meeting.

Ms. Kempf told the Commissioners that if they wanted to ask questions, that is great, but if they wanted to think and reach out over the next couple weeks, that is fine, too.

Chairman Adkins spoke about the timeline because of the School Board election and urged the Commissioners to reach out if they have questions and to take the deep dive over the next couple of weeks, as it is time to move on this.

Ms. Johnson thanked Mr. Claxton for his phenomenal job and liked the postings of Proposal A and B. She asked that council members and people in the community provide input on their neighborhoods, as it is helpful to understand their particular areas.

Mr. Withers recognized the entire staff for their hard work. He stated that redistricting is for community representation but not for Council members themselves and urged to think about long term representation of the communities.

Mr. Henley asked about the possible negative perception of the quick timeline on receiving Proposal C.

Mr. Haynes stated he had no questions at that time.

Dr. Sims thanked Mr. Claxton.

Ms. Blackshear stated she does not have any questions.

Tentative Consent Item: Items noted below as On Consent: Tentative will be read aloud at the beginning of the meeting by a member of the Planning Staff to determine if there is opposition present. If there is opposition present, the items will

be heard by the Planning Commission in the order in which they are listed on the agenda. If no opposition is present, the item will be placed on the consent agenda.

NOTICE TO THE PUBLIC: Items on the Consent Agenda will be voted on at a single time. No individual public hearing will be held, nor will the Commission debate these items unless a member of the audience or the Commission requests that the item be removed from the Consent Agenda.

H: ITEMS TO BE CONSIDERED

- 1a. 2007SP-037-002**
BELL ROAD/BLUE HOLE ROAD SP AMENDMENT
Council District 31 (John Rutherford)
Staff Reviewer: Logan Elliott

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

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2021S-161-001 indefinitely. (8-0)

- 1b. 95P-025-007**
MILLWOOD COMMONS PUD (CANCELLATION)
Council District 31 (John Rutherford)
Staff Reviewer: Logan Elliott

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

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 95P-025-007 indefinitely. (8-0)

- 2. 2015SP-013-004**
STEPHENS VALLEY (AMENDMENT)
Council District 35 (Dave Rosenberg)
Staff Reviewer: Amelia Lewis

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 SP (23.48 acres), to permit a mixed use development, requested by Smith Gee Studio, applicant; Natchez Associates L.P., owner.

Staff Recommendation: Defer to the December 9, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2015SP-013-004 to the December 9, 2021, Planning Commission meeting. (8-0)

3. 2018SP-009-003

SAGE RUN SP (AMENDMENT)

Council District 35 (Dave Rosenberg)

Staff Reviewer: Amelia Lewis

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

Staff Recommendation: Defer to the December 9, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2018SP-009-003 to the December 9, 2021, Planning Commission meeting. (8-0)

4. 2021SP-052-001

THE COTTAGES AT CITY HEIGHTS

Council District 21 (Brandon Taylor)

Staff Reviewer: Seth Harrison

A request to rezone from RS5 to SP zoning for properties located at 724, 726, 728 and 730 27th Avenue North, at the southeast corner of Booker Street and 27th Avenue North (0.83 acres), to permit 16 multi-family residential units, requested by Catalyst Design Group, applicant; E 3 Construction Services LLC, owner.

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2021SP-052-001 indefinitely. (8-0)

5. 2021SP-063-001

CHARLOTTE VIEW WEST

Council District 35 (Dave Rosenberg)

Staff Reviewer: Logan Elliott

A request to rezone from R40 to 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, requested by Dale & Associates, applicant; Robert B. Beck, ET UX, owner.

Staff Recommendation: Defer to the January 13, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2018SP-063-001 to the January 13, 2021, Planning Commission meeting. (8-0)

6. 2021SP-057-001

MARINA GROVE

Council District 33 (Antoinette Lee)

Staff Reviewer: Amelia Lewis

A request to rezone from RS10 to SP zoning for property located at Hobson Pike (unnumbered), approximately 460 feet northeast of Hamilton Church Road, (5.94 acres), to permit a mixed use development, requested by Civil Design Consultants, LLC, applicant; FAM Properties, LLC, owner.

