

# Metropolitan Planning Commission



## Staff Reports

**February 24, 2022**



## Metro Planning Commission Meeting of 2/24/22

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



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## Metro Planning Commission Meeting of 2/24/22



### **2021CP-008-003**

#### **NORTH NASHVILLE COMMUNITY PLAN AMENDMENT**

Map 082-05, Parcel(s) 173

08, North Nashville

19, (Freddie O'Connell)



## Metro Planning Commission Meeting of 2/24/22

**Item #1a**  
**Project Name**

**Plan Amendment 2021CP-008-003**  
**North Nashville Community Plan**  
**Amendment**

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

2021SP-044-001  
19 – O’Connell  
01 – Gentry  
Martin Construction Company, applicant; MPAG, LLC,  
owner

**Deferrals**

This item was deferred from the February 10, 2022, Planning Commission meeting. No public hearing was held.

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

Clark  
*Defer to the March 10, 2022, Planning Commission meeting.*

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### **APPLICANT REQUEST**

**Amend the North Nashville Community Plan to change the community policy.**

#### Minor Plan Amendment

A request to amend the North Nashville Community Plan by changing from District Impact (D I) policy to T4 Urban Mixed Use Neighborhood (T4 MU) community policy for a portion of the property located at Third Avenue North (unnumbered), zoned Industrial Restrictive (IR) (approximately 0.19 acres).

### **STAFF RECOMMENDATION**

Staff recommends deferral to the March 10, 2022, Planning Commission meeting.



## Metro Planning Commission Meeting of 2/24/22



**2021SP-044-001**  
GERMANTOWN GREEN  
Map 082-05, Parcel(s) 173  
08, North Nashville  
19 (Freddie O'Connell)



## Metro Planning Commission Meeting of 2/24/22

<b>Item #1b</b>	<b>Specific Plan 2021SP-044-001</b>
<b>Project Name</b>	<b>Germantown Green</b>
<b>Associated Case</b>	2021CP-008-003
<b>Council District</b>	19 – O’Connell
<b>School District</b>	01 - Gentry
<b>Requested by</b>	Dale and Associates, applicant; MPAG LLC, owner.

**Deferrals** This item was deferred from the February 10, 2022, Planning Commission meeting. No public hearing was held.

**Staff Reviewer** Harrison  
**Staff Recommendation** *Defer to the March 10, 2022, Planning Commission meeting.*

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### APPLICANT REQUEST

**Preliminary SP to permit 4 multi-family units.**

#### Zone Change

A request to rezone from Industrial Restrictive (IR) to Specific Plan (SP) zoning for property located at 3rd Avenue North (unnumbered), approximately 145 feet north of Van Buren Street (0.33 acres), to permit 4 multi-family residential units.

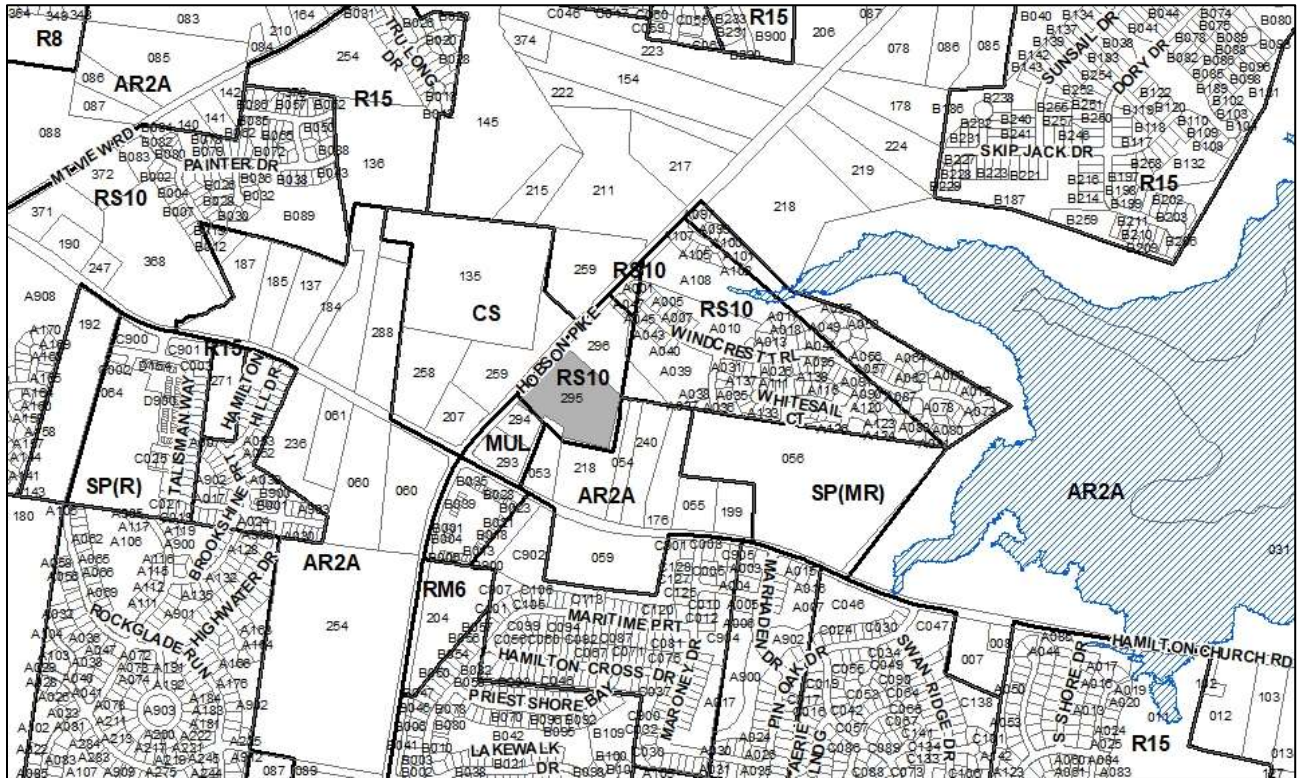
### STAFF RECOMMENDATION

Staff recommends deferral to the March 10, 2022, Planning Commission Meeting.





## Metro Planning Commission Meeting of 2/24/22



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





## Metro Planning Commission Meeting of 2/24/22

**Item #2**  
**Project Name** Specific Plan 2021SP-057-001  
**Council District** Marina Grove  
**School District** 33 – Lee  
**Requested by** 06 – Bush  
Civil Design Consultants, LLC, applicant; FAM Properties, LLC, owners.

**Deferrals** This item was deferred at the September 23, 2021, October 14, 2021, October 28, 2021, November 18, 2021, December 9, 2021, January 13, 2022, and February 10, 2022, Planning Commission meetings. No public hearing was held.

**Staff Reviewer** Lewis  
**Staff Recommendation** *Defer to the March 10, 2022, Planning Commission meeting.*

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### APPLICANT REQUEST

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

#### Zone Change

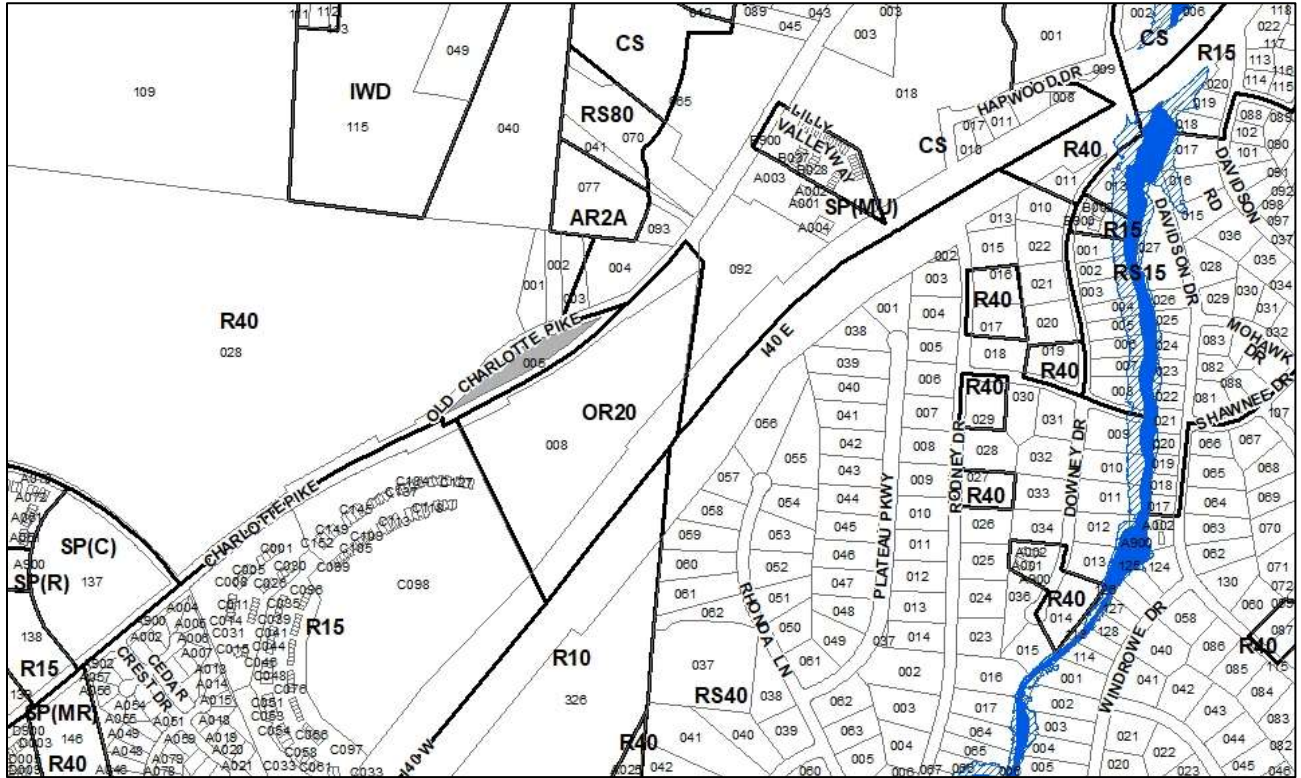
A request to rezone from Single-Family Residential (RS10) to Specific Plan – Mixed Use (SP-MU) zoning for property located at Hobson Pike (unnumbered), approximately 460 feet northeast of Hamilton Church Road, (5.94 acres), to permit a mixed-use development.

### STAFF RECOMMENDATION

Staff recommends deferral to the March 10, 2022, Planning Commission meeting.



# Metro Planning Commission Meeting of 2/24/22



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



## Metro Planning Commission Meeting of 2/24/22

<b>Item #3</b>	<b>Specific Plan 2021SP-063-001</b>
<b>Project Name</b>	<b>Charlotte View West</b>
<b>Council District</b>	35 – Rosenberg
<b>School District</b>	09 – Tylor
<b>Requested by</b>	Dale & Associates, applicant; Robert B. Beck, ET UX, owner.
<b>Deferrals</b>	This item was deferred at the September 23, 2021, October 14, 2021, November 18, 2021, and January 13, 2022, Planning Commission meetings. No public hearing was held.
<b>Staff Reviewer</b>	Elliott
<b>Staff Recommendation</b>	<i>Defer to the March 10, 2022, Planning Commission meeting.</i>

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### **APPLICANT REQUEST**

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

#### Zone Change

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

### **STAFF RECOMMENDATION**

Staff recommends deferral to the March 10, 2022, Planning Commission meeting at the request of the applicant.



## Metro Planning Commission Meeting of 2/24/22



### **2021SP-081-001**

OLIVERI MIXED-USE SP

Map 175, Parcel(s) 235

13, Antioch – Priest Lake

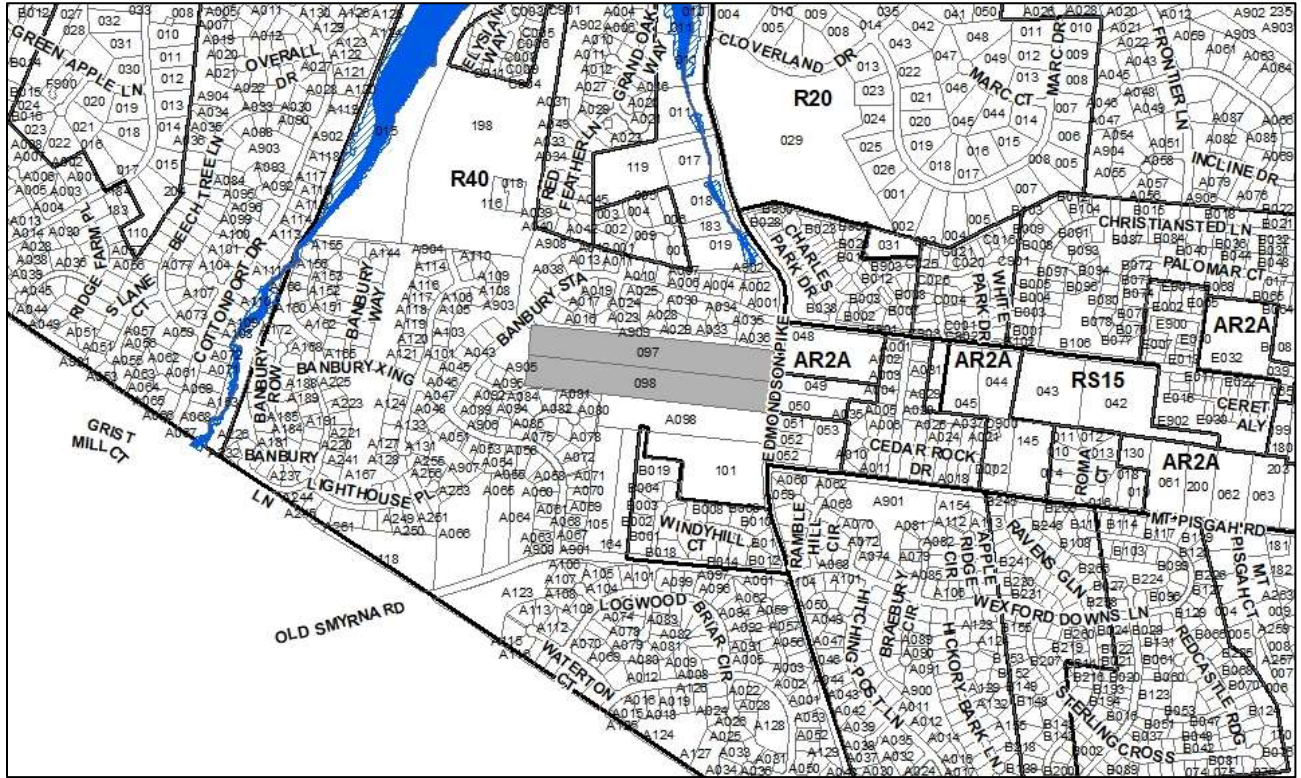
33 (Antoinette Lee)







# Metro Planning Commission Meeting of 2/24/22



**2022SP-010-001**  
**OVERLAND PARK SP**  
Map 172, Parcel(s) 097-098  
12, Southeast  
04 (Robert Swope)



## Metro Planning Commission Meeting of 2/24/22

<b>Item No. #5</b>	<b>Specific Plan 2022SP-010-001</b>
<b>Project Name</b>	<b>Overland Park SP</b>
<b>Council District</b>	04 - Swope
<b>School District</b>	02 – Elrod
<b>Requested by</b>	Dale & Associates, applicant; Susan B. Campbell Et Vir, owner.
<b>Staff Reviewer</b>	Swaggart.
<b>Staff Recommendation</b>	<i>Defer to the March 10, 2022, Planning Commission meeting.</i>

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### **APPLICANT REQUEST**

**Preliminary SP to permit 39 single family lots.**

#### Zone Change

A request to rezone from One and Two-Family Residential (R40) to Specific Plan-Residential (SP-R) zoning for properties located at 5991 and 5991 Edmondson Pike, approximately 175 feet south of Banbury Station, (14.6 acres), to permit 39 single family lots.

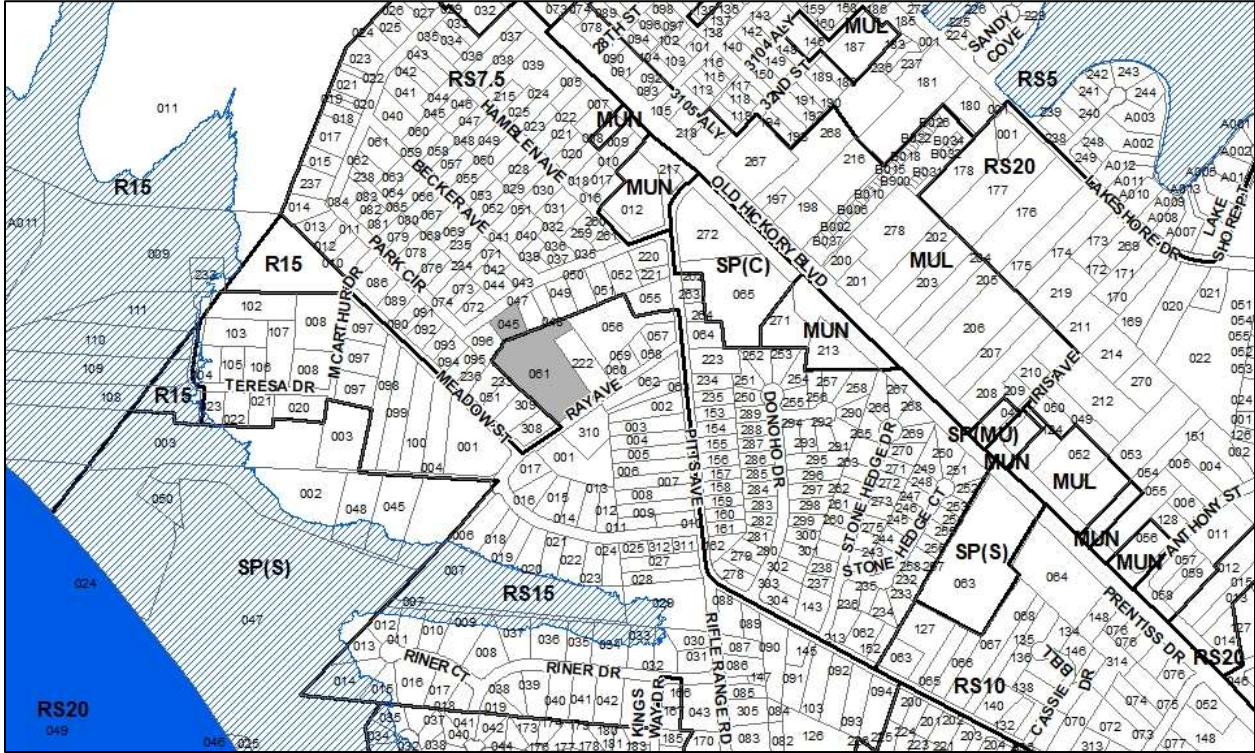
### **STAFF RECOMMENDATION**

Staff recommends deferral to the March 10, 2022, Planning Commission meeting.