Staff Recommendation: Defer to the December 9, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-057-001 to the December 9, 2021, Planning Commission meeting. (8-0)

7. **2021SP-068-001**
SOUTH STREET NORTH
Council District 19 (Freddie O'Connell)
Staff Reviewer: Seth Harrison

A request to rezone from R6-A to SP zoning for properties located at 1306 South Street (0.46 acres), to permit 6 multi-family residential units, requested by Dale and Associates and Elouise Curcio, applicants; Elouise R. Bird LLC, owner.

Staff Recommendation: Defer to the December 9, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-068-001 to the December 9, 2021, Planning Commission meeting. (8-0)

8. **2021SP-080-001**
COTHERN PROPERTY
Council District 31 (John Rutherford)
Staff Reviewer: Logan Elliott

A request to rezone from AR2a to 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 homes, requested by Anderson, Delk, Epps and Associates, applicant; Cameron Properties, owner.

Staff Recommendation: Defer to the December 9, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-080-001 to the December 9, 2021, Planning Commission meeting. (8-0)

9. **2021SP-082-001**
THE PRESERVE - LOT 2
Council District 15 (Jeff Syracuse)
Staff Reviewer: Dustin Shane

A request to rezone from IWD to SP 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, requested by Barge Cauthen and Associates, applicant; Corporate Investors Partnership V LLC, owner.

Staff Recommendation: Defer to the December 9, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-082-001 to the December 9, 2021, Planning Commission meeting. (8-0)

10. **2022SP-001-001 (formerly 2021Z-108PR-001)**
JOCELYN HOLLOW COURT SP
Council District 23 (Thom Druffel)
Staff Reviewer: Seth Harrison

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

The Metropolitan Planning Commission deferred 2022SP-001-001 to the December 9, 2021, Planning Commission meeting. (8-0)

11. **2021S-207-001**
DONEGAN SUBDIVISION
Council District 33 (Antoinette Lee)
Staff Reviewer: Seth Harrison

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 AR2a (3.22 acres), requested by Chapdelaine and Associates, applicant; Candace Donegan and James Brian Donegan, owners.

Staff Recommendation: Defer to the December 9, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021S-207-001 to the December 9, 2021, Planning Commission meeting. (8-0)

12. **2021Z-013TX-001**
BL2021-832/Burkley Allen
Staff Reviewer: Eric Hammer

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

Staff Recommendation: Defer to the January 13, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021Z-013TX-001 to the January 13, 2021, Planning Commission meeting. (8-0)

13. **2021S-195-001**
RESUBDIVISION OF LOT 1 OF RESUB 1 AND 2 HYDE PARK
Council District 02 (Kyonzté Toombs)
Staff Reviewer: Seth Harrison

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

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2021S-195-001 indefinitely. (8-0)

14. **2021CP-008-004**
NORTH NASHVILLE COMMUNITY PLAN AMENDMENT
Council District 21 (Brandon Taylor)
Staff Reviewer: Cory Clark

A request to amend the North Nashville Community Plan by changing from T4 Urban Neighborhood Maintenance Policy to T4 Urban Neighborhood Center Policy for properties located at 1919, 1924, 1928 and 2000 9th Avenue North and 900 Clay Street, at the intersection of Clay Street and 9th Avenue North, zoned CS and R6 and partially located within a Planned Unit Development Overlay District (1.44 acres), requested by Metro Nashville Planning Department, applicant; Shawn Fields, Opportunity Abounds LLC and Clay Street Commons LLC, owners.

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 9th

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 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 9th 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 9th Avenue North, vacant commercial land (0.56 acres)
- 1924 9th Avenue North, single-family home (0.19 acres)
- 1928 9th Avenue North, vacant former nightclub/lounge building (0.37 acres)
- 2000 9th 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 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 9th 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 9th 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. 9th Avenue North is classified as a collector avenue, and Clay Street is recognized as a local street. 9th 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 9th Avenue North. The rezoning also improves the 9th 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 9th 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.
- 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.