# Metro Planning Commission Meeting of 2/24/22



**2022S-025-001**

**OVERSTREET SUBDIVISION**

Map 053-12, Parcel(s) 045, 061

14, Donelson – Hermitage – Old Hickory

11 (Larry Hagar)



## Metro Planning Commission Meeting of 2/24/22

<b>Item #6</b>	<b>Final Plat 2022S-025-001</b>
<b>Project Name</b>	<b>Overstreet Subdivision</b>
<b>Council District</b>	11 – Hagar
<b>School District</b>	04 – Little
<b>Requested by</b>	HFR Design, applicant; Tommy & Flora Ann Overstreet, owner.
<b>Staff Reviewer</b>	Harrison
<b>Staff Recommendation</b>	<i>Defer to the March 10, 2022, Planning Commission meeting.</i>

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### APPLICANT REQUEST

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

#### Final Plat

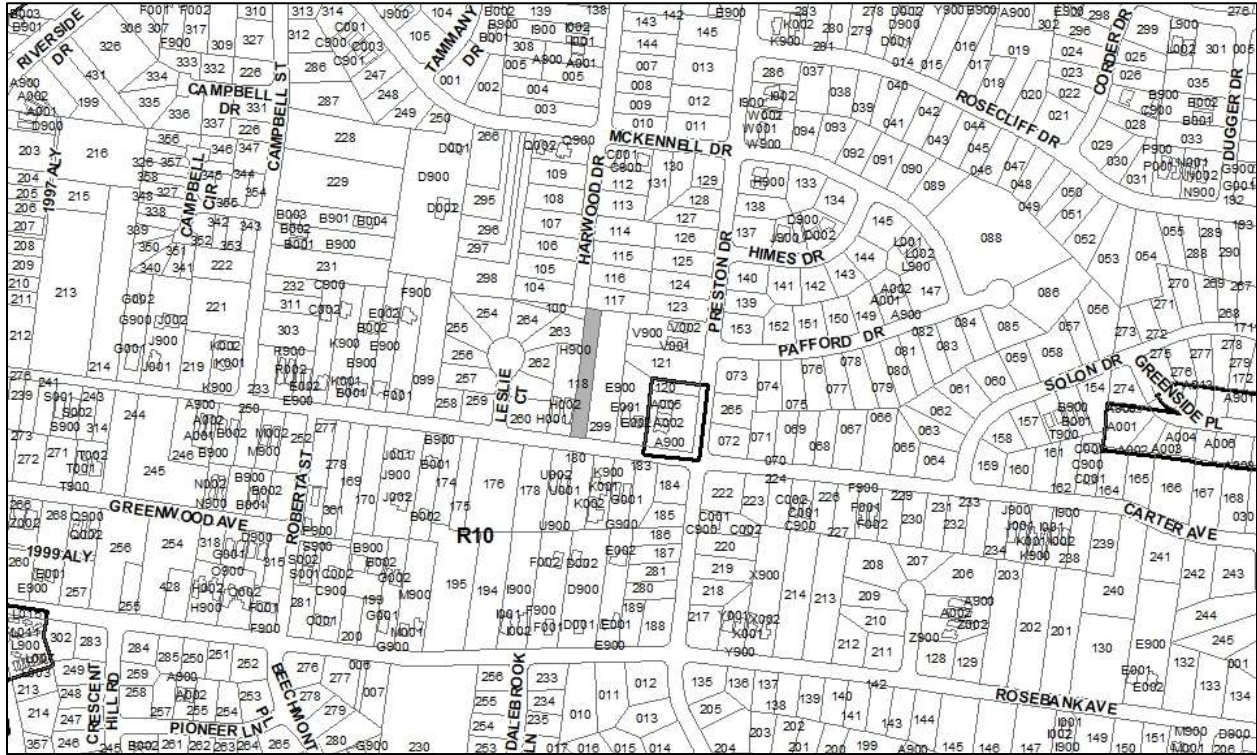
A request for final plat approval to create three lots on property located at Park Circle (unnumbered), approximately 115 feet southeast of Becker Avenue, zoned Single-Family Residential (RS15 and RS7.5) (2.83 acres).

### STAFF RECOMMENDATION

Staff recommends deferral to the March 10, 2022, Planning Commission meeting at the request of the applicant.



# Metro Planning Commission Meeting of 2/24/22



**2022S-042-001**  
ROSEBANK SUBDIVISION RESUB LOT 29  
Map 083-04, Parcel 118  
05, East Nashville  
07 (Emily Benedict)



## Metro Planning Commission Meeting of 2/24/22

<b>Item #7</b>	<b>Final Plat 2022S-042-001</b>
<b>Project Name</b>	Rosebank Subdivision Resub Lot 29
<b>Council District</b>	07 - Benedict
<b>School District</b>	5 - Buggs
<b>Requested by</b>	JW Land Surveying, LLC, applicant; Southgate Development, LLC, owner.
<b>Staff Reviewer</b>	Elliott
<b>Staff Recommendation</b>	<i>Defer to the March 10, 2022, Planning Commission meeting.</i>

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### APPLICANT REQUEST

**Final Plat approval to create 2 lots.**

#### Final Plat

A request for final plat approval to create two lots on property located at 2321 Carter Avenue, approximately 370 feet west of Preston Drive, zoned One and Two-Family Residential (R10) (0.5 acres).

### STAFF RECOMMENDATION

Staff recommends deferral to the March 10, 2022, Planning Commission meeting.



**NO SKETCH**



## Metro Planning Commission Meeting of 2/24/22

<b>Item #8</b>	<b>Text Amendment 2020Z-014TX-003</b>
<b>Project Name</b>	<b>Outdoor Lighting</b>
<b>Council Bill No.</b>	BL2022-1088
<b>Council District</b>	Countywide
<b>School District</b>	Countywide
<b>Requested by</b>	Councilmember Burkley Allen
<b>Staff Reviewer</b>	Hammer
<b>Staff Recommendation</b>	<i>Approve amendments to Title 17.</i>

### 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 Codes Administration Department is tasked with administering the day-to-day of 17.28.100. After several months of administering this section, Codes has requested that the variance authority for this section be moved from the Board of Zoning Appeals (BZA) to the Board of Fire and Building Code Appeals.

### PROPOSED AMENDMENTS TO TITLE 2

Although the legislation includes changes to Title 2 – Administration, this report will focus on changes to Title 17 – Zoning.

### PROPOSED AMENDMENTS TO TITLE 17

The proposed bill as filed at Metro Council amends subsection 17.28.100 of the Zoning Code by deleting subsection E.4.a and replacing with the following (deleted text is shown in strike-thru; new text is shown in underline):

- a. All site lighting shall be shielded so that substantially all directly emitted light falls within the property line. No illumination in excess of one-half foot-candle shall be permitted across the boundary of any adjacent residential property or the mid-line of a public street.

The proposed bill as filed at Metro Council also amends subsection 17.28.100 of the Zoning Code by deleting subsection G.5 and replacing with the following:





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5. Variances: Variances to the requirements of this chapter may be granted by the board of zoning fire and building code appeals as provided in ~~Chapter 17.40, Article VIII~~ Chapter 2.80 of the Metropolitan Code.

The proposed bill as filed at Metro Council also amends subsection 17.40.010 of the Zoning Code by deleting the first sentence and replacing with the following:

The zoning administrator is granted the following authority and responsibilities by this title except as otherwise provided in the Metropolitan Code:

### ANALYSIS OF BL2022-1088

This bill changes one section of Title 2 and three sections of Title 17 of the Metropolitan Code. The change in Title 2 adds 17.28.100 to the scope of review for the Board of Fire and Building Code Appeals. The bill also changes Title 17 by changing the review authority for variances to section 17.28.100 from the BZA to the Board of Fire and Building Code Appeals.

The primary role of the BZA is to hear cases that relate directly to zoning and land use. While most of Title 17 is related to zoning and land use, 17.28.100 is a departure from the types of cases heard by the BZA and is more technically complex. Generally, the BZA reviews whether a variance is appropriate through the lens of a hardship tied to the land. However, a request for granting a variance to 17.28.100 wouldn't be necessarily tied to the land and instead would likely be sought due to operational characteristics and other qualities of the site. In consultation with Codes, Planning staff agrees that while the BZA reviews most of Title 17 for variances, the Board of Fire and Building Code Appeals is a more appropriate review board for 17.28.100 and better meets the overall legal standard for granting a variance under this section.

Additionally, a small change to the light trespass section (17.28.100.E.4.a) has been proposed to specify that the boundary for light trespass is the centerline of a public street. The light trespass section, which pre-dates the 2021 ordinance referenced previously, states that the boundary is the public street and does not specify whether the boundary line is drawn at the edge or center of the right-of-way. Changing this language to specify the centerline as the boundary will aid Codes in administering the day-to-day of Title 17.

### ZONING ADMINISTRATOR RECOMMENDATION

No exception taken to this bill.

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### STAFF RECOMMENDATION

Staff recommends approval.

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An Ordinance to amend Sections 2.80.080, 17.28.100, and 17.40.010 of the Metropolitan Code of Laws regarding the design and operation of outdoor electrical lighting to reduce light pollution consistent with International Dark Sky Association guidelines and to authorize the board of fire and building codes to grant variances from these provisions (Proposal No. 2020Z-014TX-003).

Section 1. That Section 2.80.080 of the Metropolitan Code of Laws is amended by deleting the section in its entirety and replacing it with the following:





## Metro Planning Commission Meeting of 2/24/22

### 2.80.080 - Variance granting authority.

The board of fire and building code appeals, when so appealed to and after a hearing may vary the application of any provision of this chapter and Chapters 10.64 Articles I and II, 16.04, 16.08, and 16.28 through 16.56, and Section 17.28.100 of this code to any particular case when, in its opinion, the strict enforcement thereof would do manifest injustice and would be contrary to the spirit and purposes of this chapter and Chapters 10.64 Articles I and II, 16.04, 16.08 and 16.28 through 16.56, and Section 17.28.100 of this code, or public interest, and when in its opinion the interpretation of the director of codes administration and/or the metro fire marshal should be modified.

Section 2. That Section 17.28.100 of the Metropolitan Code of Laws is amended by deleting Subsection E.4.a. and replacing it with the following:

- a. All site lighting shall be shielded so that substantially all directly emitted light falls within the property line. No illumination in excess of one-half foot-candle shall be permitted across the boundary of any adjacent residential property or the mid-line of a public street.

Section 3. That Section 17.28.100 of the Metropolitan Code of Laws is amended by deleting Subsection G.5 and replacing it with the following:

5. Variances: Variances to the requirements of this chapter may be granted by the board of fire and building code appeals as provided in Chapter 2.80 of the Metropolitan Code.

Section 4. That Section 17.40.010 of the Metropolitan Code of Laws is hereby amended by deleting the first sentence and replacing it with the following:

The zoning administrator is granted the following authority and responsibilities by this title except as otherwise provided in the Metropolitan Code:

Section 5. Be it further enacted, that this ordinance take effect five days from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.



**NO SKETCH**



## Metro Planning Commission Meeting of 2/24/22

**Item #9****Project Name****Council Bill No.****Council District****School District****Requested by****Text Amendment 2021Z-013TX-001****Inclusionary Housing**

BL2021-832

Countywide

Countywide

Councilmember Burkley Allen, Councilmember Freddie O’Connell, Councilmember Zulfat Suara, Councilmember Ginny Welsch, Councilmember Delishia Porterfield, Councilmember Kyonzte Toombs

**Staff Reviewer**

Hammer

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

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

**BACKGROUND**

NashvilleNext, Metro’s General Plan adopted in 2015, identifies housing as a key element and affordability as a significant issue for all income levels over the next 25 years. The rising cost of new housing is mostly driven by location, land costs, construction costs and other associated costs and NashvilleNext recommends a four-pronged approach to making housing more equitable: fund it, build it, preserve it, and retain it.

Inclusionary Housing policies typically use requirements or incentives to create new units that are rented at an average median income (AMI) lower than 100% or are sold at below-market value with deed restrictions that expire after several years. After the adoption of NashvilleNext, Metro has amended Title 17 to address affordable housing to complement other existing programs like the Barnes Housing Trust Fund. These amendments to Title 17 have been focused on multi-family housing and have included both requirements and incentives to create new housing units below market rate.

Subsequent changes to Tennessee Code Annotated (TCA) have preempted this section of the code, meaning that the mechanism in present form cannot be utilized by Metro or developers seeking to use the incentives outlined in Title 17. These changes make it unlawful to compel or coerce participation but does not prohibit a local government from creating or implementing a purely voluntary incentive-based program designed to increase the construction or rehabilitation of workforce or affordable units, which may include providing local tax incentives, subsidization, real property, or infrastructure assistance.

A companion bill (BL2021-912) has been filed to change Chapter 2.213 of the Metro Code, which governs Affordable Housing incentive grants, to account for this new mechanism. While this bill is related to BL2021-832, BL2021-912 is not referred to the Planning Commission and is not addressed by this report.



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### PROPOSED AMENDMENTS TO TITLE 17

**Note: this section below is the most recent legislation, amended on 2/1/2022, not the original Council bill referred to the Planning Commission in October 2021.**

17.40.780 - Purpose and applicability of inclusionary housing provisions.

A. Purpose. The purposes of this ~~s~~Section are to promote the public health, safety and welfare by increasing the production of ~~inclusionary housing~~ affordable and work force housing (“Inclusionary Housing”) units to meet existing and anticipated housing and employment needs; mitigating the impacts of increasing housing cost and provide housing affordable to low and moderate income households; providing for a range of housing choices throughout the city to avoid the concentration of poverty; and to provide a mechanism by which residential development can contribute in a direct way to increasing the supply of Inclusionary Housing ~~affordable and workforce housing in exchange for additional development entitlements other than those otherwise permitted as a matter of right.~~

B. Applicability.

1. ~~When additional residential development entitlements are gained through an amendment to the official zoning map or when public resources or property is provided for a residential development, the rental residential units shall be subject to the provisions of this section as long as adequate financial incentives from the Metropolitan Government of Nashville and Davidson County are available. On projects where a funding cap limits the financial incentives available to less than the value calculated based on the difference between the market rate rent and the selected workforce rent, the set aside may be adjusted annually to align the needed incentive with the funding available. A property owner or developer with for sale residential units may participate in the incentives of this section. a developer voluntarily elects Inclusionary Housing as one of several options available to them to create additional building entitlements for residential rental projects through the Downtown Code's bonus height program, the residential rental units shall be subject to the provisions of this Section as long as all of the subsidies described below from the Metropolitan Government of Nashville and Davidson County are available. The inclusion of affordable or workforce housing in a request for bonus height shall not however become a condition precedent to the acceptability of the other criteria currently available to obtain additional building entitlements in the DTC, as each of the options available to developers to create additional entitlements, including but not limited to bonus height, can independently, standing alone, support the additional entitlements.~~
2. ~~For residential uses, developments fewer than five units are exempt. For the purposes of this subsection, "development" shall include any residential or mixed use development at one or more adjoining sites with common ownership or under common control, within a period of five years from the first date of the issuance of a building permit for construction. If the Metropolitan Government ceases to~~



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provide adequate funding for the subsidies, the residential rental units shall not be subject to the provisions of this Article until the subsidies are again funded.

3. Inclusionary housing shall not be provided and no financial incentives shall be granted if the average unit sale price or rental rate is less than, or within 5% above 100% Median Household Income (MHI) market prices or rental rates for Nashville and Davidson County and the Inclusionary Housing Plan demonstrates that the census tract average market rate prices or average rental rates for comparable units are affordable to a household at 100% MHI. When a developer voluntarily elects Inclusionary Housing as one of several options available to them to create additional building entitlements through the Downtown Code's (DTC's) bonus height program, the Metropolitan Government may use all or a portion of the estimated new tax revenue generated by the bonus height to subsidize the rental of Inclusionary Housing units within the new structure, so that the units shall rent at market value.
4. For residential uses, developments of fewer than five units are exempt.
5. For the purposes of this subsection, the following definitions apply.
  - a. "Development" shall include any residential or mixed-use development at one or more adjoining sites with common ownership or under common control, within a period of five years from the first date of the issuance of a building permit for construction.
  - b. "Significant infrastructure improvements within a site plan" shall include the Metropolitan Government's agreement to pay for more than 10% of the new infrastructure that will be required by an approved site plan.
  - c. The "Estimated new tax revenue" is the tax revenue generated by the additional units constructed as a result of the bonus height associated with Inclusionary Housing. This tax revenue shall be determined by the Davidson County Property Assessor's office. This revenue to be used to subsidize housing rentals, shall be determined by the Metropolitan Government prior to the Planning Department's review of a proposed development or site plan subject to this Section.
  - d. "Residential floor area" is the net leasable residential floor area.
8. Inclusionary Housing shall not be provided, and no financial incentives shall be granted if the average or rental rate is less than, or within 5% above 100% Area Median Income (AMI) rental rates for Nashville and Davidson County as determined by the US Department of Housing and Urban Development (HUD) and the Inclusionary Housing Plan demonstrates that the census tract average rental rates for comparable units are affordable to a household at 100% AMI.

### 17.40.790 Requirements for inclusionary housing.

- A. Construction. The set aside for ~~affordable or workforce housing~~ Inclusionary Housing shall be at a minimum:



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	Rental at 60% MHI <u>AMI</u> or less	Rental at Greater than 60% MHI <u>AMI</u> to 80% <u>MHI AMI</u>	Rental at Greater than 80% MHI <u>AMI</u> to 100% <u>MHI AMI</u> (available in the UZO only)	For-sale at Greater than 60% MHI to 80% MHI	For-sale at Greater than 80% MHI to 100% MHI (available in the UZO only)
Single-family and Two-family uses	12.5% of total residential units	15% of total residential units	17.5% of total residential units	10% of total residential units	15% of total residential units
Multi-family uses less than 3-stories	12.5% of total residential floor area	15% of total residential floor area	17.5% of total residential floor area	10% of total residential floor area	15% of total residential floor area
Multi-family uses (3 to 6 stories)	10% of total residential floor area	12.5% of total residential floor area	15% of total residential floor area	n/a	n/a
Multi-family uses ( $\geq 7$ stories)	7.5% of total residential floor area	10% of total residential floor area	12.5% of total residential floor area	n/a	n/a
The office of economic opportunity and empowerment with assistance from the finance department may approve a mixture of MHI levels, provided the mixture is equivalent to the set asides above. The equivalency of the mixture of MHI levels and the approval shall be documented in the inclusionary housing plan.					
For the purposes of this Article, the residential floor area shall be the net leasable residential floor area.					

B. In Lieu Construction. The maximum set aside shall be based on the estimated tax revenue available to provide rental subsidy.

1. In lieu of meeting the inclusionary housing incentives on site, construction at the same rates included in subsection A of this section may be provided within the following distances from the development that is providing inclusionary housing:

- i. One mile along the corridor, if the development that is providing inclusionary housing is on a multimodal corridor designated in the Major and Collector Street Plan, excluding expressways, freeways and ramps.
- ii. A half mile, if the development that is providing inclusionary housing is not on a multimodal corridor designated in the Major and Collector Street Plan, excluding expressways, freeways and ramps.



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iii. ~~In lieu construction shall not be permitted at an alternate location if the inclusionary housing plan demonstrates that the alternate location's census tract market rate prices or rental rates for comparable units are affordable to a household at 100% MHI.~~

2. ~~Use and occupancy permits for the affordable and/or workforce units shall be issued prior to the issuance of any use and occupancy permit for principal project.~~

C. ~~In Lieu Contribution. There is hereby established a housing incentives fund to be maintained as an administrative account by the finance department for the purpose of funding the incentives grant program. In lieu of meeting the inclusionary housing incentives for rental units on site, prior to the issuance of building permits, an in lieu contribution may be provided to the housing incentives fund as follows: The Mayor's Office of Housing or the Planning Director of Housing may approve a mix of AMI levels, provided the mix is equivalent to the set asides above. The mix of AMIs and how their equivalency was determined shall be included in the Inclusionary Housing Plan.~~

Within the UZO	Outside of the UZO
Per square foot equivalent of 50% of the affordable sales price at 100% MHI for Davidson County 12.5% of the total residential floor area in a rental project.	Per square foot equivalent of 50% of the affordable sales price at 80% MHI for Davidson County 10% of the total residential floor area in a rental project.
<p>The affordable sales price shall be determined by the Office of Economic Opportunity and Empowerment with assistance from the Finance Department annually based on:</p> <ul style="list-style-type: none"> <li><del>a. A maximum down payment of 5.0%,</del></li> <li><del>b. Current Year MHI thresholds adjusted for household size published by HUD,</del></li> <li><del>c. Prior six month average rate of interest based on the Fannie Mae Yield on 30 year mortgage commitments (price at par) plus one half point (0.5%) spread,</del></li> <li><del>d. 30 year mortgage term,</del></li> <li><del>e. Any homeowner fees, taxes and insurance, and</del></li> <li><del>f. Typical unit size.</del></li> </ul>	

### 17.40.800 Standards for eConstruction and occupancy of affordable and/or workforce housing Inclusionary Housing.

A. With the building permit application, the owner/developer shall submit an inclusionary housing plan, which documents the following:

1. Number of total residential units provided under the site plan.
2. Whether the development uses public resources or public property.
3. Number of ~~affordable or workforce~~ Inclusionary hHousing units provided.
4. Income levels of targeted families for ~~affordable or workforce~~ Inclusionary hHousing units.
5. The proposed ~~rents or sales prices and guarantee of limits on future rent increases or sales prices-market rental rate for each unit.~~
6. General location of ~~affordable or workforce~~ Inclusionary hHousing units.
7. Sizes of ~~affordable or workforce~~ Inclusionary hHousing units.
8. Bedroom counts of ~~affordable or workforce~~ Inclusionary hHousing units.