Approve. Consent Agenda (8-0)

Resolution No. RS2021-303

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021CP-008-007 is approved. (8-0)

15. 2021CP-013-002

ANTIOCH-PRIEST LAKE COMMUNITY PLAN AMENDMENT

Council District 29 (Delishia Porterfield); 32 (Joy Styles); 33 (Antoinette Lee)

Staff Reviewer: Anita McCaig

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, zoned AR2A, CS, IWD, MUL, MUN, OL, OR20, R10, R15, SCC and SP and partially located within a Planned Unit Development Overlay District (232.39 acres), requested by Nashville Metro Planning Department, applicant; various owners.

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.

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).

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+ feet-wide crossing distances, the lack of buffers and median islands, and the sheer 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.

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.

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 feet 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.

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.

Approve. Consent Agenda (8-0)

Resolution No. RS2021-304

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021CP-013-002 is approved. (8-0)

16. 2020Z-014TX-002

BL2021-974/Burkley Allen

Staff Reviewer: Eric Hammer

A request for an ordinance amending Title 17 of the Metropolitan Code of Laws regarding the design and operation of outdoor electrical lighting to clarify application of Dark Sky regulations by public utilities and on public property (Proposal No. 2020Z-014TX-002).

Staff Recommendation: 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.

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.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. Consent Agenda (8-0)

Resolution No. RS2021-305

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-014TX-002 is approved. (8-0)

17. 2021Z-012TX-001

BL2021-831/Freddie O’Connell
Staff Reviewer: Dustin Shane

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

Staff Recommendation: Approve amendments to Title 17.

APPLICANT REQUEST

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

PROPOSED AMENDMENTS TO TITLE 17

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

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

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

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

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

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

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”:

BACKGROUND

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

ANALYSIS

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

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

ZONING ADMINISTRATOR RECOMMENDATION

No exception taken.

FISCAL IMPACT RECOMMENDATION

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

STAFF RECOMMENDATION

Staff recommends approval of the proposed changes to Title 17.

ORDINANCE NO. BL2021-831

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

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

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

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

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

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

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

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

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

Mr. Haynes left the meeting.

Mr. Shane presented the staff recommendation of approval of amendments to Title 17.

Ron Hogan, no address given, stated he is the President of Historic Germantown Neighborhood Association and on the working committee that Councilmember O'Connell mentioned earlier. He spoke in favor of the application.

Jake McDonald, 196 44th Avenue North, spoke in opposition to the application and said there were unattended consequences to this bill.

Darren Cunningham, stated he is a resident and Planning Commissioner in Mt. Juliet and that he owns property at 1000 12th Avenue South, Nashville. He spoke in opposition to the application.

Chris Scott, 829 Lischey Avenue, spoke in opposition to the application.

John Dodson, no address given, stated he is the Chairman of the Greater Nashville Realtors Legislative Committee, and spoke in opposition to the application.

Tom Casey, 1101 North 8th Street, spoke in opposition to the application.

Jeff Brown, Mt. Juliet, stated he is a Real Estate firm owner and spoke in opposition to the application.

DJ Wilson, Nashville, spoke in opposition to the application.

Deborah Vahle, 2445 Eastland Avenue, spoke in opposition to the application.

Henry Puckett, Hendersonville, stated he is the Community Association Manager with Ghertner & Company and spoke in opposition to the application.

Michael Gomez, Thompson Station, stated he owns eight properties in Davidson County and some of them are Short Term Rentals. He spoke in opposition to the application.

Rachel Mays, 1400 Rosa L Parks Blvd, spoke in opposition to the application.

Eric Brasher, 318 Vaugh Street, spoke in opposition to the application.

Nina Lampley, no address given, stated she is a Realtor and part owner of 829 Lischey Avenue and spoke in opposition to the application.

Staria Clark, 223 Chapel Avenue, stated she is Realtor and also owns an Airbnb. She spoke in opposition to the application.

Grant Hammond, 342 Harrison Street, spoke in opposition to the application.

Matt Brown, Old Hickory, spoke in opposition to the application.

Male individual, no name or address given, spoke in opposition to the application.

Shawn Cavanaugh, Wilson County, stated he owns an Airbnb at 162 4th Avenue North and spoke in opposition to the application.

Robert Mulcahey, no address given, spoke in opposition to the application.

Matt Hoiles, 229 Chapel Avenue, spoke in opposition to the application.

Michael, no last name or address given, stated he lives in District 4 and is a General Contractor. He spoke in opposition to the application.