## Metro Planning Commission Meeting of 2/24/22

9. ~~Market rate pricing or rental rates for comparable units within the census tract for the project site and, if applicable, the in-lieu site.~~
  10. ~~The party responsible for compliance reports, with approval from the office of economic opportunity and empowerment with assistance from the finance department. Proposed Master Lease Agreement with the Metropolitan Development and Housing Agency (MDHA), or another entity competitively selected by the Metropolitan Government to administer the provisions of this Article, (the “Administering Agency”). Such Master Lease Agreement shall be subject to the approval of the Mayor’s Office Director of Housing Programs, or such other Metropolitan Government official responsible for overseeing and administering affordable housing programs.~~
- B. ~~To ensure livability, inclusionary housing units shall be at least eighty percent of the average size of market rate units and the breakdown of bedroom counts of inclusionary housing units shall be similar to the breakdown of bedroom counts for the market rate units in the project. After the inclusionary housing square footage is allocated according to the distribution of market rate units, any remaining square footage too small for construction of a unit shall utilize the in-lieu contribution option. Master lease agreements with the Administering Agency must:~~
1. Provide a minimum term of 15 years for Inclusionary Housing rental units.
  2. Reassess the market rate for each unit every 5 years during the term of the lease.
  3. Ensure the units are occupied by eligible households.
- C. ~~Exteriors of inclusionary housing units shall closely resemble the exteriors of other units in a project not differ materially from the other units in a project.~~
- D. ~~The owner shall ensure to the satisfaction of the metropolitan government that the inclusionary housing units will:~~
1. ~~Be occupied by eligible households.~~
  2. ~~Be maintained as rental inclusionary housing units for a minimum of fifteen years from the date of initial occupancy and/or be maintained as for-sale inclusionary housing unit for thirty years from the date of initial occupancy.~~
- 17.40.810 Enforcement.
- A. Prior to the certification of bonus height by the Planning Commission, MDHA (or the Administering Agency) shall provide the Planning Department with written confirmation that the proposal has been preliminarily reviewed and that MDHA (or the Administering Agency) anticipates being able to enter into a Master Lease Agreement as outlined in this Article.
- B. Prior to the issuance of the first building permit, all ~~s~~Standards for ~~e~~Construction and Occupancy provided in Section 17.40.800 shall be documented on the building permit plans.
- C. Prior to the issuance of the ~~u~~Use and ~~o~~Occupancy permit, all ~~s~~Standards for ~~e~~Construction and Occupancy provided in Section 17.40.800 shall be satisfied and documentation provided to the ~~e~~Codes ~~d~~Department.



## Metro Planning Commission Meeting of 2/24/22

- D. During the applicable period, the owner, developer or designee shall provide a compliance report to the office of economic opportunity and empowerment in the form and manner determined by the office of economic opportunity and empowerment with assistance from the finance department. The party responsible for compliance reports shall be approved by the office of economic opportunity and empowerment and noted inclusionary housing plan. For for sale developments, individual owners are not permitted to be the party responsible for compliance reports subsidized rental period, the Administering Agency shall provide a compliance report to the Mayor's Office Director of Housing Programs or such other Metropolitan Government official responsible for overseeing and administering affordable housing programs in the form and manner determined by such official with assistance from the Finance Department.
- E. If the compliance report indicates non-compliance with the set aside percentages, the report shall be provided to the council.

### 17.40.820 Sunset provisions Severability.

- A. ~~The provisions of Article XVII (Inclusionary Housing) shall expire and be null and void as of December 31, 2019, unless extended by resolution of the metropolitan council. This provision, commonly known as a "sunset provision," is included to ensure that the effectiveness and necessity of this section is reviewed by the metropolitan council after its adoption.~~
- B. ~~Two years after its passage, the planning department shall conduct a study of the impact of Article XVII (Inclusionary Housing) and related incentives. This study shall include an assessment of the economic impact, impact on affordable housing and whether the incentives should be recalibrated. The study shall be delivered to the metropolitan council no later than six months before the sunset date.~~

If any provision of this section or any application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this section which can be given effect without the invalid provision or application, and to this end, the provisions of this code are declared to be severable.

### 17.40.830 – Limitation on Annual Subsidies.

The Metropolitan Government shall have the authority to provide up to \$2,500,000 each fiscal year to fund new subsidies authorized pursuant to this chapter.

### 17.40.840 – Sunset Provision.

The provisions of this chapter shall expire and be null and void on June 30, 2025 ("sunset date") unless extended by resolution of the metropolitan council. This provision, commonly known as a "sunset provision," is included to ensure that the effectiveness and necessity of this chapter is reviewed by the metropolitan council after its adoption. If the provisions of this chapter are not extended by resolution of the metropolitan council before the sunset date, no new subsidies shall be awarded after the sunset date. This sunset provision shall not operate to terminate any existing subsidies in effect on the sunset date, except for a lack of funding for the subsidies in accordance with Section 17.40.780.



## Metro Planning Commission Meeting of 2/24/22

### **ANALYSIS OF BL2021-832**

The proposed changes to Title 17 replace the preempted program with a new process that allows Metro create affordable housing by entering into a long-term Master Lease Agreement for a specific number of units with a project that is earning additional entitlements through the Bonus Height Program of the Downtown Code. MDHA (or another administering agency as approved by Council) then sublets these units to qualified renters at a below-market rate and uses the increment of property tax revenue derived from the additional entitlements to make up the difference between what the qualified renters pay and what Metro pays the developer per the Master Lease Agreement. This mechanism avoids restrictions within TCA that prohibit incentivizing or leveraging a person or entity to develop, build, sell, or rent housing at below market value. Incentives cannot be tied to renting or selling units at a below market rate. Here are the steps of this new process as outlined by the bill:

1. The Developer applies for the Inclusionary Housing bonus of the Downtown Code's Bonus Height Program.
2. The Davidson County Assessor of Property provides an estimate of the real property taxes derived from the proposed increase in entitlements proposed.
3. The Planning Commission certifies compliance with the provisions of the Bonus Height Program upon referral and assurance of compliance from applicable departments.
4. The Developer applies for a building permit and submits an Inclusionary Housing Plan including a proposed Master Lease Agreement. This Master Lease Agreement is subject to approval of the Mayor's Office Director of Housing Programs, or such other Metropolitan Government official responsible for overseeing and administering affordable housing programs. The Master Lease must be at least 15 years in length and the market rate for each unit is reassessed every 5 years.
5. The Codes Department may issue a Use & Occupancy permit only when the items in Inclusionary Housing Plan are satisfied and documentation is provided to the Codes Department.

While the mechanism of this bill creates affordable housing units, it is not the only type of program that can address affordable housing issues in Davidson County. This bill only pertains to the DTC zoning district, and it is anticipated that other programs with the same goal, but broader applicability, may be proposed in the future. If this occurs, the program proposed within this bill should be compared to ensure clarity and consistency throughout the county.

### **ZONING ADMINISTRATOR RECOMMENDATION**

No exception taken to this bill.

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### **STAFF RECOMMENDATION**

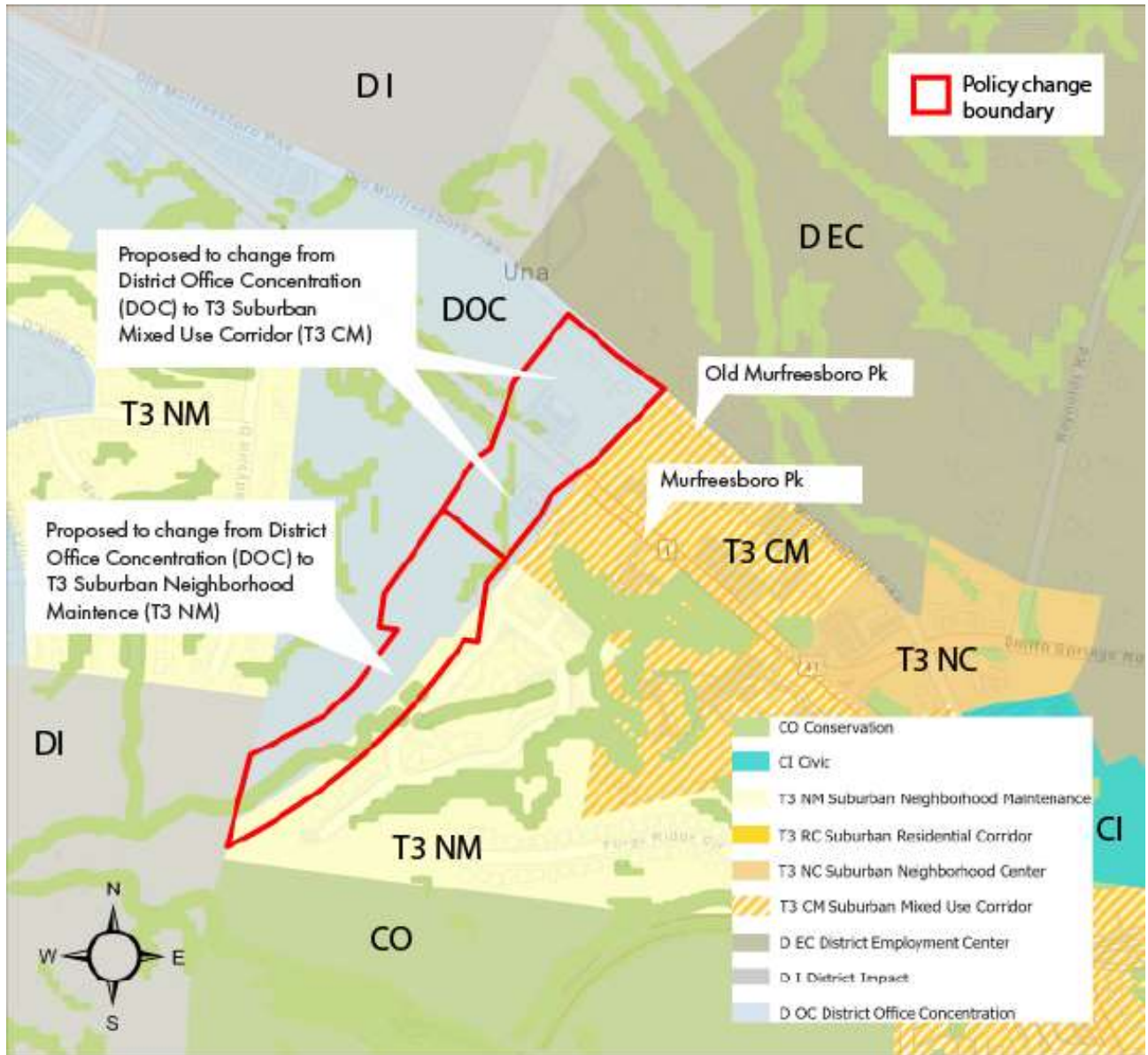
Staff recommends approval.



**SEE NEXT PAGE**



## Metro Planning Commission Meeting of 2/24/22



**2020CP-013-001**

**ANTIOCH-PRIEST LAKE COMMUNITY PLAN AMENDMENT**

Various properties

13 Antioch-Priest Lake

28 (Tanaka Vercher)



## Metro Planning Commission Meeting of 2/24/22

### Item #10

Project Name

Plan Amendment 2020CP-013-001

Antioch-Priest Lake Community Plan  
Amendment

Associated Cases

2021SP-094-001

Council District

28 – Vercher

School District

7 – Player-Peters

Requested by

Collier Engineering, applicant; various property owners.

Staff Reviewer

Ranseen

Staff Recommendation

Approve.

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### APPLICANT REQUEST

**Amend Antioch-Priest Lake Community Plan to change the policy.**

#### Minor Plan Amendment

A request to amend the Antioch-Priest Lake Community Plan by changing the policy from District Office Concentration policy (D OC) to T3 Suburban Mixed Use Corridor (T3 CM) policy and T3 Suburban Neighborhood Maintenance (T3 NM) policy for various properties located along Murfreesboro Pike and Old Murfreesboro Road, zoned various zoning districts and within the Murfreesboro Pike Urban Design Overlay District and partially within a Planned Unit Development Overlay (16.34 acres).

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

**Current Policy (Note: Conservation policy remains in place.)**

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

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

Conservation (CO) policy recognizes the presence of environmentally sensitive features, such as floodways/floodplains and steep slopes. In this location, Conservation policy recognizes areas of steep slopes. CO policy remains in place and is not proposed to change.

#### **Requested Policies**

T3 Suburban Mixed Use Corridor (T3 CM) policy 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-



## Metro Planning Commission Meeting of 2/24/22

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, bikeways, and existing or planned mass transit.

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

### **BACKGROUND**

The study area is in Antioch along Murfreesboro Pike and Old Murfreesboro Pike and south of the Nashville International Airport. Today, the proposed plan amendment area consists of a radio station, wedding chapel, salon, and three residential properties between Old Murfreesboro Pike and Murfreesboro Pike. The area southwest of Murfreesboro Pike (where the zone change is requested) consists of a closed bank and vacant land. The study area abuts Old Murfreesboro Pike to the north and the Vulcan Antioch Danley Quarry to the south. The Newport Apartment Homes, a multifamily development, is to the east of the of study area, and the Town Park Estates neighborhood, a single-family development, is to the west. The Donelson Pike and Murfreesboro Pike intersection is less than a mile east of the study area.

The community plan amendment was requested in conjunction with zone change application 2021SP-094-001, a request to change the zoning from Agricultural and Residential (AR2a), Commercial Services (CS), and Office Limited (OL) to Specific Plan (SP) zoning for mixed use development on 12.22 acres properties located at 1827 Murfreesboro Pike and Murfreesboro Pike (unnumbered) northwest of Franklin Limestone Road. The SP is currently on hold as a portion of the property is platted as a reserve parcel and the reserve status must be removed before the rezoning can move forward. The current policy, D OC, supports office along with secondary uses but does not support primarily residential with limited mixed-use development. Therefore, the applicant has proposed a policy change.

To establish consistent policy on both sides along Murfreesboro Pike, staff applied a study area boundary that includes seven properties, in addition to the properties with the associated rezoning, between Murfreesboro Pike and Old Murfreesboro Pike. T3 CM policy is proposed for the area fronting Murfreesboro Pike on both sides and on the south side to a property depth consistent with the policy application for the adjacent T3 CM policy area to the east. This will allow for a mix of uses within the area. T3 NM policy is proposed for the vacant portion of the properties on the south side, behind the Murfreesboro Pike corridor, which will allow for suburban residential development. This is an extension of the adjacent T3 NM policy applied to the adjacent residential area.

The applicant first applied for this policy change in early 2020, prior to the pandemic. As the pandemic began, the case was deferred to allow the applicant team additional time to work with



## Metro Planning Commission Meeting of 2/24/22

the community. In late 2021, the plan amendment application was reactivated to allow for community discussion and input. An associated rezoning application was also filed, but since has been deferred. As part of the application process, the Executive Director determined the plan amendment is minor with a required community meeting.

### COMMUNITY PARTICIPATION

The applicant team met with the community and district Councilmember in June 2021 for initial discussions regarding their proposed development. On January 11, 2022, a Planning-led virtual community meeting was held to discuss the applicant's plan amendment. Notices were mailed to 53 property owners within 600 feet of the plan amendment area. Details of the community meeting were made available on Metro Nashville Planning Department's webpage and shared with the district Councilmember. Approximately 15 people attended the meeting including neighbors, community leaders, the applicant team, and staff. Planning staff spoke and provided an overview of the plan amendment request. Following Planning's presentation, the applicant presented plans and renderings for the rezoning. Planning staff then moved into Q&A and discussion with the public. Members of the public and Councilmember Vercher raised concerns about the meeting's low attendance and noted the community's lack of experience with zoning and plan amendment changes in recent years, especially in this area. Because of these factors, staff determined that additional public engagement was needed and coordinated with Councilmember Vercher for a second community meeting. Providing an additional meeting was discussed at the conclusion of the meeting. The first meeting was recorded and uploaded to Metro Nashville's YouTube for subsequent viewing.

At the Councilmember's request and to improve participation, Planning expanded the notice area for the February 7, 2022, meeting to a larger buffer (1,300 feet) from the study area, and also ensured that all property owners in the surrounding neighborhoods of Town Park Estates, Forge Ridge, and Newport Apartments were invited to the meeting. For the second meeting, notices were mailed to 274 property owners and shared with Councilmember Vercher and the Friends of the Southeast community group. Details of the community meeting were made available on Metro Nashville Planning Department's webpage. Approximately 33 people attended the February 7<sup>th</sup> meeting, including neighbors, community leaders, the applicant team, and staff. Community Plans staff gave an overview of the land use policy amendment process, and the applicant team provided a brief overview of their project.

During the meeting attendees asked questions and voiced the following concerns, many of which were shared at the previous meeting:

- Infrastructure deficiencies and needs in Antioch.
- Traffic impacts on an already congested Murfreesboro Pike.
- Encroachment on wildlife habitat and the importance of incorporating green space and natural habitat into the project's design.
- Pressure on local schools, which currently are overcrowded.
- Interaction with adjacent right-of-way for the future Harding Place extension.
- Local stream health due to stormwater runoff and development.

In this instance, at the staff and Councilmember's request, the policy amendment is being reviewed prior to reactivation of the rezoning application. This allows for community education





## Metro Planning Commission Meeting of 2/24/22

about the process to occur and for community concerns to be addressed with the project's redesign. The Councilmember reiterated that she will host another community meeting to address concerns and details about the rezoning proposal.

### **ANALYSIS OF T3 SUBURBAN MIXED USE CENTER POLICY AND T3 SUBURBAN NEIGHBORHOOD MAINTENANCE**

The proposed amendment area is a suitable location for T3 CM and T3 NM policy for the following reasons:

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

The Growth & Preservation Concept Map reflects Nashvillians' desires for growth and preservation in the future. The concept map designates the plan amendment area as within both "Center" and a "Transition & Infill" area. Centers are intended to be pedestrian-friendly areas with frequent transit service that contain a dense mix of homes, shops, jobs, and parks. Transition & Infill areas may have moderately dense residential and small-scale office uses that are appropriate along and around prominent corridors and centers to provide a harmonious connection to surrounding neighborhoods.

Neighborhoods near the plan amendment area are traditional suburban developments and contain two primary housing types – single-family and multifamily. These neighborhoods have deep setbacks from Murfreesboro Pike and have their own internal street systems. Businesses in this area tend to be located along Murfreesboro Pike and within view of oncoming traffic. One of the foundations of NashvilleNext is to create strong neighborhoods that allow for a range of services, businesses, and employment options near neighborhoods.

#### Key Findings

- The plan amendment area is identified within the Center and Transition & Infill areas on the Growth & Preservation Concept Map and is appropriate for T3 CM and T3 NM policy because of its location along the prominent Murfreesboro Pike corridor.
- Providing a range of services, businesses, and employment centers close to residential development helps create a more complete neighborhood structure and promotes various modes of travel.

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

The NashvilleNext planning process applied the Concept Map designations generally rather than at the parcel-specific level. Community Plans provide history and context for Nashville's 14 Community Planning areas, along with community-specific issues, strategies, and sketches of how different places in the community could change over time. The Antioch-Priest Lake Community Plan uses Community Character Policies that are tailored to the suburban character of neighborhoods throughout its area. The community plan emphasizes capitalizing on current housing stock and seeking to provide new housing near the community's major corridors, including Murfreesboro Pike and Bell Road. These areas are appropriate for a mix of housing in neighborhoods that are more walkable with access to amenities and services.

The T3 Suburban Transect category is the bridge between the Rural and Urban Transect areas. Development within T3 Suburban is designed to thoughtfully transition from the least dense



## Metro Planning Commission Meeting of 2/24/22

natural and rural environment to the denser urban environments. T3 Suburban policies seek to preserve the natural environment by incorporating existing vegetation and landforms into the site design while also encouraging complete suburban communities that feature connected street systems with sidewalks, bikeways, and facilities for mass transit, providing many transportation options. The T3 Suburban transect also seeks to frame the street with buildings and enhance connectivity between commercial, open space, and civic and institutional uses.

Currently, suburban centers and corridors, which host a mix of uses, are located on the edges of several neighborhoods with predominantly vehicle access and limited access to mass transit. To create more complete suburban communities, T3 Suburban policies encourage the evolution of suburban centers into more intense mixed use and commercial nodes with the goal of creating a neighborhood or community center (hub) rather than strip commercial.

The requested T3 CM policy allows for a greater mix of uses along the Murfreesboro Pike corridor, while the additional residential uses are supported by T3 NM policy, which emphasizes complementing the surrounding established neighborhoods. Applying both T3 CM and T3 NM policy allows: 1) buildings with a mix of uses to frame the corridor and 2) new housing within walking distance of the corridor. Together these policies create a more complete suburban community, which is appropriate in this location.

Furthermore, T3 CM and T3 NM are more compatible with today's community's needs than the current policy, D OC. Market demand for office space has shifted dramatically in recent years due to lifestyle changes and the global pandemic, calling into question D OC policy's appropriateness in the study area.

### Key Findings

- T3 CM's intent of enhancing suburban mixed-use corridors by encouraging a greater mix of residential and mixed use along the corridor make this an appropriate application of the policy.
- T3 NM's intent to preserve the general character of developed suburban residential neighborhoods make this an appropriate application of policy to apply adjacent to established residential neighborhoods.
- The Antioch Priest Lake Plan emphasizes the importance of providing new housing along and near Murfreesboro Pike, and the policy change allows for greater housing near this major corridor.
- Demand for office space has shifted significantly in the past few years, and D OC policy may no longer be appropriate for the study area.

### **Transportation and Connectivity**

The plan amendment area is located on a key corridor in Antioch, Murfreesboro Pike, and is less than a mile away from the corridor's major intersection with Donelson Pike. Murfreesboro Pike is classified as a six-lane arterial-boulevard by the Major & Collector Street Plan and as an immediate need, high-capacity transit corridor by the Concept Plan. Donelson Pike is also classified as an arterial-boulevard. High-capacity transit corridors represent a framework of more intense housing and commercial areas along major roadways supporting more frequent transit



## Metro Planning Commission Meeting of 2/24/22

service. The immediate need priority means the street is slated for near-term improvements to transit service.

WeGo currently provides bus service on Murfreesboro Pike. The study area is less than a mile away from the closest bus stop at the intersection of Murfreesboro Pike and Donelson Pike. It is anticipated that new substantial development would include additional bus stops. A sidewalk exists on the southern side of Murfreesboro Pike, and a crosswalk is located at the intersection of Harding Place and Murfreesboro Pike. A buffered bike lane is planned along Murfreesboro Pike.

The study area abuts the proposed Harding Place extension on the northwestern edge (southwest of Murfreesboro Pike). Any future development in the area adjacent to the proposed Harding Place extension should have appropriate landscape buffering and setbacks with a minimum of 20 feet from the right-of-way of the extension.

### Key Findings

- Murfreesboro Pike is classified as an immediate need high-capacity transit corridor, which calls for transit upgrades in the near future.
- The existing and planned transportation infrastructure surrounding this location make it an accessible multimodal site and suitable for additional mixed use and housing options.

### **Relationship to Surrounding Policies**

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

- D OC policy is currently applied to the study area and bordered by additional D OC policy to the west of the site.
- T3 CM policy is applied to properties along the Murfreesboro Pike corridor to the east of the site.
- T3 NM policy is applied to nearby neighborhoods that are connected to Murfreesboro Pike (Newport Apartment Homes, Forge Ridge Neighborhood, Town Park Estates).
- The amendment area borders D I (District Impact) policy to the southwest, recognizing an operating rock quarry.
- The amendment area touches D EC (District Employment Center) policy to the north.

### Key Findings

- Extending T3 CM policy along the Murfreesboro Pike Corridor in the study area allows for additional services for the neighborhood that can develop in a compatible manner consistent with mixed use development in the adjacent area.
- Extending T3 NM policy allows for that portion of the study area to be compatible with surrounding neighborhoods that fall under the same policy.

### **Analysis Summary**

Amending the Community Character Policy from D OC to T3 CM and T3 NM is appropriate at this location. In summary, the change in policy for the study area is appropriate due to the following:

- The plan amendment area is identified within the Center and Transition & Infill areas on the Growth & Preservation Concept Map and is appropriate for T3 CM because of its



## Metro Planning Commission Meeting of 2/24/22

location along the prominent Murfreesboro Pike corridor and appropriate for additional housing.

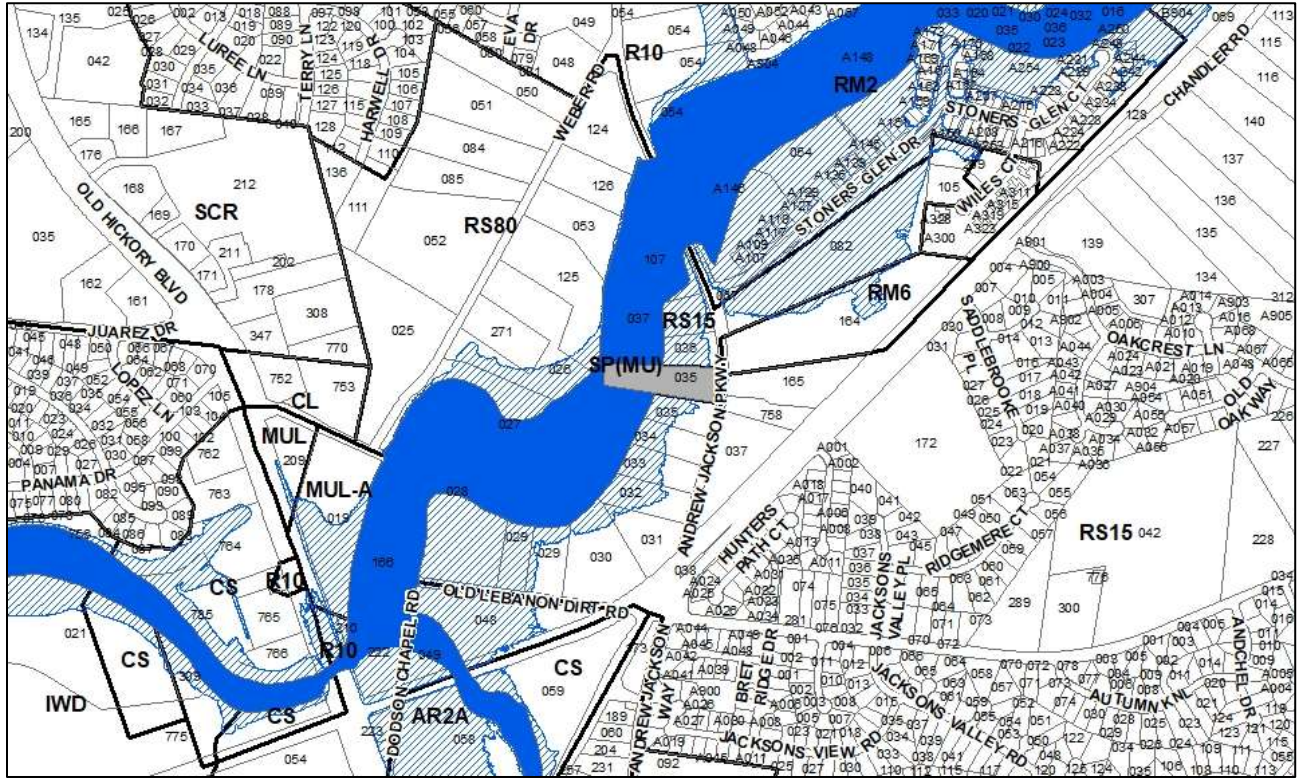
- The Antioch Priest Lake Plan emphasizes the importance of providing new housing along and near Murfreesboro Pike, and the policy change allows for greater housing near this major corridor.
- Demand for office space has shifted significantly in the past few years, and D OC policy may no longer be appropriate for the study area.
- Murfreesboro Pike is classified as an immediate need high-capacity transit corridor, which calls for transit upgrades in the near future.
- The existing and planned transportation infrastructure surrounding this location make it an accessible multimodal site and suitable for T3 CM policy.
- T3 NM policy allows for that portion of the study area to be compatible with surrounding neighborhoods that are under the same policy and be developed with additional housing.
- Extending T3 CM policy along the Murfreesboro Pike corridor in the study area allows for additional services for the neighborhood that can develop in a compatible manner consistent with mixed use development and support multimodal transportation options.

### **STAFF RECOMMENDATION**

Staff recommends approval of T3 Suburban Mixed Use Center (T3 CM) and T3 Suburban Neighborhood Maintenance (T3 NM) policies in the study area.



# Metro Planning Commission Meeting of 2/24/22



**2010SP-005-003**  
GILLISPIE EYE CARE (AMENDMENT)  
Map 086, Parcel(s) 035  
14, Donelson – Hermitage – Old Hickory  
11 (Larry Hagar)



## Metro Planning Commission Meeting of 2/24/22

<b>Item #11</b>	<b>Specific Plan 2010SP-005-003</b>
<b>Project Name</b>	<b>Gillispie Eye Care (Amendment)</b>
<b>Council District</b>	11 - Hagar
<b>School District</b>	04 – Little
<b>Requested by</b>	Crossroads Architecture, LLC, applicant; Jim and Larita Gillispie, owner.
<b>Staff Reviewer</b>	Shane
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions.</i>

### APPLICANT REQUEST

**Amend the 4130 Andrew Jackson Parkway Specific Plan District to permit the addition of 1,962 square feet to an existing eye care facility.**

#### Amended SP

A request to amend the 4130 Andrew Jackson Parkway Specific Plan District located at 4130 Andrew Jackson Parkway, approximately 950 feet north of Chandler Road (2.04 acres), zoned Specific Plan (SP), to permit the addition of 1,962 square feet to an existing eye care facility.

#### **Existing Zoning**

Specific Plan-Commercial (SP-C) 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 commercial uses.

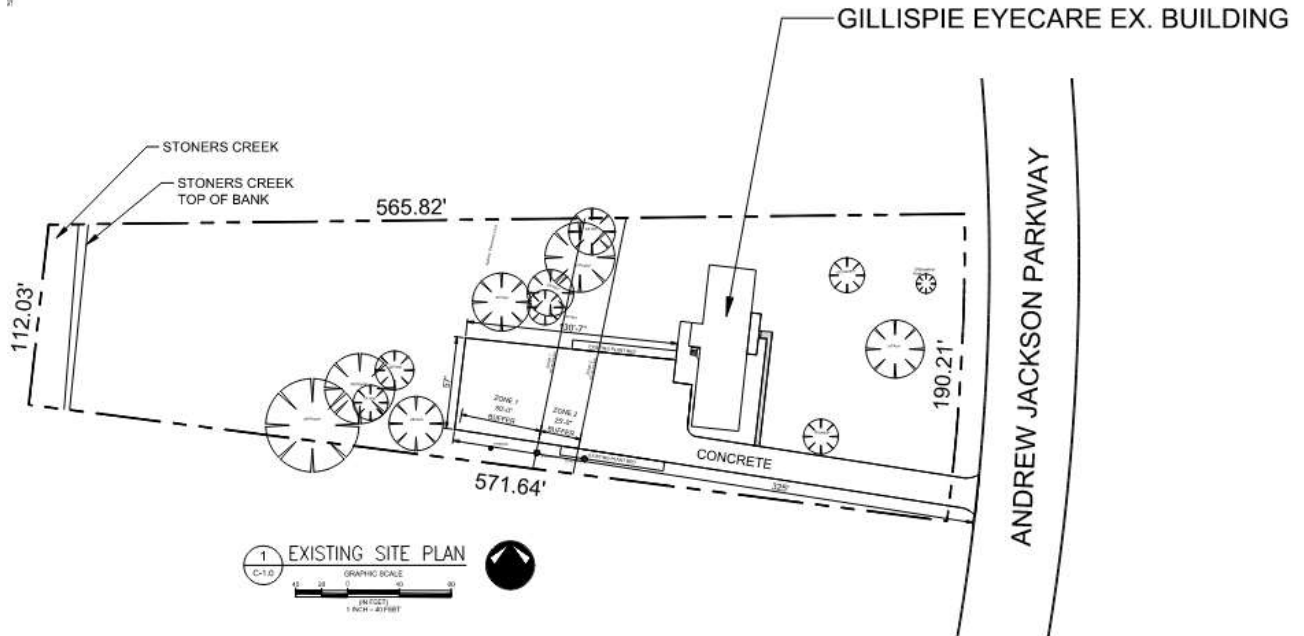
#### **DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN**

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.



## Metro Planning Commission Meeting of 2/24/22



GILLISPIE EYECARE  
4130 ANDREW JACKSON  
PARKWAY  
HERMITAGE, TN

### Existing Site

#### PLAN DETAILS

The 2.04-acre site is located approximately 950 feet north of Chandler Road on the west side of Andrew Jackson Parkway. It contains a former single-family home that has been converted into an optometry office with an appurtenant concrete drive and parking area. The western boundary of the property backs up to Stoners Creek, and so most of the property is either floodway or within the 100-year floodplain, including the existing structure.

The adjacent parcels to the north and south on the west side of Andrew Jackson Parkway are single-family homes, while across the road a mix of uses is found: institutional (church), commercial (nursing home), and other single-family homes. Just to the south across the parkway is Hermitage Station, the park-and-ride lot for the Music City Star commuter train. The surrounding properties are all zoned RS15 (except for the nursing home, which is zoned Residential PUD/RM6).









## Metro Planning Commission Meeting of 2/24/22



East Elevation



West Elevation

THIS WAS COMPLETED AND LENT TO US BY CROSSROADS ARCHITECTURE. THIS IS ONLY USED AS REFERENCE TO THE BUILDING ELEVATIONS AND SIZE. THE ORIGINAL ELEVATIONS ARE BEING SUBMITTED BY CROSSROADS ARCHITECTURE.

### Addition Elevations

#### ANALYSIS

The amendment to the SP is consistent with the Suburban Neighborhood Center (T3 NC) and CO policies on the site. T3 NC is suitable for office uses and other commercial ventures that can provide for the everyday needs of the surrounding community within a five-minute drive. Optometry practices are low-impact medical office uses that blend well in a single-family context. The addition of more exam and office rooms to the existing practice will not substantially change the look or feel of the neighborhood or dramatically impact traffic. The considerations that allowed the approval of the original SP in 2010 have not changed.

CO policy is intended to preserve environmentally sensitive land features through protection and remediation. In this case CO policy refers to the floodplain affecting much of the site. The project endeavors to satisfy the requirements of the CO policy on site by providing a finished floor elevation that takes into account the 100-year floodplain. Minimal overall disturbance will occur on the property in association with the addition.

Staff recommends approval with conditions and disapproval without all conditions.

#### FIRE MARSHAL RECOMMENDATION

**Approve**

#### 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**



## Metro Planning Commission Meeting of 2/24/22

### 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. Sidewalks are required to be built per Major Street Collector Plan(MCSP) or per sidewalk variance decision. Sidewalk variance case: 20220008693.

### TRAFFIC AND PARKING RECOMMENDATION

#### Approve with conditions

- Parking shall be per code.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Medical Office (720)	2.04	-	2,700 SF	16	9	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
Medical Office (720)	2.04	-	4,626 SF	90	14	18

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1,926 SF	+74	+5	+7

### STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

### CONDITIONS

- Permitted uses shall be limited to medical office and specified uses of the MUN district. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
- On the corrected plan set, correct the site data table to correctly display the number of parking spaces (28).
- On the corrected plan set, remove or retain the public and private sidewalk construction plans pending the result of the sidewalk waiver request.
- 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 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.



## **Metro Planning Commission Meeting of 2/24/22**

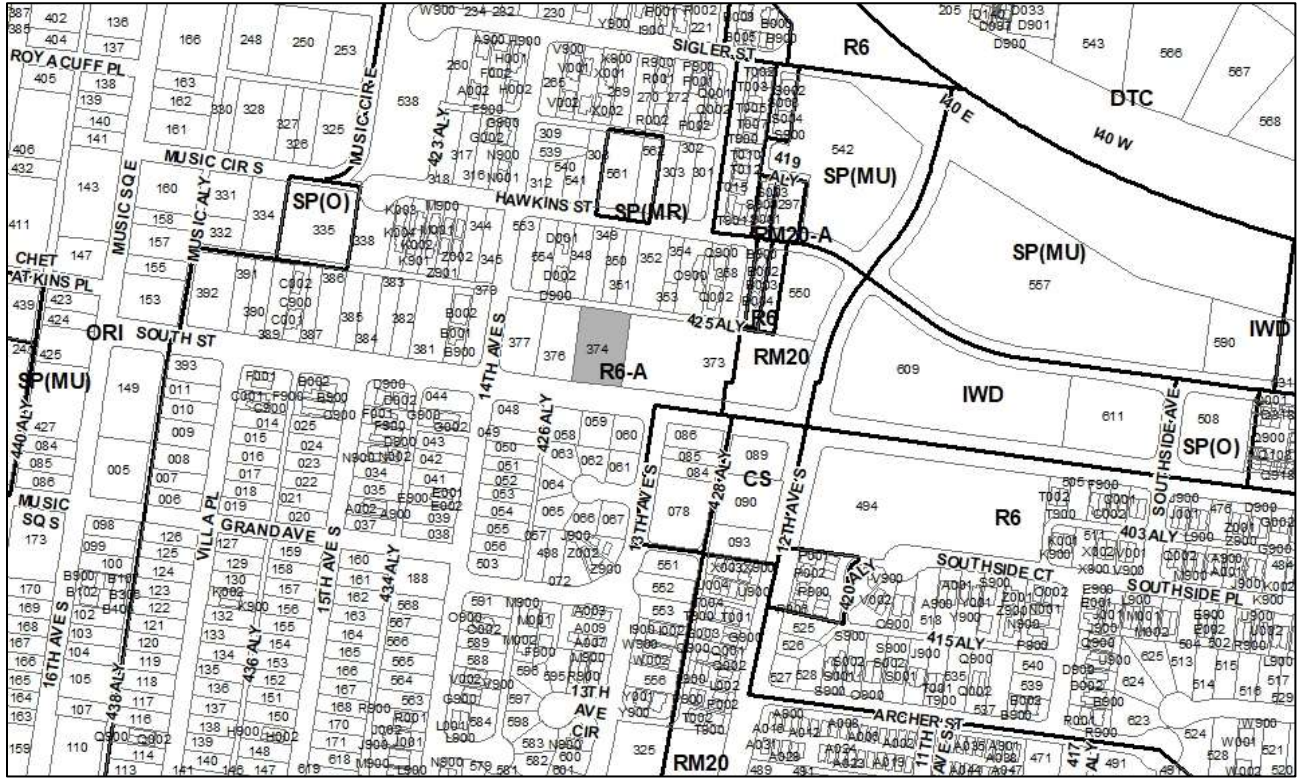
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. If a development standard, not including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



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 2/24/22



**2021SP-068-001**  
**SOUTH STREET NORTH**  
Map 093-13, Parcel(s) 374, 376-377  
10, Green Hills – Midtown  
19 (Freddie O’Connell)



## Metro Planning Commission Meeting of 2/24/22

<b>Item #12</b>	<b>Specific Plan 2021SP-068-001</b>
<b>Project Name</b>	<b>South Street North</b>
<b>Council District</b>	19 – O’Connell
<b>School District</b>	05 – Buggs
<b>Requested by</b>	Dale and Associates and Elouise Curcio, applicants; Rebecca Marks and Elouise Curcio, owners.

**Deferrals** This item was deferred from the October 14, 2021, November 18, 2021, December 9, 2021, January 13, 2022, and February 10, 2022, Planning Commission meetings. No public hearing was held.

<b>Staff Reviewer</b>	Harrison
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions.</i>

**APPLICANT REQUEST**  
**Preliminary SP to permit 4 multi-family units.**

Zone Change

A request to rezone from One and Two-Family Residential-Alternative (R6-A) to Specific Plan (SP) zoning for property located at 1306 South Street, approximately 200 feet east of 14th Avenue South (0.65 acres), to permit 4 multi-family residential units.

**Existing Zoning**

One and Two-Family Residential (R6-A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6-A would permit a maximum of 3 lots with 3 duplex lots for a total of 6 units, based on acreage alone.*

**Proposed Zoning**

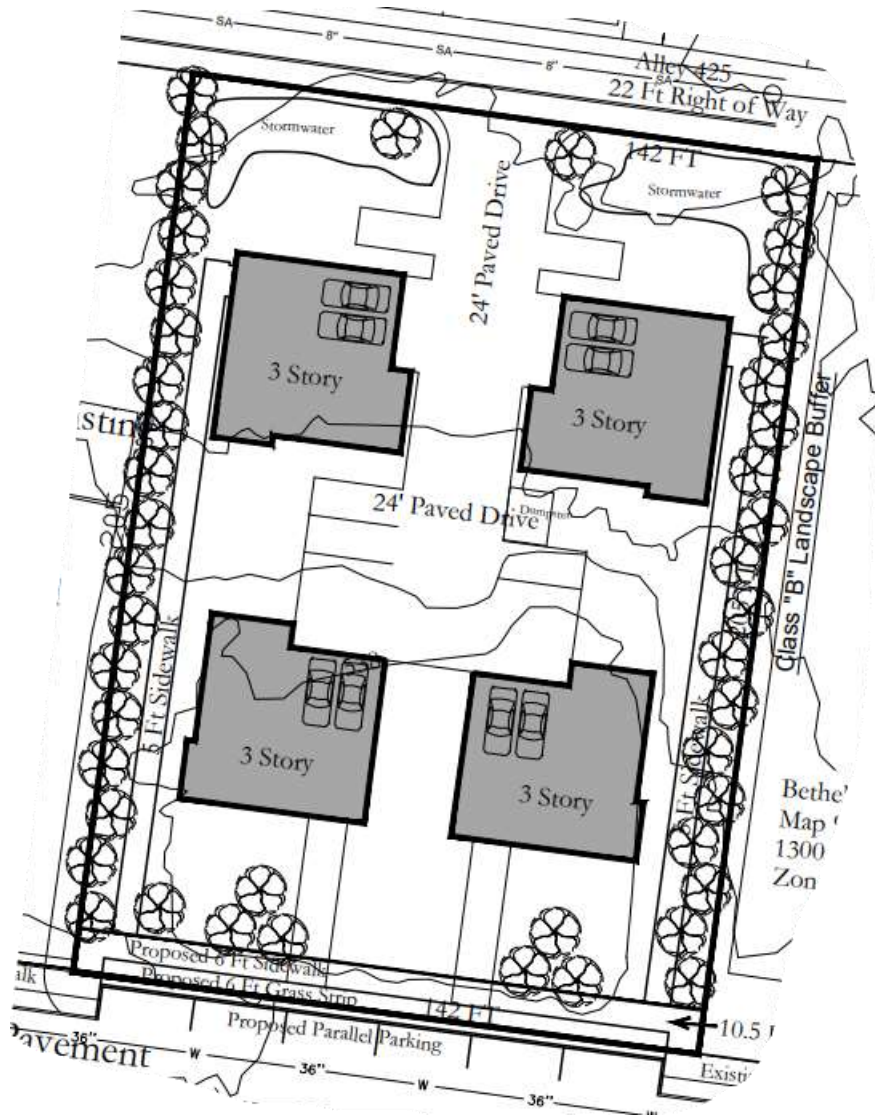
Specific Plan- Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes only one residential building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

**GREEN HILLS – MIDTOWN COMMUNITY PLAN**

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



# Metro Planning Commission Meeting of 2/24/22



**Proposed Preliminary SP**



## **Metro Planning Commission Meeting of 2/24/22**

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

The approximately 0.68 acre property consists of a single lot on the north side of South Street, east of the 14<sup>th</sup> Avenue South and South Street intersection. Currently the lot contains a funeral home, with the surrounding area consisting of primarily single-family homes, with a religious institution and duplexes nearby.