Rebecca Cooper, 1428 Benjamin Street, spoke in opposition to the application.

Tom McCormick, 1209 Saxon Drive, spoke in opposition to the application.

Chris Barnhizer, no address given, stated he is a builder and developer in Nashville and spoke in opposition to the application.

Ryan Adcock, 1213 Kenwood Drive, stated he is the Government Affairs Director for Greater Nashville Realtors and spoke in opposition to the application.

Former Councilmember Scott Davis, no address given, spoke in opposition to the application.

Chairman Adkins closed the Public Hearing.

Ms. Blackshear asked if there is any type of data set that is found reliable to assess the need for this law.

Ms. Milligan talked through the evolution of how Short Term Rentals have been classified.

Ms. Blackshear asked if the standard that is being proposed for the Airbnbs is not based upon any evidence for a need for it, other than wanting to be technically correct in making sure that a commercial use has what is considered a commercial parking standard.

Ms. Milligan stated it is to define a parking standard as there is no parking standard now for non owner-occupied Short Term Rentals. She further explained that it is to define a parking standard for commercial use with a similar standard to similar like uses, such as hotels and Bed & Breakfasts.

Ms. Blackshear said she was still considering this and looking forward to the other Commissioners' discussions.

Dr. Sims stated cleaning up the definition is important but is concerned about making significant changes to the parking without real data. She felt it's important to have community input. She stated she's OK with one part and not with the other.

Mr. Henley agreed with others that there needed to be more study and engagement. He does not think this is the solution, which was evident by the number of people who attended to show how disruptive it could be. Mr. Henley stated there needed to be more substantial evidence in terms of what is trying to be solved.

Mr. Withers stated a non owner-occupied Short Term Rental and owner-occupied Short Term Rental when the owner is absent, are not fundamentally different, and felt this exacerbated the problem. Mr. Withers said there is not a lot of data and does not believe the standard that was created for this is actually applicable to the type of housing unit and felt this is not a good solution.

Ms. Johnson stated it is with good intention to clean up the language of the bill as currently written, but the parking requirements are not practical.

Ms. Farr agreed with Ms. Johnson in that cleaning up the language is needed, but we need to go back to the drawing board as far as the parking requirements.

Ms. Farr moved and Dr. Sims seconded the motion to disapprove amendments to Title 17. (7-0)

Mr. Henley asked if it is possible that Short Term Rental permits are considered during the building stage.

Chairman Adkins called for a ten minute break.

Resolution No. RS2021-306

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021Z-012TX-001 is disapproved. (8-0)

18. 2021Z-018TX-001

BL2021-922/Brandon Taylor
Staff Reviewer: Amelia Lewis

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

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.

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.

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.

STAFF RECOMMENDATION

Staff recommends approval.

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:

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.

Ms. Lewis presented the staff recommendation of approval.

Jackson Zeitlin, 1822 5th Avenue North, spoke in opposition to the application.

Chairman Adkins closed the Public Hearing.

Mr. Henley said this is complicated and had some questions regarding the distance requirements and non-conforming use grandfathering issues and definitions.

Chairman Adkins asked about different definitions and use possibilities.

Mr. Withers stated he was alarmed when he read this and struggling to understand it. He said he is reluctant to vote in support of something today without the Metro Council body and wanted to hear from the business owners.

Ms. Johnson said it did not bother her because it is strictly applied to Bar and Night Club use, so to have distance requirements for future use, she agreed with staff recommendation; however, there is so much gray area and understood the other Commissioners' concerns.

Ms. Farr said they should look at other neighborhood commercial centers and see how this would impact those neighborhoods. Ms. Farr would like to see more analysis before supporting this.

Ms. Blackshear asked how many legally non-conforming uses will there be created in the county and whether they have heard the complaints from those areas. She asked if they are stifling the creation of more positive entertainment districts in the future by adding this in. She felt it would be helpful to hear from Councilmember Taylor on that. She also wanted to piggyback on Mr. Henley's question regarding the distance 100 feet distance requirement.

Ms. Milligan stated that although Councilmember Taylor is absent from the meeting, he is watching via live stream. Ms. Milligan said he would be OK with a deferral to allow additional time, and that he is willing to defer the public hearing at Council, so that everyone is able to give feedback prior to the Council public hearing.

Dr. Sims stated Councilmember Taylor is addressing some serious issues here and unsure how they can prioritize some of the things that are happening, as the urban core changes so much versus county wide.

Chairman Adkins asked if it a one place issue or is it full county wide situation and would hate to limit new music venues.

Ms. Blackshear moved and Mr. Withers seconded the motion to defer to the December 9, 2021 Planning Commission meeting. (7-0)

Ms. Farr stated it would be good to hear from the Councilman directly and helpful to look at a few other pockets, such as 5 Points, 12th South and the Nations.

Ms. Blackshear suggested that any compilations of any type of noise complaints or problems that has been associated with those areas would be helpful.

Mr. Henley stated he understands creating a buffer between the particular use and the residential uses but there needs to be some transitional on these commercial corridors.

Resolution No. RS2021-307

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021Z-018TX-001 is deferred to the December 9, 2021 Commission meeting. (7-0)

19. 2021Z-019TX-001

BL2021-975/Sandra Sepulveda

Staff Reviewer: Dustin Shane

A request for 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).

Staff Recommendation: 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.

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

STAFF RECOMMENDATION

Staff recommends approval of the proposed change to Title 17.

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.

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.

Resolution No. RS2021-308

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021Z-019TX-001 is disapproved. (8-0)

20a. 2021CP-010-002

GREEN HILLS-MIDTOWN COMMUNITY PLAN AMENDMENT

Council District 17 (Colby Sledge)

Staff Reviewer: Anita McCaig

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

Staff Recommendation: Approve policy change along with minor changes to the 12th Avenue South Corridor Detailed Neighborhood Design Plan.

APPLICANT REQUEST

Amend Green Hills–Midtown Community Plan to change the policy and 12th 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 12th Avenue South Corridor Detailed Neighborhood Design Plan for properties located at 2206, 2208, 2212, 2214 and 2218 12th Avenue South, approximately 80 feet south of Lawrence Avenue, zoned 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.

12th 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.

12th 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 12th Avenue South, south of Lawrence Avenue and across 12th 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 12th 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 12th 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 12th Avenue South and back up to an alley that runs behind existing houses along 11th Avenue South. Along 12th Avenue to the south is a mix of uses and businesses that are part of the neighborhood center. Adjacent to the north and across 12th Avenue South to the west are single-family houses.

The property owner also owns 2220 12th 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.

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 11th 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 12th 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 12th 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.

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 12th 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 8th 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-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 12th Avenue South. Behind them to the east is an alley that runs behind the houses along 11th Avenue South. The alley runs north to Lawrence Avenue. This section of 12th 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 12th Avenue South (#17), connecting this area to midtown and downtown. Both sides of 12th 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 12th Avenue corridor.
- Urban Neighborhood Center (T4 NC) policy is applied to properties directly to the south along the 12th Avenue corridor.
- Urban Neighborhood Maintenance (T4 NM) policy recognizes the established adjacent neighborhood that surround the corridor.

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 12th Avenue South.

12th Avenue South Corridor Detailed Neighborhood Design Plan (DNDP) associated changes

In 2008, a small area study created the *12th 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.

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 12th 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 12th 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 *12th Avenue South Corridor Detailed Neighborhood Design Plan*.

Approve policy change along with minor changes to the 12th Avenue South Corridor Detailed Neighborhood Design Plan. Consent Agenda (8-0)

Resolution No. RS2021-308

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021CP-010-002 is approved policy change along with minor changes to the 12th Avenue South Corridor Detailed Neighborhood Design Plan. (8-0)

**20b. 2021SP-071-001
12TH AVENUE SOUTH**

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

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

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 12th 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 12th 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 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 12th 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 12th 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 12th Avenue South, Ashwood Avenue, and the entry drive to the development. Extensive street improvements are proposed for 12th 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 12th Avenue South and bikeways shown in accord with the 12th Avenue corridor project. A fire aerial staging area is also indicated along 12th Avenue South that will allow access to the 2nd and 3rd 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 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 12th Avenue South to ensure fire access. This area will remain free of overhead power lines.

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 12th 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.