The site plan proposes up to 4 detached multi-family residential units. Vehicular access for the site will be provided through the alley located on the north side of the site. No access will be provided from South Street, which is classed as a Collector Avenue in the Major and Collector Street Plan (MCSP). Parking consists of attached garages for each unit, surface parking located behind the units fronting South Street, and on-street parking along South Street, for a total of 13 spaces. Sidewalks and grass strip along this parcel will be provided to meet MCSP requirements. Included in this site plan are elevations which show 3 stories, attached balconies, and glazing along the front façade. For landscape buffering, a Class B landscape buffer has been provided along the east and west boundaries.

### **ANALYSIS**

The T4 NM land use policy is intended to maintain the general character of an existing neighborhood. The primary character for the surrounding area consists of single-family homes. The proposed plan includes all detached units, to match the character of the existing area. As currently configured, the lot could likely be subdivided and create 2 lots, each being duplex eligible. The proposed SP is providing the number of units that could be built under existing entitlements and includes design standards that would otherwise not be included if developed as a subdivision. With the plan maintaining the character with the surrounding neighborhood and current density that would be permitted through subdivision, the proposed plan is consistent with the T4 NM policy, at this location.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

- Alley will be a required fire apparatus access roadway. Minimum 20' pavement width is required for alley.

### **STORMWATER RECOMMENDATION**

#### **Approve with conditions**

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

### **WATER SERVICES RECOMMENDATION**

#### **Approve with conditions**

- Approved as a Preliminary SP only. Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. 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.





## Metro Planning Commission Meeting of 2/24/22

### NASHVILLE DOT RECOMMENDATION

#### Approve with conditions

- Final construction plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. On final: callout sidewalks, curb & gutter, etc. per NDOT detail standards. Note: A private hauler will be required for waste/recycle disposal.

### TRAFFIC AND PARKING RECOMMENDATION

#### Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.68	7.260 D	6 U	78	9	7

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	0.68	-	4 U	20	1	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-2 U	-58	-8	-5

### METRO SCHOOL BOARD REPORT

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

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

The proposed SP is not anticipated to generate any additional students than what could be generated under the existing R6-A zoning. Students would attend Eakin Elementary, West End Middle School, and Hillsboro High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

### STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

### CONDITIONS

- Permitted uses shall be limited to a maximum of 4 multi-family residential units as identified on the proposed SP plan. Short term rental properties, owner occupied, and short term rental properties, not-owner occupied shall be prohibited.



## Metro Planning Commission Meeting of 2/24/22

2. Note C under architectural notes shall be amended to state 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.”
3. No units shall front a neighboring lot and primary pedestrian access will be limited to the frontage.
4. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM6 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. The Final SP plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.





## Metro Planning Commission Meeting of 2/24/22

<b>Item #</b>	<b>Specific Plan 2021SP-083-001</b>
<b>Project Name</b>	<b>Meridian Street Development</b>
<b>Associated Case</b>	2003P-015-005
<b>Council District</b>	5 – Parker
<b>School District</b>	5 – Buggs
<b>Requested by</b>	Hastings Architecture, applicant; Riverchase Holdings, LP, owner.

**Deferrals** This item was deferred at the February 10, 2022, Planning Commission meeting. No public hearing was held.

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

### APPLICANT REQUEST

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

#### Preliminary SP

A request to rezone from Multi-Family Residential (RM20) to Specific Plan-Mixed Use (SP-MU) for properties located at 301 North 2nd Street and 651 and 660 Joseph Avenue, at the northeast corner of Dickerson Pike and Meridian Street and located in a Planned Unit Development Overlay District, to permit a mixed-use development with non-residential uses and a maximum of 1,150 multi-family residential units (14.52 acres).

#### **Existing Zoning**

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. *RM20 would permit a maximum of 290 units, although the underlying PUD would regulate the maximum number of 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. *The area was part of an older “Res – E” residential PUD. The Res-E PUDs were adopted in the early 1970’s prior to comprehensive zoning. The PUD permits multi-family residential units.*

#### **Proposed Zoning**

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



## Metro Planning Commission Meeting of 2/24/22



**Proposed Site Plan – Option 1, No-build Alignment of Dickerson Pike**



## Metro Planning Commission Meeting of 2/24/22



**Proposed Site Plan – Option 2, Build Realignment of Dickerson Pike**



## Metro Planning Commission Meeting of 2/24/22

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

The site includes approximately 14.52 acres located along Dickerson Pike, Meridian Street, and forming the south side of Grace Street, east of Joseph Avenue. The site is located north of the intersection of Spring Street and Dickerson Pike and is bounded by an existing alley network at the rear, including Alley # 307 and Alley # 303. North 1<sup>st</sup> Street crosses with Dickerson Pike along the western boundary, between the site and Interstate 24. Buffalo Park is located on the north side of the street crossing within the divided median. The site borders the Salvation Army property located at the northwest corner, south of Grace Street.

The site includes 3 parcels that were previously developed with several low-rise multi-family residential structures that wrap Meridian Street, Dickerson Pike, and Grace Street. Berry Street, an existing local street to the east, terminates into the eastern boundary of the site. The McFerrin Park neighborhood is located to the east and is characterized by an urban residential development pattern consisting of smaller lots with single-family, two-family, and multi-family residential properties. The area includes a shorter block pattern with an existing alley network.

#### Specific Plan

The proposed SP is designed to accommodate various TDOT and NDOT plans for the Dickerson Corridor, including the opportunity for Dickerson Pike to be realigned where it currently crosses with N. 1<sup>st</sup> Street. Therefore, the SP includes two plan options to account for the possibility of different transit scenarios along Dickerson Pike. Option 1 retains the current alignment of Dickerson Pike, where no changes are proposed to the Dickerson Street/N. 1<sup>st</sup> Street crossing. Option 2 proposes realignment of Dickerson Pike and removal of the crossing.

Option 1 (No Build Alignment) retains the existing alignment of Dickerson Pike and proposes to wrap Berry Street, which currently terminates at the eastern boundary, to the north to Joseph Avenue. Option 2 (Build Realignment of Dickerson Pike) removes the Dickerson Pike/N. 1<sup>st</sup> Street “cross” and realigns Dickerson Pike along a curve that tees directly into N. 1<sup>st</sup> Street, south of Berry Street. Under this scenario, Berry Street extends from its current terminus to the west, connecting straight through to N. 1<sup>st</sup> Street, and Dickerson Pike would become a two-lane road between Spring Street and N. 1<sup>st</sup> Street. Modifications to the intersection of Dickerson Pike and Spring Street, south of the SP, would be needed to accommodate the realignment.

Staff requested both options be submitted to Planning for a full evaluation of the traffic implications under the current conditions and with the realignment to understand which option would be more appropriate from a traffic and pedestrian standpoint. Additional information with staff’s evaluation is included in the analysis section below.

#### Site Plan

The SP proposes a maximum of 1,150 multi-family residential units and all uses permitted by the MUG-A zoning district with the exception of STRP owner-occupied and not-owner occupied, which shall be prohibited. The maximum FAR is 3.0, excluding the floor area used for parking.

Both plan options propose six development nodes (Sites A through F). Each development node includes varying height standards as depicted in the proposed massing diagrams. In general, building heights are tallest towards the corridor and step back towards the neighborhood, along





## Metro Planning Commission Meeting of 2/24/22

the eastern boundary. Both options propose a nearly identical development footprint within the SP boundary, with the exception of the treatment of Berry Street.

Sites A and B are located on the north end of the SP boundary. Site A is located on the east side of Joseph Avenue, spanning the south side of Grace Street. Site A proposes buildings with a maximum height of three stories, with surface parking areas accessed via Joseph Avenue and Alley #307. Site B is located on the west side of Joseph Avenue, south of the Salvation Army site, and includes a six-story building near the corridor. For Option 1 (No-Build scenario), the six-story building wraps the eastern edge of Dickerson Pike, fronting the corridor and a courtyard proposed to the south, where the area west of the Berry Street wrap remains open. Retaining this area as open space provides the opportunity for a viable future street connection to Dickerson Pike. For Option 2 (Realigned scenario), the south end of the building fronts the Berry Street extension rather than the courtyard. The building is in the same location as Option 1 but sits further back from N. 1<sup>st</sup> Street due to the street realignment.

Site C is located to the south, on the opposite side of Berry Street, and includes a six-story main building on the front half of the site that contains an internal parking garage. The structured parking is wrapped with residential uses on all sides except for the eastern (rear) façade. A central courtyard separates the main building from a smaller residential liner building that is proposed at the rear, near Alley # 307, where the maximum height is reduced to five stories. The fifth story is proposed on the front half of the residential liner building, stepping down to four stories on the back half. The northern corner of the building, wrapping Berry Street and the rear alley, steps down again from four stories to two stories. Stepbacks of 25 feet are also proposed between the fourth and fifth stories of the residential liner building. For Option 1, the main building wraps the corridor and forms the southern boundary of the courtyard that is proposed at Site B, with the residential liner building fronting the Berry Street wrap. For Option 2, both buildings front the Berry Street extension, framing the street near the intersection of Berry Street and N. 1<sup>st</sup> Street. Similar to Option 2 at Site B, the buildings are in the same location as the first option but the main building sits further back from N. 1<sup>st</sup> Street due to the realignment.

Sites D and E include buildings that frame Dickerson Pike under both plan options. Maximum heights are proposed to be six stories, with the exception of a portion that wraps the Meridian Street/Dickerson Pike corner (Site E) which is proposed to be ten stories. Each site includes an internal parking garage that is wrapped by residential liners on all sides. Heights step down towards the eastern boundary with the surrounding neighborhood.

Site F is the only development node that is located away from Dickerson Pike corridor, along the north side of Meridian Street. Site F proposes building heights of two, three, and four stories, including stepbacks that are proposed at the fourth story. North 2<sup>nd</sup> Street, a public street that currently terminates near the northern boundary shared by Sites E and F, is proposed to be extended between the sites, connecting to Meridian Street to the south. Vehicular access is provided from the rear alley to the surface parking areas.

No vehicular access to the parking garages or surface parking areas is provided directly from Dickerson Pike or N. 1<sup>st</sup> Street. Shared drives are proposed between Sites C, D, and E to access the structured parking in those buildings. All structured parking will be wrapped with residential liner buildings on all sides with the exception of Site C, where the parking will be unlined along





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the eastern façade of the garage. Although Site C is flanked by a courtyard and residential liner building at the rear to screen views of the garage from the neighborhood, any unlined portions of the garage will need to be treated per the garage treatment standards proposed with this SP. Staff's preference is that the 4-story portion of the Site C residential liner building be reduced in height, stepped back, or otherwise shifted further from the rear alley. As currently proposed, the 4-story portion is 60 feet tall and does not include a step back. This building is located closer to the existing residences than the other 4-story buildings, which do include stepbacks at the fourth level. With the final site plan, staff will work with the applicant on the details of the 4-story portion.

Pedestrian access will be provided from the public sidewalks along the public street frontage and internal to the site, where several pedestrian plazas are proposed. A 5' landscape buffer is identified along the rear boundary, adjacent to the rear alleys. At Site C, a pedestrian zone is also proposed along the edge of the rear alley, where the liner building is set back approximately 20-25 feet from the alley. Architectural standards, including materials, glazing, and parking garage treatments, are included in the plan.

### **EAST NASHVILLE COMMUNITY PLAN**

T4 Urban Mixed Use Corridor (T4 CM) is intended to enhance urban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of urban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

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.

### Dickerson South Corridor Study

The Dickerson South Corridor Study (Study), was adopted by the Planning Commission on June 13, 2019 and February 27, 2020, after a participatory process with extensive community input. The Study provides supplemental guidance for future development in the Dickerson Pike area by addressing land use, transportation, and community design at the neighborhood scale while also supporting high-capacity transit envisioned by NashvilleNext.

The Dickerson South Corridor Study also established a supplemental Building Heights Subdistricts policy for the area, which provides guidance on maximum building heights and



## Metro Planning Commission Meeting of 2/24/22

appropriate zoning districts intended to create a pattern of development that is supported by the applicable subdistrict. This site is located in several subdistricts of the supplemental policy, including a T4 NE subdistrict which supports maximum heights of up to 3 stories (location of Site A); a T4 NE subdistrict which supports maximum heights of up to 4 stories (location of Site F), and a T4 CM subdistrict which supports heights of up to 6 stories (location of Sites B, C, D, and E), with punctuations of 8-10 stories supported near the intersection of Meridian Street and Dickerson Pike (corner of Site E).

The height limits specified by Dickerson South subdistricts contain guidance for appropriate base zoning districts that would align with the height and development intensity expected for the area. The T4 NE subdistrict (up to 3 stories) supports R6-A, R8-A, RM9-A, and RM15-A zoning, and the T4 NE subdistrict (up to 4 stories) supports up to RM20-A. The T4 CM subdistrict (up to 6 stories) supports the RM9-A, RM15-A, RM20-A, RM40-A, MUN-A, MUL-A, OR20-A, and OR40-A zoning districts. Flexibility on maximum heights may be considered on a case by case basis with a site plan that demonstrates how the project achieves the outcomes sought by the community and the surrounding policy context.

### ANALYSIS

The site is located at the entrance of the McFerrin Park neighborhood and along a major corridor, Dickerson Pike, which is poised to serve as an important multi-modal corridor for Nashville. The plan proposes redevelopment of underutilized properties into a mixed use development along a major thoroughfare, where there is an expressed interest providing additional intensity along the corridor that carefully transitions to surrounding neighborhoods, consistent with the Dickerson South Corridor Study. The site plan includes development that frames that corridor with heights that step down to the interior neighborhood, forming a transition in scale and massing as the buildings relate to the lower-intensity policy areas to the east, meeting the goals of the policies.

Regarding the treatment of Dickerson Pike, Nashville DOT has evaluated both plan options to better understand the traffic and pedestrian implications under the current conditions and with the realignment. Staff's preference is for Option 2 (Build Realignment of Dickerson Pike), with the understanding that the final realignment will be determined at final SP review in conjunction with NDOT and TDOT, subject to the staff conditions listed below. If the realignment is not approved by TDOT, adjustments may be necessary to the site plan, including but not limited to building placement and the relationship to Dickerson Pike, N. 1<sup>st</sup> Street, Berry Street, Meridian Street, and the associated streetscape details. Pedestrian entries and street-level interaction will need to be demonstrated with the final site plan architectural elevations, regardless of the final alignment determination.

Other improvements that will enhance the existing street network include the extension of N. 2<sup>nd</sup> Street to Meridian Street, and the extension of Berry Street to extend to the west, which is identified in Option 2 but is also viable as a future connection in Option 1. These enhancements will improve the overall street network and support the additional intensity called for by the Dickerson South Corridor Study. The plan meets several critical policy goals envisioned for the corridor, including street activation that prioritizes pedestrians and a tree-lined streetscape in place of head-in parking and driveway access points that have long dominated Dickerson Pike.



## **Metro Planning Commission Meeting of 2/24/22**

Additionally, the inclusion of non-residential uses provides transit-supportive uses and densities necessary for high-capacity transit service to succeed. Staff finds that the plan meets several critical planning goals and is consistent with the overall intent of the Dickerson South Corridor Study.

### **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.

### **HISTORIC ZONING STAFF RECOMMENDATION**

- WOC-No exception taken.

### **STORMWATER RECOMMENDATION**

#### **Approved 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**

#### **Approved 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.
- NDOT's preferred layout is labeled as the 'alternative layout'
- TDOT approval for modification to the access control fencing, modification to Dickerson Pike, N 1st Street, etc.
- Comply with the Traffic Conditions from the NDOT Traffic Engineer.

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **Approve with conditions**

- A full signal warrant analysis shall be conducted prior to approval of any Final SP for any portion of the SP for the intersection of Dickerson Pike at Meridian Street and shall be constructed if warranted and/or directed by NDOT. If the development will be constructed in multiple phases, a signal warrant analysis may be requested prior to each Final SP approval.
- A full signal warrant analysis shall be conducted prior to approval of any Final SP for any portion of the SP for the intersection of Dickerson Pike at Grace Street and shall be



## Metro Planning Commission Meeting of 2/24/22

constructed if warranted and/or directed by NDOT. If the development will be constructed in multiple phases, a signal warrant analysis may be requested prior to each Final SP approval.

- Development shall work with NDOT and TDOT to reconstruct the intersection of Spring Street at Dickerson Pike per the concept included within the Preliminary SP packet. Construction plans shall be finalized and bonded prior to Final SP approval of the 2<sup>nd</sup> phase of development, if phased. If not phased, this shall take place with 1<sup>st</sup> final site plan approval. A final plat will be required with bonding. Additional analysis may be required.
- The build scenario with the realignment of Dickerson Pike is the preferred alignment. Prior to the first Final SP approval, development shall work with NDOT and TDOT for final approval of the realignment which may require additional analysis. If approved, the Dickerson Pike realignment construction plans shall be finalized and bonded prior to the certificate of occupancy for the first phase or any other phase of the development, if phased. If not phased, construction plans and bonding shall be finalized prior to 1st final site plan approval. A final plat will be required with bonding. Improvements to the intersection of Spring Street at Dickerson Pike are separate from this condition. If it is determined by NDOT and TDOT to not proceed with the alignment, and no other alternatives are proposed, the no-build alignment of Dickerson Pike is adequate. However, a financial contribution shall be made to Metro as agreed upon by the developer and NDOT for other future mobility improvements in the vicinity of the project.
- NDOT may require additional TIS or analysis with additional improvements prior to any Final SP approval. Additional off-site improvements may be conditioned.
- Parking shall be provided per Code.

**Maximum Uses in Existing Zoning District: RM20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (210)	14.52	20 D	290 U	1,579	97	123

\*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 (221)	14.52	-	1150 U	6,266	374	462

**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)	14.52	-	230,000 SF	2,380	243	251



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### 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)	14.52	-	10,000 SF	378	10	38

### 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)	14.52	-	10,000 SF	1,122	100	98

### Traffic changes between maximum: RM20 and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+8,567	+630	+726

## METRO SCHOOL BOARD REPORT

**Projected student generation existing RM20 district: 63 Elementary 45 Middle 46 High**

**Projected student generation proposed SP district: 250 Elementary 178 Middle 181 High**

The proposed SP-MU zoning is expected to generate 455 more students than the existing RM20 zoning district. Students would attend Ida B. Wells 1 Elementary School, Jere Baxter Middle School, and Maplewood High School. All 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

1. Permitted uses shall be limited to all uses of MUL-A and a maximum of 1,150 multi-family residential units. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. Option 2 (Build Realignment of Dickerson Pike) is the preferred option. If the realignment is not approved by TDOT, adjustments may be necessary to the site plan, including but not limited to building placement and streetscape details.
3. If the development is proposed to be phased, include a full phasing plan with the 1<sup>st</sup> final site plan.
4. Pedestrian entries and street-level interaction shall be demonstrated with the final site plan architectural elevations, regardless of the final alignment determination.
5. Final street cross sections and alignment details of Dickerson Pike, 1<sup>st</sup> Avenue North, Berry Street, Meridian Street, or realignment scenario, are subject to change and shall be determined with the final site plan.