Supplemental Policy

The site is within the 12th 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 12th 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 12th 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 12th 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 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.
- 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-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 12th 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 12th 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.

Approve with conditions and disapprove without all conditions including the additional conditions noted in the memo from staff. Consent Agenda (8-0)

Resolution No. RS2021-309

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-071-001 is approved with conditions and disapproved without all conditions including the additional conditions noted in the memo from staff. (8-0)

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 12th 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 12th 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.

**21. 2015SP-037-003
SOUTHGATE STATION (AMENDMENT)**

BL2021-987/Colby Sledge
Council District 17 (Colby Sledge)
Staff Reviewer: Amelia Lewis

A request to amend the Southgate Station Specific Plan for various properties located north of Southgate Avenue and on either side of Marshall Hollow Drive (1.97 acres), to prohibit non-owner occupied short-term rental and owner occupied short-term rental uses, requested by Councilmember Colby Sledge, applicant; various owners.

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.

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.

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.

Approve with conditions and disapprove without all conditions. Consent Agenda (8-0)

Resolution No. RS2021-310

“BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-037-003 is approved with conditions and disapproved without all conditions. (8-0)

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.

22. 2016SP-013-003
522 - 526 SOUTHGATE AVENUE (AMENDMENT)

BL2021-993/Colby Sledge
Council District 17 (Colby Sledge)
Staff Reviewer: Amelia Lewis

A request to amend the 522-526 Southgate Avenue Specific Plan for various properties located north of Southgate Avenue and approximately 120 feet west of Marshall Hollow Drive (0.97 acres), to prohibit non-owner occupied short-term rental and owner occupied short-term rental uses, requested by Councilmember Colby Sledge, applicant; various owners.

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 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.

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. 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.

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.

Approve with conditions and disapprove without all conditions. Consent Agenda (8-0)

Resolution No. RS2021-311

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-013-003 is approved with conditions and disapproved without all conditions. (8-0)

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.

23a. 2021SP-046-001
SUMMITT VIEW

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

A request to rezone from R8 to SP 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, requested by Kimley-Horn, applicant; Comcast of Nashville I LLC, owner. (See associated case #27-79P-001).

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.

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 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.

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.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

- 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.
- Comply with all conditions and requirements of Metro reviewing agencies.
- 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.
- 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.
- 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.
- The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
- 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.
- 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.
- Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
- The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approve with conditions and disapprove without all conditions. Consent Agenda (8-0)

Resolution No. RS2021-312

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-046-001 is approved with conditions and disapproved without all conditions. (8-0)

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.

**23b. 27-79P-001
SUMMIT VIEW PUD (CANCELLATION)**

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

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 R8, requested by Kimley-Horn, applicant; Broadband Nashville I, LLC, owner. (See associated case #2021SP-046-001).

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.

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.

Approve. Consent Agenda (8-0)

Resolution No. RS2021-313

“BE IT RESOLVED by The Metropolitan Planning Commission that 27-79P-001 is approved. (8-0)

24a. 2021SP-062-001

4321 OLD HICKORY BLVD

Council District 11 (Larry Hagar)

Staff Reviewer: Dustin Shane

A request to rezone from R15 and R8 to SP zoning for properties located at Old Hickory Blvd (unnumbered) and 4321 Old Hickory Blvd, approximately 470 feet north of Granwood Blvd, (8.52 acres), to permit 72 multi-family residential units, requested by SWS Engineering, Inc., applicant; William L. Butler, owner. (See associated cases 45-86P-003 and 123-84P-001).

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 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.

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.

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.

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 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.

Dustin Shane presented the staff recommendation to approve with conditions and disapprove without all conditions.

Preston Ayer, 504 Autumn Springs Court, Franklin, stated he was the Civil Engineer representing the project and spoke in favor of the application.

Richard Hoffman, 4240 Old Hickory Blvd, spoke in opposition to the application.

Brent Smith, no address given, stated he is was the Developer of the project and spoke in favor of the application.

Councilmember Hagar spoke in favor of the application.

Chairman Adkins closed the Public Hearing.

Ms. Johnson spoke in favor of the application.

Mr. Withers spoke in favor of the application.

Mr. Henley spoke in favor of the application.

Dr. Sims spoke in favor of the application.

Ms. Blackshear agreed with the other Commissioners' comments.

Ms. Farr also agreed and didn't have any other further comments to add.

Ms. Farr moved and Ms. Johnson seconded the motion to approve with conditions and disapprove without all conditions. (7-0)

Resolution No. RS2021-314

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-062-001 is approved with conditions and disapproved without all conditions. (7-0)

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 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.

**24b. 45-86P-003
GRANWOOD VILLAGE (CANCELLATION)**

Council District 11 (Larry Hagar)
Staff Reviewer: Dustin Shane

A request to cancel a portion of a Planned Unit Development Overlay District for property located at 4321 Old Hickory Blvd, approximately 430 feet north of Granwood Blvd (4.92 acres), zoned R15, requested by SWS Engineering, Inc., applicant; William L. Butler, owner. (See associated cases 2021SP-062-001 & 123-84P-001).

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 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.

Ms. Farr moved and Ms. Johnson seconded the motion to approve the PUD cancellation. (7-0)

Resolution No. RS2021-315

“BE IT RESOLVED by The Metropolitan Planning Commission that 45-86P-003 is approved. (7-0)

**24c. 123-84P-001
SOUTHFORK COMMERCIAL PUD (CANCELLATION)**

Council District 11 (Larry Hagar)
Staff Reviewer: Dustin Shane

A request to cancel a Planned Unit Development located at Old Hickory Blvd (unnumbered), approximately 400 feet south of Southfork Blvd (3.6 acres), zoned R8, requested by SWS Engineering, Inc., applicant; William Lyttleton Butler, owner. (See associated cases 45-86P-003 & 2021SP-062-001).

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 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. 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.

Ms. Farr moved and Ms. Johnson seconded the motion to approve the PUD cancellation. (7-0)

Resolution No. RS2021-316
"BE IT RESOLVED by The Metropolitan Planning Commission that 123-84P-001 is approved. (7-0)"

**25. 2021SP-067-001
WESTSIDE RETREAT**

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

A request to rezone from R15 to 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, requested by Dale and Associates, applicant; Bruce Little and Yvonne Brown, owners.

Staff Recommendation: Defer to the December 9, 2021 Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-067-001 to the December 9, 2021, Planning Commission meeting. (8-0)

26. 2021Z-070PR-001

Council District 14 (Kevin Rhoten)
Staff Reviewer: Jason Swaggart

A request to rezone from R10 and RS10 to 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), requested by Catalyst Design Group, applicant; Irene G. Patton, Ruth E. Patton, Trilby D. Patton, and Aubrey S. Pratt Sr., owners.

Staff Recommendation: Defer indefinitely.

The Metropolitan Planning Commission deferred 2021Z-070PR-001 indefinitely. (8-0)

27. 2021Z-105PR-001

Council District 08 (Nancy VanReece)
Staff Reviewer: Seth Harrison

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

Staff Recommendation: 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 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 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.

Approve. Consent Agenda (8-0)

Resolution No. RS2021-316

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021Z-105PR-001 is approved. (8-0)

28. 2021Z-114PR-001

Council District 06 (Brett Withers)

Staff Reviewer: Dustin Shane

A request to rezone from CS and IR to MUG-A zoning for properties located at 501 and 515 Crutcher Street, at the northeast corner of Crutcher Street and South 5th Street (6.82 acres), requested by Dale and Associates, applicant; Terry C. Reeves and W. Lipscomb Davis III, owners.

Staff Recommendation: Defer to the December 9, 2021 Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021Z-114PR-001 to the December 9, 2021, Planning Commission meeting. (8-0)

29. 2021Z-118PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Abbie Rickoff

A request to rezone from R8 to RM40-A-NS zoning for property located at 2122 Buena Vista Pike, approximately 350 feet northeast of Resha Lane (1.68 acres), requested by Benesch, applicant; James Reese, owner.

Staff Recommendation: Disapprove RM40-A-NS and approve RM9-A-NS.

The Metropolitan Planning Commission deferred 2021Z-118PR-001 to the December 9, 2021, Planning Commission meeting. (8-0)

30. 2021Z-119PR-001

Council District 01 (Jonathan Hall)

Staff Reviewer: Amelia Lewis

A request to rezone from RS15 to RM9-NS zoning for property located at Ashland City Highway (unnumbered), approximately 340 feet west of Cato Road (3.29 acres), requested by Smith Gee Studio, applicant; Joy Kimbrough, owner.