## Metro Planning Commission Meeting of 2/24/22

6. If Dickerson Pike is realigned under Option 2, setbacks on the upper stories may be necessary along the street frontage. Applicant shall work with staff during final SP review to incorporate as needed.
7. All structured parking shall be wrapped with habitable space, consistent with the residential liner areas specified on the preliminary SP and include active uses. Active uses are those programmed spaces that generate pedestrian street activity and interaction. Hallways, storage rooms, fitness centers, and other ancillary spaces shall not qualify as an active use.
8. The residential liner building for Site C shall be included in the same phase as the Site C parking garage. The rear portion of the parking garage façade that is not wrapped with habitable space shall include parking garage treatments per the SP parking screening details.
9. Facades for parking garages shall be seamlessly integrated into the design. The materiality and proportions of any above-grade parking screening should be thoughtfully considered. The façade treatments shall integrate or complement the architectural characteristics of the habitable portion of the building and the surrounding built context. Openings for natural ventilation are permissible when integrated into the façade design.
10. On the corrected copy, update the location of the Site C residential liner building as needed to be consistent with the proposed rear setback.
11. On the corrected copy, update the Maximum Overall Height language: Maximum overall height shall comply with the massing diagrams provided in the preliminary SP. Height shall be measured per the Metro Zoning Ordinance.
12. On the corrected copy, update all language related to the timing of improvements to Dickerson and intersection details with the NDOT conditions.
13. No direct vehicular access to the parking garages or surface parking areas shall be provided directly from Dickerson Pike or Meridian Street.
14. On the final site plan, landscaping and TDU Requirements shall be provided per the Metro Zoning Ordinance.
15. All private drives, access, and open spaces shall include public access easements, which shall be included on the final site plan. Prior to final site plan approval, provide easement documentation.
16. Comply with all conditions and requirements of Metro reviewing agencies.
17. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the preliminary SP for review and approval.
18. 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.
19. 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. Uses are limited as described in the Council ordinance.
20. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.



## **Metro Planning Commission Meeting of 2/24/22**

21. 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.
22. 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 Property Owners’ Association.
23. 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.
24. 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 of any building permits.

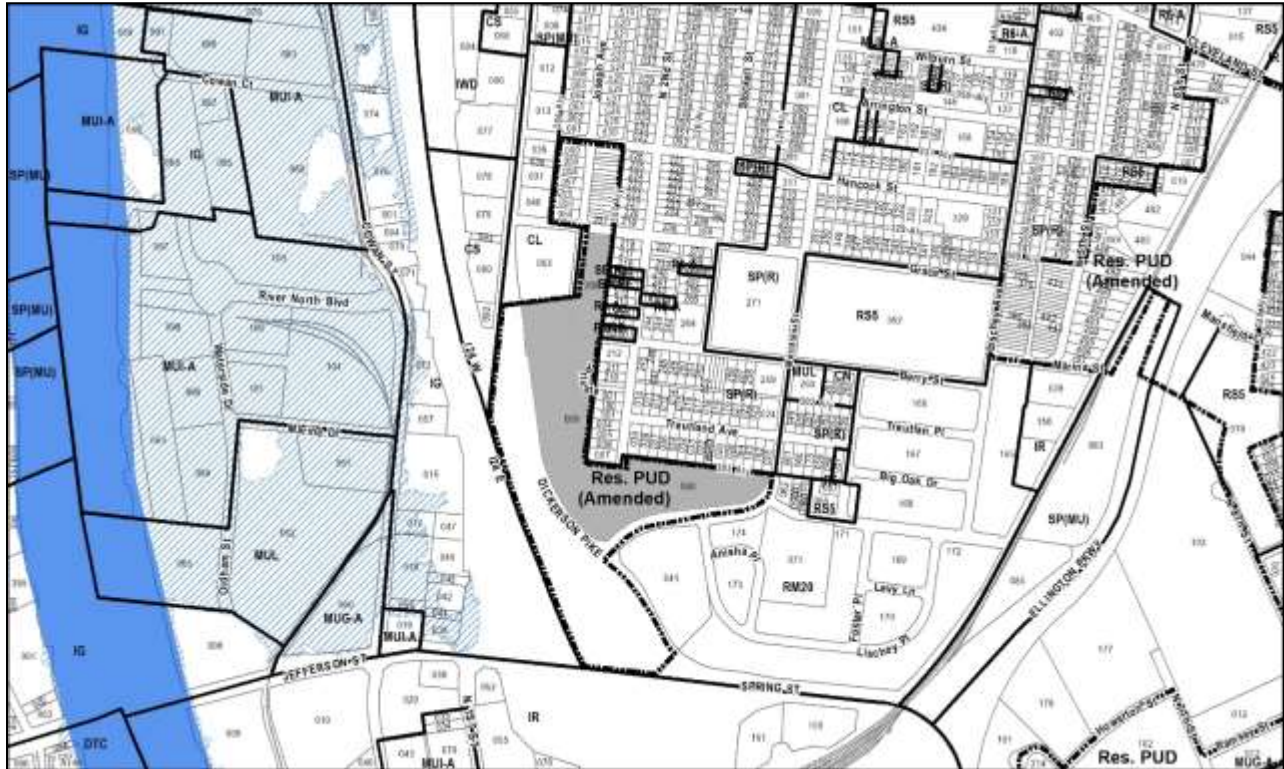


**SEE NEXT PAGE**





## Metro Planning Commission Meeting of 2/24/22



### 2003P-015-005

#### SAM LEVY HOMES PUD (CANCELLATION)

Map 082-07, Parcel(s) 208

Map 082-11, Parcel(s) 009, 040

05, East Nashville

05 (Sean Parker)



## Metro Planning Commission Meeting of 2/24/22

<b>Item #13b</b>	<b>Planned Unit Development 2003P-015-005</b>
<b>Project Name</b>	<b>Sam Levy Homes PUD (Cancellation)</b>
<b>Associated Case</b>	2021SP-083-001
<b>Council District</b>	5 – Parker
<b>School District</b>	5 – Buggs
<b>Requested by</b>	Hastings Architecture, applicant; Riverchase Holdings, LP, owner.

**Deferrals** This item was deferred at the February 10, 2022, Planning Commission meeting. No public hearing was held.

**Staff Reviewer** Rickoff  
**Staff Recommendation** *Approve if the associated SP is approved and disapprove if the associated SP is not approved.*

### APPLICANT REQUEST

**Cancel a portion of a Planned Unit Development.**

#### PUD Cancellation

A request to cancel a portion of a Planned Unit Development Overlay District (PUD) for properties located at 301 North 2nd Street and 651 and 660 Joseph Avenue, at the northeast corner of Dickerson Pike and Meridian Street, zoned RM20 (14.52 acres).

#### **Existing Zoning**

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. *RM20 would permit a maximum of 290 units, although the underlying PUD would regulate the uses and maximum number of 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 this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provisions 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 provisions of essential utilities and streets.

#### **EAST NASHVILLE COMMUNITY PLAN**

T4 Urban Mixed Use Corridor (T4 CM) is intended to enhance urban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of urban neighborhoods; and a



## Metro Planning Commission Meeting of 2/24/22

street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

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 need 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.

### Dickerson South Corridor Study

The Dickerson South Corridor Study (Study), was adopted by the Planning Commission on June 13, 2019, and February 27, 2020, after a participatory process with extensive community input. The Study provides supplemental guidance for future development in the Dickerson Pike area by addressing land use, transportation, and community design at the neighborhood scale while also supporting high-capacity transit envisioned by NashvilleNext.

### **ANALYSIS**

The area was part of an older “Res – E” residential PUD. The Res-E PUDs were adopted in the early 1970’s prior to comprehensive zoning. The PUD permits multi-family residential units. The site includes 3 parcels that were previously developed with several low-rise multi-family residential structures that wrap Meridian Street, Dickerson Pike, and Grace Street. Other portions of the PUD have been cancelled over the years.

Staff finds the PUD cancellation request to be consistent with the land use policies. The cancellation of this portion of the PUD will allow more opportunities for the properties to redevelop in a manner that is consistent with the current T4 Urban transect, where the land use policies support a greater mix of higher density residential and non-residential uses.

### **STAFF RECOMMENDATION**

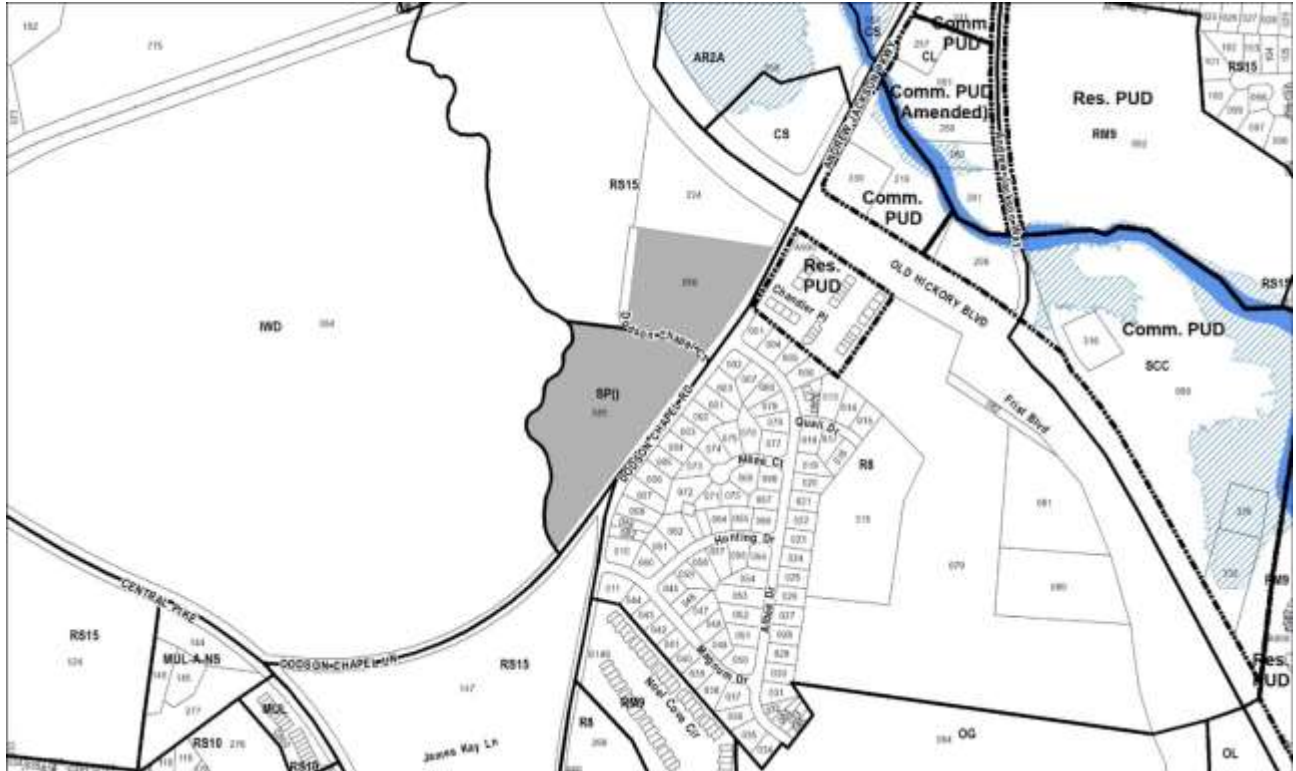
Staff recommends approval if the associated SP is approved and disapproval if the associated SP is not approved.



**SEE NEXT PAGE**



## Metro Planning Commission Meeting of 2/24/22



**2021SP-092-001**

**DODSON CHAPEL**

Map 086, Parcel(s) 055-056

14, Donelson – Hermitage – Old Hickory

14 (Kevin Rhoten)



## Metro Planning Commission Meeting of 2/24/22

<b>Item #14</b>	<b>Specific Plan 2021SP-092-001</b>
<b>Project Name</b>	<b>Dodson Chapel</b>
<b>Council District</b>	14 – Rhoten
<b>School District</b>	04 – Little
<b>Requested by</b>	Kimley-Horn, applicant; Dodson Chapel United Methodist Church, owner.
<b>Deferrals</b>	This item was deferred from the December 9, 2021, January 13, 2022, and February 10, 2022, Planning Commission meetings. No public hearing was held.
<b>Staff Reviewer</b>	Shane
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions</i>

### APPLICANT REQUEST

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

#### Zone Change

A request to rezone from Single-Family Residential (RS15) and Specific Plan (SP) to Specific Plan (SP) zoning for properties located at 4107 Dodson Chapel Court and 4186 Dodson Chapel Road, approximately 115 feet southwest of Old Hickory Boulevard (11.47 acres), to permit 200 multi-family residential units.

#### **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 28 units, based on acreage alone.*

Specific Plan-Institutional (SP-INS) 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 institutional uses.

#### **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.

### SITE CONTEXT AND PLAN DETAILS

The site is located on the northwestern side of Dodson Chapel Road, with the northern edge being approximately 115 feet southwest of Old Hickory Boulevard. The properties extend approximately 1,440 feet southward along Dodson Chapel Road. Dodson Chapel Court roughly bisects the site and ends in a dead end. The site is currently vacant commercial land, having formerly contained the historic Dodson Chapel Methodist Church, which was destroyed in the tornado of 2020. IWD-zoned property containing a quarry lies to the west. RS15-zoned property







## Metro Planning Commission Meeting of 2/24/22

is adjacent to the north, and a multi-family development and a one- and two-family residential subdivision, both zoned R8, are located across Dodson Chapel Road to the southeast. The edge of Hermitage Park borders the southeastern corner of the site. The SP zoning in place on the site allows a childcare center with a capacity of over 75 within the former church buildings.

### Site Plan

The SP is intended to create a mixed-residential development. The plan proposes 200 multi-family units (160 stacked flats and 40 townhomes). The SP includes a site plan as well as bulk standards, architectural renderings, and parking and preliminary landscaping. The submitted plans show buffering that doesn't meet the standards of Chapter 17.24, so it is a condition of approval that a note indicating that all standards of this chapter be met for final site plan approval. FAR is limited to 0.51 and building height to 3 stories, with a step-down approach to two story townhomes moving southwest across the site. The buildings will be set back ten feet along Dodson Chapel Road opposite the detached residential homes.

The plan provides a 6-foot-wide sidewalk and 16-foot grass strip along Dodson Chapel Road within the existing right-of-way dimensions which match the MCSP prescription (the overly large grass strip will allow NDOT room to build bike lanes along this corridor in the future). The plans also show a new turn lane within Dodson Chapel Road stretching to Old Hickory Boulevard. Dodson Chapel Court is shown as improved with 70- to 75-foot right-of-way, sidewalks, and grass strips. It is a condition of approval that these improvements be completed by the developer. Another entrance onto Dodson Chapel Road is proposed toward the southern end of the site. (ADA-accessible ramps must be added to this driveway ramp in the final corrected plan set.) A private sidewalk network will connect the residential buildings and parking lots to the proposed public sidewalks along both rights-of-way.

Three-hundred ten (310) parking spaces will be located internal to the site behind and to the side of the buildings to serve the proposed number of units as required by Code. Water quality and quantity areas are sited behind the parking along the stream buffer in the lower-lying portion of the property.

The site layout consists of three apartment buildings wrapping the eastern and northern edges of the site on Parcel 056 while Parcel 055 features three rows of attached townhomes and a detached amenity building for residents. The spaces between the buildings feature pedestrian courtyard areas and landscaping. The architecture proposed is neo-traditional. The original plan featured four story stacked flat buildings in the northern half and three story stacked flat buildings in the southern half. After working with the Councilmember, Planning staff, and the neighborhood, the applicant redesigned the site to better fit the context of the neighborhood.

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

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 NE policy may be applied either to undeveloped or substantially under-developed "greenfield" areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity.





## Metro Planning Commission Meeting of 2/24/22

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 site is primarily covered within T3 NE policy with CO policy covering sensitive environmental features (the stream banks along its western boundary). Disturbance is confined to those areas not covered by CO policy. The proposed plan also meets many of the goals of the T3 NE policy, such as featuring higher densities and greater housing variety than classic suburban neighborhoods and moderate setbacks and spacing between buildings with moderate levels of connectivity to the surrounding street network.

The built form is consistent with the policy, which allows for one to three stories generally in T3 NE (with greater height appropriate when abutting a major corridor) and two stories in the southern half opposite detached single-family housing. No parking is being proposed between the buildings and the street per the policy guidance; however, a ten-foot front setback is being incorporated to allow for more space between the development and the detached residential structures across the street. Any differences in height across Dodson Chapel Road will be mitigated, however, by the lower elevations and FFEs (approximately six feet lower) than those of the existing neighborhood.

The stream buffer areas of the site, which are protected by CO policy, will remain undisturbed with the proposed plan. Bioretention and detention ponds will be located near these natural assets in the rear of the development.

Staff recommends approval with conditions and disapproval without all conditions. The proposed SP allows an appropriately intense residential development that achieves the intent of the policy area. The SP includes design standards that are intended to provide for development that is appropriate to a suburban context while bringing focus to pedestrian spaces and relegating automobile uses to the rear. These include, but are not limited to, providing sidewalks and activating streets with pedestrian entryways. The proposal will revitalize an area that was hit particularly hard by a natural disaster and provide more housing opportunities in an area where development pressures are growing.



## **Metro Planning Commission Meeting of 2/24/22**

### **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**

- Council Ordinance shall include the following statement: “Final site design layout and unit count entitlement are contingent on the results of a Flood Study to be completed prior to final site plan approval. The Flood Study will determine the floodway, floodplain, and stream buffer locations as well as areas requiring compensating cut and fill for the site.”
- On the corrected plan set, add note to the first page: “Final site design layout and unit count entitlement are contingent on the results of a Flood Study to be completed prior to final site plan approval. The Flood Study will determine the floodway, floodplain, and stream buffer locations as well as areas requiring compensating cut and fill for the site.”

### **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% 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. In general, on final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Dimension ROW pavement widths for clarity. Note: A private hauler will be required for waste/recycle disposal.
- Upon further review, provide minimum 20 ft. of pavement width up to turning easement on Dodson Chapel Court. Show on final.
- Comply w/ traffic comments.

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **Approve with conditions**

- At final, parking shall be per code, tandem parking for townhomes is not permitted per 17.20.060.F.3.
- At final, submit striping plans for the intersection of Old Hickory Blvd & Dodson Chapel Rd.



## Metro Planning Commission Meeting of 2/24/22

### 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)	11.47	2.904 D	28 U	322	25	30

### 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)	11.47	-	200 U	1,098	68	87

### Traffic changes between maximum: RS5 and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+178 U	+776	+43	+57

## METRO SCHOOL BOARD REPORT

**Projected student generation existing SP and RS15 districts: 3 Elementary 2 Middle 2 High  
 Projected student generation proposed SP-MR district: 17 Elementary 13 Middle 10 High**

The proposed SP-MR zoning district is expected to generate 33 more students than what is typically generated under the existing SP and RS15 zoning districts. Students would attend Tulip Grove Elementary School, Dupont Tyler Middle School, and McGavock High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

## STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

## CONDITIONS

1. Permitted uses shall be limited to 200 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. Final site design layout and unit count entitlement are contingent on the results of a Flood Study to be completed prior to final site plan approval. The Flood Study will determine the floodway, floodplain, and stream buffer locations as well as areas requiring compensating cut and fill for the site.
3. On the corrected plan set, add note to the first page: "Final site design layout and unit count entitlement are contingent on the results of a Flood Study to be completed prior to final site plan approval. The Flood Study will determine the floodway, floodplain, and stream buffer locations as well as areas requiring compensating cut and fill for the site."
4. On the corrected plan set, add note that landscaping will satisfy all provisions of Chapter 17.24 (not just parking and screening).



## Metro Planning Commission Meeting of 2/24/22

5. On the corrected plan set, provide ADA sidewalk ramps at southernmost drive entrance.
6. On the corrected plan set, show improvements to Dodson Chapel Road extending to the intersection with Old Hickory Boulevard.
7. On the corrected plan set, provide private sidewalk connections from the townhomes to the internal sidewalk network.
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." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
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. Comply with all conditions and requirements of Metro reviewing agencies.
12. 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 MUG-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
13. 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.
14. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.



## Metro Planning Commission Meeting of 2/24/22



**2021SP-095-001**

2600 DICKERSON PIKE SP

Map 060-15, Parcel(s) 023, 042-045, 047-051

18, East Nashville

02 (Kyonzté Toombs)



## Metro Planning Commission Meeting of 2/24/22

**Item #15** **Specific Plan 2021SP-095-001**  
**Project Name** **2600 Dickerson Pike SP**  
**Council District** 02 – Toombs  
**School District** 01 – Gentry  
**Requested by** Kimley-Horn, applicant; B. S. Hastings, C. L. Hughes & C. A. Henry, owners.