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 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 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.

Approve with conditions. (8-0)

Resolution No. RS2021-317

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021Z-118PR-001 is approved with conditions. (8-0)

CONDITIONS

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

31. 2021Z-121PR-001

Council District 11 (Larry Hagar)

Staff Reviewer: Jason Swaggart

A request to rezone from MUL-A to CS zoning for property located at 304 Old Lebanon Dirt Road, at the southern terminus of Weber Road (6.94 acres), requested by Modern Marine, applicant; Patricia Hager and Larry Hager, owners.

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.

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.

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

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.

Approve. (8-0)

Resolution No. RS2021-318

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021Z-121PR-001 is approved. (8-0)

**32. 89P-031-002
SMITH SPRINGS COMMERCIAL PUD (CANCELLATION)**

Council District 29 (Delishia Porterfield)

Staff Reviewer: Jason Swaggart

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 AR2a (6.4 acres), requested by Eponymous LLC, applicant and owner.

Staff Recommendation: Defer to the December 9, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 89P-031-002 to the December 9, 2021, Planning Commission meeting. (8-0)

**33. 2021S-210-001
0 BRICK CHURCH PIKE SUBDIVISION**

Council District 03 (Jennifer Gamble)

Staff Reviewer: Logan Elliott

A request for concept plan approval to create 19 cluster lots on property located at Brick Church Pike (unnumbered), approximately 230 feet north of Brick Drive, zoned R10 (6.41 acres), requested by Dale and Associates, applicant; Fesmire Investments, owner.

Staff Recommendation: Defer to the December 9, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021S-210-001 to the December 9, 2021, Planning Commission meeting. (8-0)

34. 2021S-219-001
SHERWOOD HOMES AT PARK PRESERVE

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

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 RS7.5 (11.82 acres), requested by Ragan Smith, applicant; Habitat for Humanity of Greater Nashville and Metro Government, owners.

Staff Recommendation: Approve with conditions.

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

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.

$$7,500 \text{ sq. ft.} \times 10 = 75,00 \text{ sq. ft.}$$

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 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 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 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.

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.

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.

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.

Approve with conditions. (7-0-1)

Resolution No. RS2021-319

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021S-219-001 is approved with conditions. (7-0-1)

35. 78-74P-004

LIONS HEAD PUD (RAISING CANE'S)

Council District 24 (Kathleen Murphy)

Staff Reviewer: Logan Elliott

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 SCC, to permit a 3,460 square foot restaurant with a drive-thru, requested by Kimley-Horn, applicant; Lagasse Commercial Investments, LLC, owner.

Staff Recommendation: Approve with conditions.

The Metropolitan Planning Commission deferred 78-74P-004 to the December 9, 2021, Planning Commission meeting. (8-0)

**36. 2021SP-081-001
OLIVERI MIXED-USE**

Council District 33 (Antoinette Lee)
Staff Reviewer: Dustin Shane

A request to rezone from AR2a to SP zoning for property located at 4154 Murfreesboro Pike, approximately 350 feet southeast of Parks Retreat Drive and located within the Murfreesboro Pike Urban Design Overlay District (4.09 acres), to permit a mixed use development, requested by Anderson, Delk, Epps and Associates, applicant; Oliveri LLC, owner.

Staff Recommendation: Defer to the December 9, 2021 Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-081-001 to the December 9, 2021, Planning Commission meeting. (8-0)

I: OTHER BUSINESS

- 37. Historic Zoning Commission Report
- 38. Board of Parks and Recreation Report
- 39. Executive Committee Report
- 40. Accept the Director's Report

Resolution No. RS2021-320

"BE IT RESOLVED by The Metropolitan Planning Commission that the director's report is **approved.**
(8-0)

- 41. Legislative Update

J: MPC CALENDAR OF UPCOMING EVENTS

December 09, 2021

MPC Meeting

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

January 13, 2022

MPC Meeting

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

K: ADJOURNMENT

The meeting adjourned at 8:14 p.m.