**Deferrals** This item was deferred from the December 9, 2021, January 13, 2022, and February 10, 2022, Planning Commission meetings. No public hearing was held.

**Staff Reviewer** Harrison  
**Staff Recommendation** *Defer to the March 10, 2022, Planning Commission meeting.*

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### APPLICANT REQUEST

**Preliminary SP to permit 349 multi-family units.**

#### Zone Change

A request to rezone from Commercial Service (CS) and Industrial Warehouse/Distribution (IWD) to Specific Plan (SP) zoning for properties located at 2405 Plum Street, 2600 and 2604 Dickerson Pike, Plum Street (unnumbered), and Dickerson Pike (unnumbered), at the northwest corner of Rock Street and Dickerson Pike (5.22 acres), to permit 349 multi-family units.

### STAFF RECOMMENDATION

Staff recommends deferral to the March 10, 2022, Planning Commission meeting at the request of the applicant.



## Metro Planning Commission Meeting of 2/24/22



### **2021SP-096-001**

1301 2<sup>ND</sup> AVENUE NORTH  
Map 082-09, Parcel(s) 219  
08, North Nashville  
19 (Freddie O'Connell)



## Metro Planning Commission Meeting of 2/24/22

<b>Item #16</b>	<b>Specific Plan 2021SP-096-001</b>
<b>Project Name</b>	<b>1301 2<sup>nd</sup> Avenue North</b>
<b>Council District</b>	19 - O'Connell
<b>School District</b>	1 – Gentry
<b>Requested by</b>	Smith Gee Studio, applicant; Germantown Hospitality LLC, owner.

**Deferrals** This item was deferred at the December 9, 2021, and January 13, 2022, Planning Commission meetings. No public hearing was held.

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

### APPLICANT REQUEST

**Rezone from IR to Specific Plan to permit a mixed use development.**

#### Preliminary SP

A request to rezone from Industrial Restrictive (IR) to Specific Plan (SP) zoning for property located at 1301 2nd Avenue North, at the northwest corner of Monroe Street and 2nd Avenue North and located within the Germantown Historic Preservation District Overlay (0.38 acres), to permit hotel and retail uses.

#### **Existing Zoning**

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

#### **Proposed Zoning**

Specific Plan-Commercial (SP-C) 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 commercial uses.

### **NORTH NASHVILLE COMMUNITY PLAN**

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





# Metro Planning Commission Meeting of 2/24/22



**Proposed Site Plan**



## Metro Planning Commission Meeting of 2/24/22

### **SITE**

The subject site is a single parcel that is approximately .38 acres in the Germantown neighborhood. The site is located at the northwest corner of 2<sup>nd</sup> Avenue and Monroe Street and a public alley exist to the rear of the site. 2<sup>nd</sup> Avenue is classified as an Arterial Boulevard in the Major and Collector Street Plan and Monroe Street is a local street. The site currently contains an industrial use and is surrounded by commercial, office, multi-family residential, and industrial land uses.

The site is located within the Germantown Historic Preservation Zoning Overlay and this project requires review by the Metro Historic Zoning Commission (MHZC). The project went before the MHZC on February 16, 2022, and the commission's recommendation is included below. This site is located at the edge of the Germantown Historic Zoning Commission with the property directly south of Monroe Street and directly east of 2<sup>nd</sup> Avenue being outside of the overlay district.

### **PLAN DETAILS**

The application proposes a 6-story mixed use project with a maximum of 80 hotel units and 6,000 square feet of non-residential uses as permitted by the MUL-A zoning district. The building addresses both 2<sup>nd</sup> Avenue North and Monroe Street with active uses and the primary entrance to the building is located on 2<sup>nd</sup> Avenue North. The plans propose to dedicate the necessary right-of-way for all three right-of-way frontages. The development does not include any on-site vehicle parking and the application proposes to provide the parking agreement with the final site plan application, consistent with the provisions of Chapter 17.20 of the Metro Zoning Code. A loading zone is provided on the alley to the rear of the site. A 5' landscape buffer is provided along the northern property boundary.

The application includes elevations that demonstrate the form and style of the development. The architecture of the building breaks up the massing with varying design styles across the building as well as utilizing a series of step backs at the upper floors to reduce the visual impact from the street. The building is 2-stories tall at the northern boundary as well as along the alley and is 5-stories tall at the corner of 2<sup>nd</sup> Avenue North and Monroe Street with the center area reaching the maximum 6-stories.

The T4 MU policy provides factors for considering building heights greater than five stories and the applicant has responded to these factors on the set of plans. Staff finds the context of this site, including the infrastructure and block structure, as well as the use of step backs and other design features, to support the requested building height at this location.

### **ANALYSIS**

The application proposes a development pattern that is consistent with the policy guidance for T4 MU areas. The building form is appropriate for this location and will enhance the pedestrian experience for this area. The T4 MU policy encourages shared parking and this application proposes to provide a parking agreement with the final site plan application. The plans include architectural standards, in addition to the elevations, that will provide for a high quality urban development.



## Metro Planning Commission Meeting of 2/24/22

### METRO HISTORIC ZONING COMMISSION

#### Approve with conditions

- If the SP is approved by the Planning Commission, the applicant will return to the Historic Zoning Commission for review of materials, material color and texture, windows and doors, proportion and rhythm of openings, porches, entries and stoops, fences and walls, roof top decks, balconies, and pergolas, stair tower locations and detailing, appurtenances and utility locations, and the overall detailing of the proposal.

### FIRE MARSHAL RECOMMENDATION

#### Approve with conditions

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

### STORMWATER RECOMMENDATION

#### Approve

### WATER SERVICES RECOMMENDATION

#### Approve with conditions

- Approved as a Preliminary SP only. Public and/or private Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. 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 NDOT. Final design and improvements may vary based on actual field conditions. In general, on final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Dimension ROW pavement widths for clarity. Note: A private hauler will be required for waste/recycle disposal. From previous comments, remove valet/lay-by parking on 2nd Ave. Additional road comments forthcoming after TIS scoping/review.

### TRAFFIC AND PARKING RECOMMENDATION

#### Approve with conditions

- At final SP, submit TIS. Additional traffic comments forthcoming.
- Submit documentation of parking agreements.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.38	0.6 F	9,932 SF	61	1	2



## Metro Planning Commission Meeting of 2/24/22

### 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
Hotel (310)	0.38	-	80 U	476	34	34

### 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)	0.38	-	6,000 SF	673	59	58

### Traffic changes between maximum: IR and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1,088	+92	+90

## METRO SCHOOL BOARD REPORT

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

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

The proposed SP zoning is not expected to generate any additional students than what is typically generated under the existing IR zoning. Students would attend Jones Paideia Magnet Elementary School, John Early Museum Magnet Middle School, and Pearl-Cohen Magnet 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

1. Permitted uses shall be limited to a maximum of 80 hotel rooms and 6,000 square feet of non-residential uses as permitted by the MUL-A zoning district. Short term rental properties, owner occupied and short term rental properties, not owner occupied shall be prohibited.
2. Corrected copy shall include all conditions of approval of the MHZC.
3. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
4. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Comply with all conditions and requirements of Metro reviewing agencies.



## **Metro Planning Commission Meeting of 2/24/22**

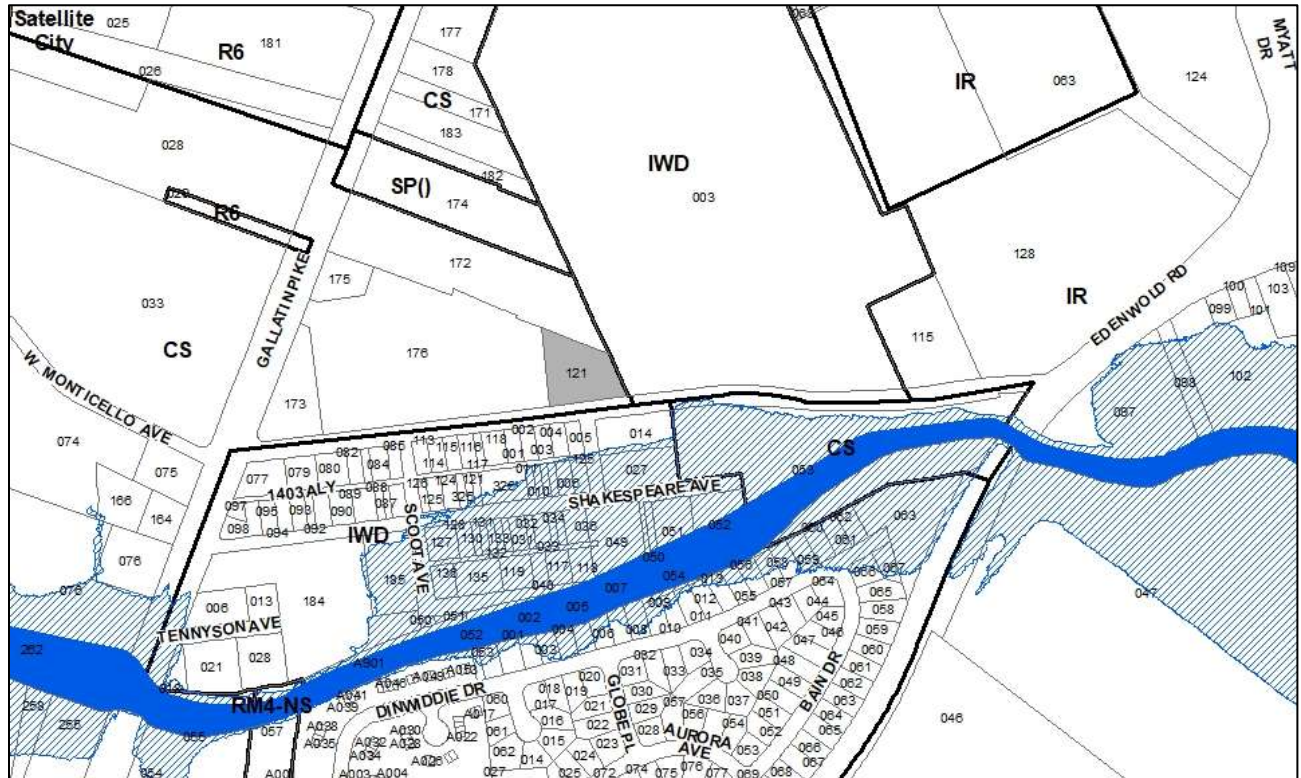
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application.
8. A corrected copy of the 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.



**SEE NEXT PAGE**



## Metro Planning Commission Meeting of 2/24/22



**2022SP-003-001**  
EDENWORLD SP  
Map 034-10, Parcel(s) 121  
04, Madison  
10 (Zach Young)



## Metro Planning Commission Meeting of 2/24/22

**Item #17**

**Specific Plan 2022SP-003-001**

**Project Name**

**Edenwold SP**

**Council District**

10 - Young

**School District**

03 – Masters

**Requested by**

James Terry, applicant; Alireza Nouri, owner.

**Staff Reviewer**

Swaggart.

**Staff Recommendation**

*Approve with conditions and disapprove without all conditions.*

**APPLICANT REQUEST**

**Preliminary SP to permit automobile repair and warehouse.**

Zone Change

A request to rezone from Commercial Services (CS) to Specific Plan-Commercial (SP-C) zoning for property located at 400 Edenwold Road, approximately 1,000 feet east of Gallatin Pike, (1.08 acres), to permit auto repair and warehouse.

**Existing Zoning**

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

**Proposed Zoning**

Specific Plan-Commercial (SP-C) 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 commercial uses.

**SITE CONTEXT AND PLAN DETAILS**

The approximately one-acre site is located on the north side of Edenwold Road, just east of Gallatin Pike. The site is vacant and has been cleared of trees and other vegetation. Adjacent zoning includes CS to the north and west and IWD to the south and the east. Surrounding land uses include but are not limited to warehousing, automobile sales and automobile repair.

Site Plan

The plan includes a 13,400 square foot single story building. The building is split equally between auto repair and a warehouse. The 6,700 sq. ft. area identified for warehousing is located on the front half of the building facing Edenwold Road. All parking is located beside and behind the building. A 5’ wide sidewalk is shown along Edenwold Road.

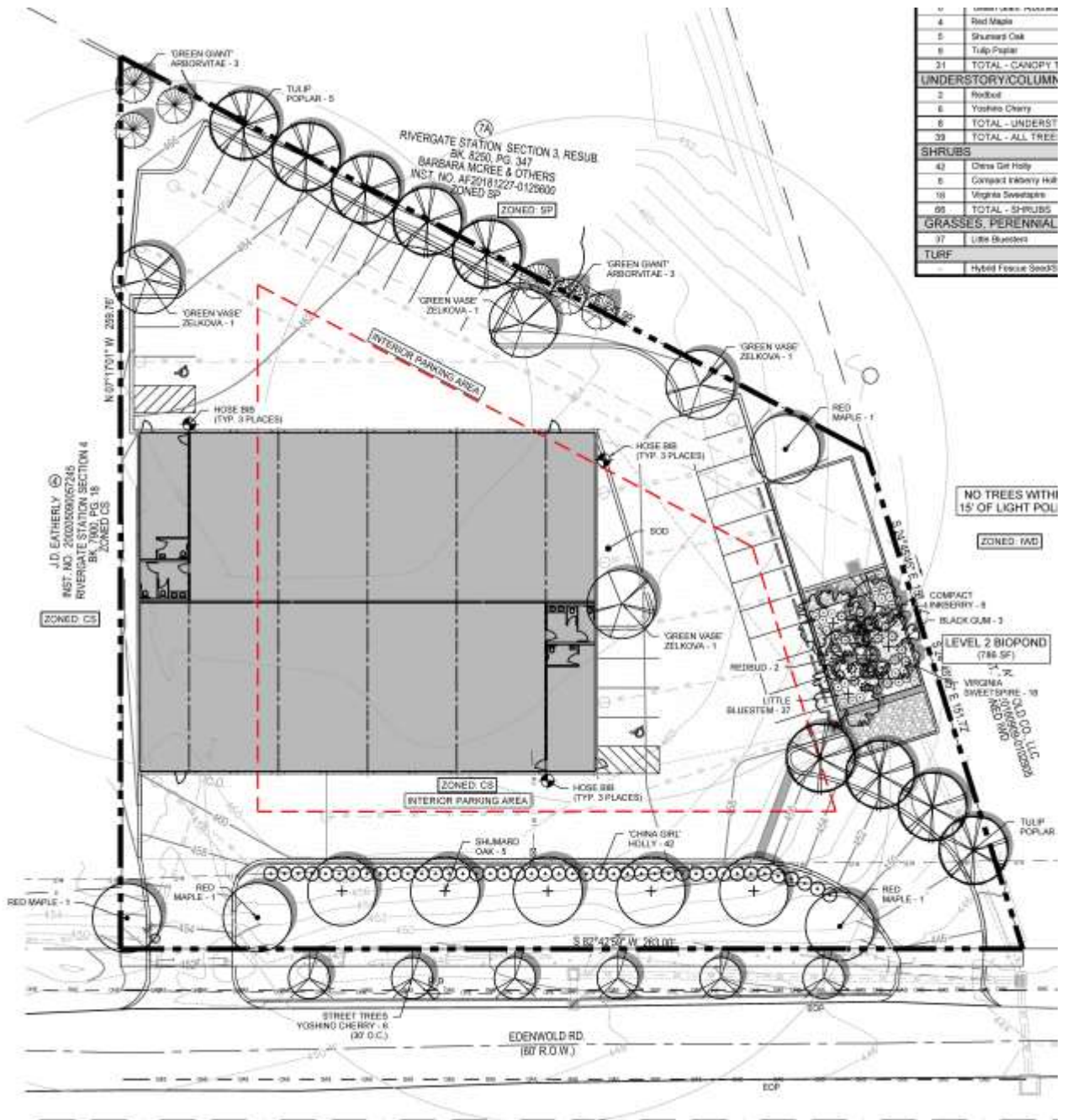
**MADISON COMMUNITY PLAN**

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





# Metro Planning Commission Meeting of 2/24/22



Proposed Site Plan



## **Metro Planning Commission Meeting of 2/24/22**

provide high access management and are served by highly connected street networks, sidewalks, and existing or planned mass transit.

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

### SPA 04-T3-CM-01 – Motor Mile

The site is within a special policy area known as the Motor Mile. It 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.

### **ANALYSIS**

As proposed, the plan is consistent with the policy. The SPA that applies to the site is intended to allow for the proposed uses and the site plan meets the design standards provided in the SPA.

### **FIRE MARSHAL RECOMMENDATION**

**Approve**

### **STORMWATER RECOMMENDATION**

**Approve**

### **WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Preliminary SP only. Public and/or private Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. Submittal of an 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**

### **TRAFFIC AND PARKING RECOMMENDATION**

**Approve**



## Metro Planning Commission Meeting of 2/24/22

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)	1.08	0.6 F	28,227 SF	1,066	26	108

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
Warehousing (150)	1.08	-	6,700 SF	56	1	1

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
Auto Repair (150)	1.08	-	6,700 SF	15	11	14

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-995	-14	-93

### STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

### CONDITIONS

1. Permitted uses shall be limited to automobile repair and warehousing.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
4. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district as of the date of the applicable request or application.
6. 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.
7. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

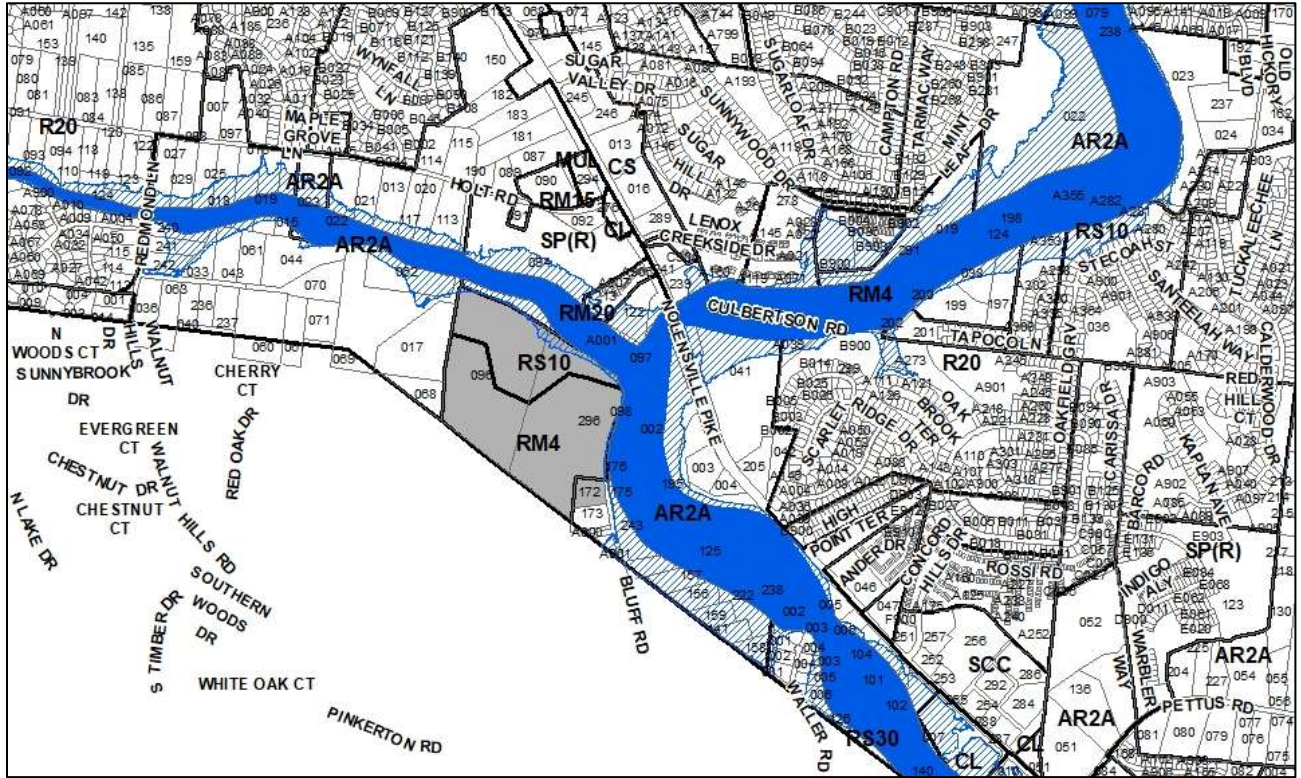


## **Metro Planning Commission Meeting of 2/24/22**

8. 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.



# Metro Planning Commission Meeting of 2/24/22



**2022SP-007-001**  
**BLUFF HEIGHTS**  
Map 181, Parcel 096, 172, 296  
12, Southeast  
04 (Robert Swope)



## Metro Planning Commission Meeting of 2/24/22

### Item #18

### Specific Plan 2022SP-007-001

#### Project Name

#### Bluff Heights

#### Council District

04 - Swope

#### School District

02 - Little

#### Requested by

Alfred Benesch & Company, applicant; BBDB Investments, LLC and Ann Marie Gillis, owners.

#### Deferrals

This item was deferred from the January 13, 2022, and February 10, 2022, Planning Commission meeting. No public hearing was held.

#### Staff Reviewer

Elliott

#### Staff Recommendation

*Approve with conditions and disapprove without all conditions.*

### APPLICANT REQUEST

#### Preliminary SP to permit 182 multi-family residential units.

#### Zone Change

A request to rezone from Agricultural/Residential (AR2a), Multi-Family Residential (RM4), and Single-Family Residential (RS10) to Specific Plan (SP) zoning for properties located at 6578 Bluff Road and Bluff Road (unnumbered), approximately 275 feet north of Stone Bluff Drive, (62.2 acres) (and partially located within the Floodplain Overlay District), to permit 182 multi-family units.

#### **Existing Zoning**

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 1 duplex lots for a total of 2 units.*

Multi-Family Residential (RM4) is intended for single-family, duplex, and multi-family dwellings at a density of four dwelling units per acre. *RM4 would permit a maximum of 158 units.*

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 138 units.*

#### **Proposed Zoning**

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







## Metro Planning Commission Meeting of 2/24/22

### **SOUTHEAST 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 underdeveloped “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.

### **SITE**

The subject site includes three parcels totaling approximately 62.2 acres. The site is located on the west side of Bluff Road, a local street, and the site is located at the southern boundary of Davidson County. The site is currently vacant and contains heavy vegetation, a stream, and areas with significant slopes. The surrounding area includes primarily low intensity residential uses and vacant properties, with the exception of a residential SP to the north, along Holt Road and Nolensville Pike. The Nolensville Pike corridor contains a mixture of residential and non-residential uses.

### **PLAN DETAILS**

The application proposes 182 multi-family residential units throughout the area of the site without steep slopes as defined by the Zoning Code. The units are accessed via private drives and the development relies on a single access point on Bluff Road. The private drives have a sidewalk on one side. The units are served with two garage parking spaces as well as two parking driveway parking spaces.

The application includes a grading plan demonstrating how the site would be graded to realize the proposed plan and how site disturbance would be minimized and limited to the areas without significant slopes.

### **ANALYSIS**

The application proposes a development pattern that is consistent with the surrounding area and consistent with the T3 NE policy, at this location. The plan proposes an appropriate density considering the existing character of the area with the proposed housing type, setback, spacing of structures, and building height. The plan demonstrates how the significant slopes of the site will be avoided and focuses the development on the portions of the site without Conservation Policy. The application includes off site improvements including striping improvements to nearby roadways as well as a guard rail along a portion of the site’s frontage of Bluff Road between the street and Mill Creek. The proposal represents a decrease from what is currently permitted on the site.





## Metro Planning Commission Meeting of 2/24/22

### FIRE MARSHAL RECOMMENDATION

#### Approve with conditions

- Units are required to be equipped with NFPA 13D automatic fire sprinkler systems.

### STORMWATER RECOMMENDATION

#### Approve

### WATER SERVICES RECOMMENDATION

#### Approve with conditions

- Approved as a Preliminary SP only. Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. Submittal of an updated availability study is required before the Final SP can be reviewed. Once this study has been submitted, the applicant will need to address any outstanding issues brought forth by the results of this study. A minimum of 30% W&S Capacity & 100% DAPARC Fees must be Paid before Final Site Plan/SP approval.

### 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.
- Guardrails identified along the east side of Bluff Road are to be designed per the TDOT safety design and guardrails details with end treatments, using the AASHTO Roadside Design Guide. On final, Identify roadway protection (guardrails) with clear zones on plan. Note: Guardrail design/offset per AASHTO RDG and TDOT standards.
- For portions along West side of Bluff Rd. where a 2 ft. shoulder is not pre-existing, provided a 2 ft. shoulder, with shoulder width as measured from existing solid white line
- Comply w/ traffic comments.

### TRAFFIC AND PARKING RECOMMENDATION

#### Approve with conditions

- At Final SP, submit interim striping plans for left turn lane on Nolensville Pike.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	37.39	4.356 D	138 U	1,010	65	79

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	2.01	0.5 D	2 U	15	1	2

\*Based on two-family lots



## Metro Planning Commission Meeting of 2/24/22

### Maximum Uses in Existing Zoning District: RM4

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)	39.4	4 D	158 U	859	54	69

### 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)	62.2	-	182 U	990	62	79

### Traffic changes between maximum: RS10/AR2a/RM4 and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-116 U	-894	-58	-71

## METRO SCHOOL BOARD REPORT

**Projected student generation existing AR2a, RM4, RS10 district: 29 Elementary 23 Middle 23 High**  
**Projected student generation proposed SP district: 15 Elementary 13 Middle 11 High**

The proposed SP zoning is expected to generate 36 fewer students than the existing RS10, AR2a, and RM4 zoning. Students would attend Shayne Elementary School, William Henry Oliver Middle School, and John Overton High School. All three schools are identified as currently being over capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

## STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

## CONDITIONS

1. Permitted uses shall be limited to a maximum of 182 multi-family residential units. Short term rental property, owner occupied and short-term rental property, not-owner occupied shall be prohibited.
2. The final site plan shall provide a greenway conservation easement within any floodway plus a corridor at least 75 feet in width, measured from the outer edge of the floodway.
3. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
4. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Comply with all conditions and requirements of Metro reviewing agencies.



## **Metro Planning Commission Meeting of 2/24/22**

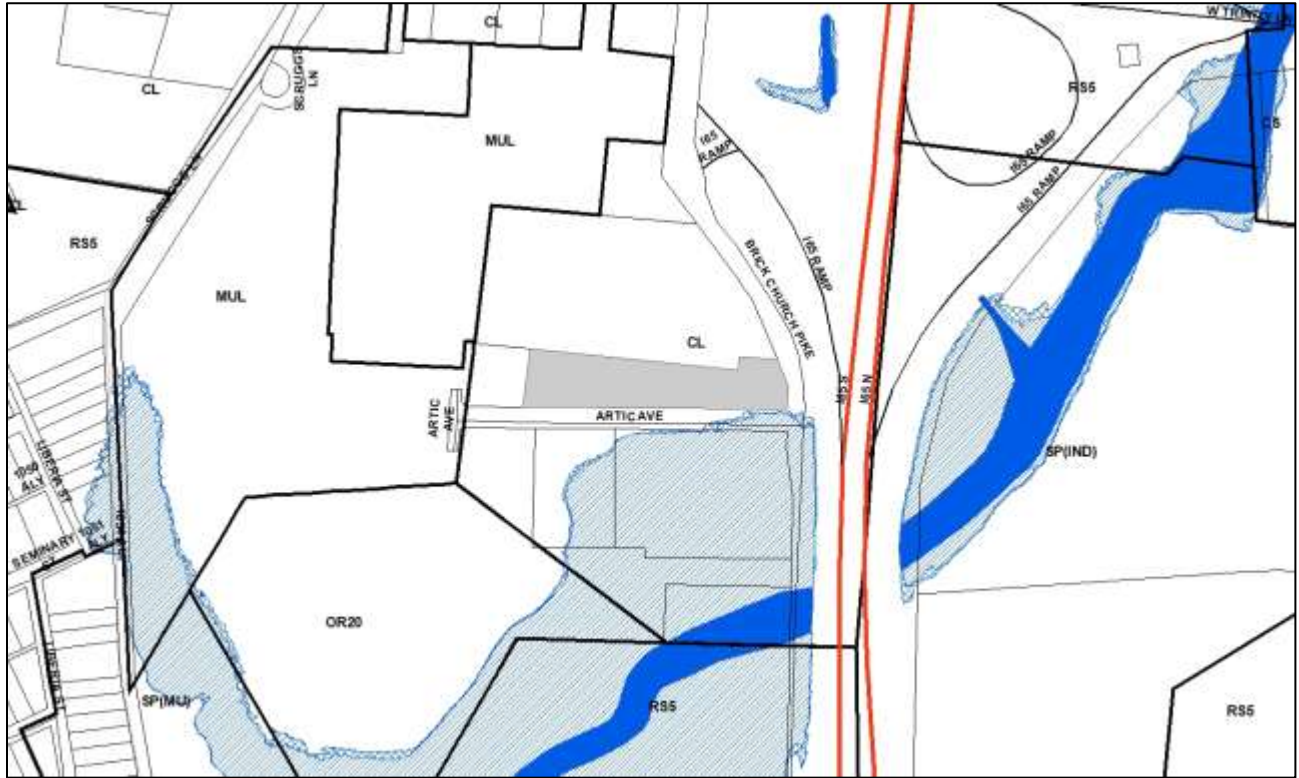
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM4 zoning district as of the date of the applicable request or application.
8. A corrected copy of the preliminary 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.



**SEE NEXT PAGE**



## Metro Planning Commission Meeting of 2/24/22



### **2022SP-015-001**

1400 BRICK CHURCH PIKE SP

Map 071-06, Parcel(s) 045

03, Bordeaux – Whites Creek – Haynes Trinity

02 (Kyonzté Toombs)



## Metro Planning Commission Meeting of 2/24/22

<b>Item #19</b>	<b>Specific Plan 2022SP-015-001</b>
<b>Project Name</b>	<b>1400 Brick Church Pike SP</b>
<b>Council District</b>	02 - Toombs
<b>School District</b>	01 – Gentry
<b>Requested by</b>	Shreya Investment, LLC, applicant and owner.
<b>Staff Reviewer</b>	Swaggart.
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions.</i>

### **APPLICANT REQUEST**

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

#### Zone Change

A request to rezone from Commercial Limited (CL) to Specific Plan-Mixed Use (SP-MU) zoning for properties located at 1400 Brick Church Pike, at the corner of Artic Avenue and Brick Church Pike (1.61 acres), to permit a mixed used development, requested by Shreya Investment, LLC, applicant and owner.

#### **Existing Zoning**

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

#### **Proposed Zoning**

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

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

The approximately 1.61-acre site is located on the west side of Brick Church Pike, south of West Trinity. The site is currently developed with a hotel and associated parking.

#### Regulatory Plan

The plan is a regulatory document and does not include a site plan. The SP allows all uses permitted by MUL-A-NS including the prohibition of short-term rentals, owner and non-owner occupied. All development standards are per MUL-A-NS. The SP requires any redevelopment of the site to adhere to the Bordeaux – Whites Creek – Haynes Trinity Community Plan including the Haynes Trinity special policy and its associated mobility plan.

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

Urban Community Center (T4 CC). T4 CC is intended to maintain, enhance and create urban community centers that contain commercial, mixed use, and institutional land uses, with residential land uses in mixed use buildings or serving as a transition to adjoining Community Character Policies. T4 Urban Community Centers serve urban communities generally within a 5-



## Metro Planning Commission Meeting of 2/24/22

### 1400 Brick Church Pike Specific Plan (SP)

Development Summary		Site Data Table	
SP Name	1400 Brick Church Pike	Site Acreage	1.61 Acres
SP Number	2021SP-015-001	Existing Zoning	CL (Commercial Limited)
Associated Case	N/A	Proposed Zoning	SP
Council District	02	Allowable Land Uses	Multifamily, and all uses permitted by MUL-A with the exceptions (see note 1)
Map & Parcel	Map 071-06, Parcel 045		

1. Short term rental owner and non-owner-occupied uses are prohibited.
2. Any redevelopment of the site or expansion of the existing building shall require final site plan approval.
3. Any redevelopment of the site shall adhere to all elements of the Bordeaux – Whites Creek – Haynes Trinity Community Plan including the Haynes Trinity special policy and its associated mobility plan.
4. All development standards per Metro Zoning Code for MUL-A-NS.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL-A-NS zoning district as of the date of the applicable request or application.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

#### Community Plan Consistency Note

This SP is located within the Bordeaux – Whites Creek – Haynes Trinity Community Plan. The policy that applies to the site is Urban Community Center (T4 CC). T4 CC is intended to maintain, enhance and create urban community centers that contain commercial, mixed use, and institutional land uses, with residential land uses in mixed use buildings or serving as a transition to adjoining Community Character Policies. T4 Urban Community Centers serve urban communities generally within a 5 minute drive or a 5 to 10 minute walk. T4 CC areas are pedestrian friendly areas, generally located at intersections of prominent urban streets. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity. It is also within the Haynes Trinity Special Policy. The special policy provides additional standards including a mobility plan.

This SP to permit a mixed-use development is consistent with the goals of the T4 CC land use policy as it will achieve the intent of the policy to create urban, mixed-use neighborhoods with a diverse mix of moderate- to high density residential, commercial, office, and light industrial land uses. This SP also includes standards to implement the Haynes Trinity special policy including the mobility plan consistent with the policy.

## Proposed Regulatory Plan



## Metro Planning Commission Meeting of 2/24/22

minute drive or a 5-to-10-minute walk. T4 CC areas are pedestrian friendly areas, generally located at intersections of prominent urban streets. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

### Supplemental Policy

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

### **ANALYSIS**

Staff finds that the proposed SP is consistent with the Bordeaux-Whites Creek-Haynes Trinity Community Plan. The primary intent of this SP is to permit the adaptive reuse of the existing hotel to be converted into efficiency and studio apartments. Multifamily is supported in the T4 CC policy. While current intent is to convert the existing building to a different use supported by the policy, the SP also permits redevelopment of the site under MUL-A-NS which is a zoning district that is consistent with the T4 CC policy. In addition to permitting uses and design standards consistent with the T4 CC policy, the SP also requires redevelopment of the site to be consistent with the Haynes Trinity special policy including the mobility plan.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

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

### **STORMWATER RECOMMENDATION**

#### **Approve**

### **WATER SERVICES RECOMMENDATION**

#### **Approve with conditions**

- Approved as a Preliminary SP only. Public and/or private Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. Submittal of an 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.





## Metro Planning Commission Meeting of 2/24/22

### NASHVILLE DOT RECOMMENDATION

#### Approve with conditions

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

### TRAFFIC AND PARKING RECOMMENDATION

#### Approve with conditions

- A traffic study may be required once more information has been provided.
- Parking shall be per metro code.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.61	0.6 F	42,079 SF	1,588	40	160

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	0.81	1.0 F	35 U	189	12	16

#### 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)	0.40	1.0 F	17,424 SF	658	16	67

#### 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)	0.40	1.0 F	17,424 SF	1,955	173	171

#### Traffic changes between maximum: CL and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1,214	+161	+94

### METRO SCHOOL BOARD REPORT

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



## Metro Planning Commission Meeting of 2/24/22

### STAFF RECOMMENDATION

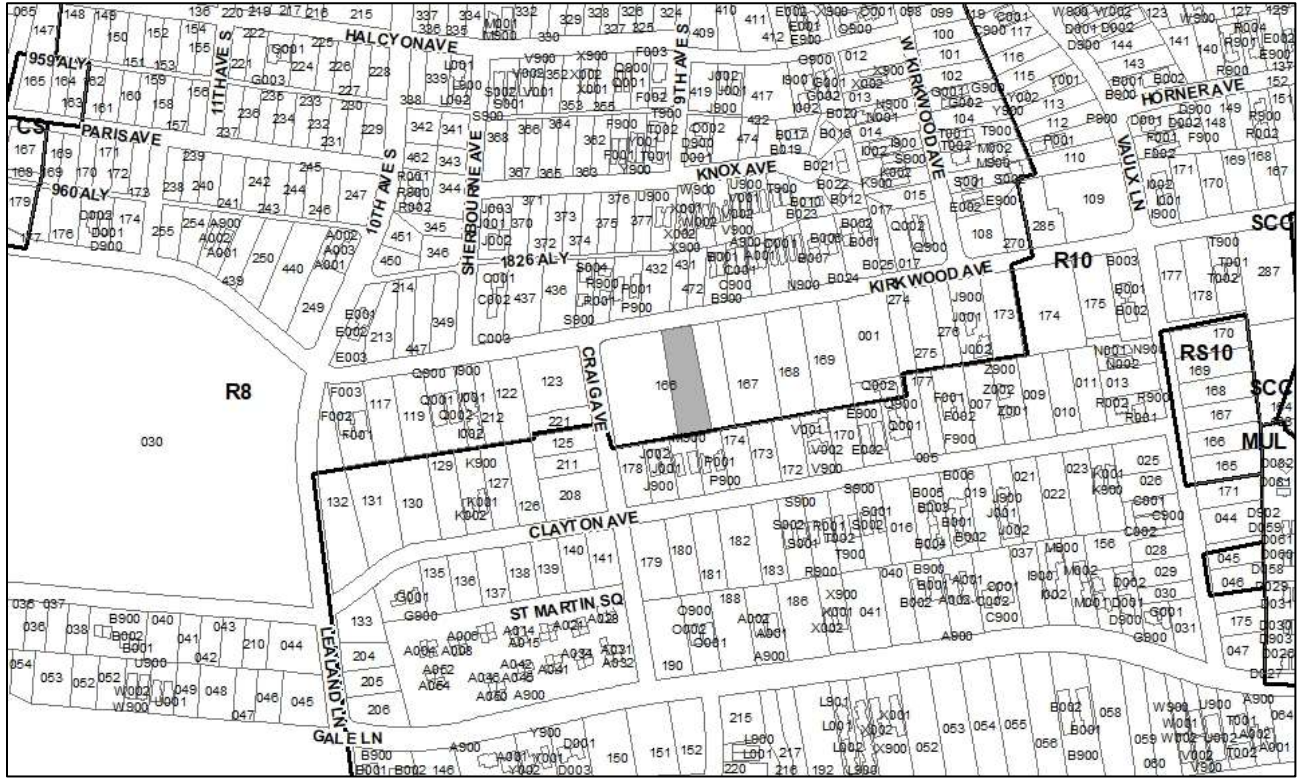
Staff recommends approval with conditions and disapproval without all conditions if the associated policy amendment is approved and disapproval if the associated policy amendment is disapproved.

### CONDITIONS

1. Permitted uses shall be limited to all uses permitted in MUL-A-NS. Short term rental property, owner occupied and short-term rental property, not owner occupied shall be prohibited.
2. Any redevelopment of the site shall adhere to the Bordeaux – Whites Creek – Haynes Trinity Community Plan including the Haynes Trinity special policy and its associated mobility plan.
3. 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-NS zoning district as of the date of the applicable request or application.
4. A corrected copy of the Preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
5. 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.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any bu



# Metro Planning Commission Meeting of 2/24/22



**2022HL-002-001**  
**915 KIRKWOOD HISTORIC LANDMARK OVERLAY**  
Map 118-05, Parcel(s) 166  
10, Green Hills – Midtown  
17 (Colby Sledge)



## Metro Planning Commission Meeting of 2/24/22

<b>Item #20</b>	<b>Historic Landmark 2022HL-002-001</b>
<b>Project Name</b>	<b>915 Kirkwood Historic Landmark Overlay</b>
<b>Council Bill No.</b>	<b>BL2022-1083</b>
<b>Council District</b>	17 – Sledge
<b>School District</b>	07 – Player-Peters
<b>Requested by</b>	Councilmember Colby Sledge, applicant; Courtney & Christine Gasper, owner.
<b>Staff Reviewer</b>	Harrison
<b>Staff Recommendation</b>	<i>Approve.</i>

### APPLICANT REQUEST

#### Apply a Historic Landmark Overlay District.

#### Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to a portion of the property located at 915 Kirkwood Ave., at the southwest corner of Kirkwood Ave. and Craig Ave., zoned R8 (0.55 acres).

#### **Existing Zoning**

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 3 lots with xx duplex lots for a total of 6 units.*

#### **Proposed Overlay**

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

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

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

#### **REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) considered this application at its February 16, 2022, meeting. Historic Zoning Commission staff recommended approval of this application. Metro Historic Commission staff provided the following background information:

#### **Background:**



## Metro Planning Commission Meeting of 2/24/22

915 Kirkwood was constructed in 1913 for Mary Berry Bass, a prominent Nashville widow. She hired local architects Asmus & Norton to design the “handsome brick residence” on what was then known as ‘Vaulx Lane.’

Mary Berry Bass (born 1846) was the daughter of William Wells Berry, the namesake of the nearby Berry Hill neighborhood and satellite city. She grew up at the Berry homestead on several hundred acres off of Franklin Pike in the area that is today Berry Hill. In 1868 she married John M. Bass, a prominent lawyer. The couple lived in a country home off the east side of Franklin road, in the area where Craighead Avenue is today. In 1908, after 40 years of marriage, John died, leaving Mary a wealthy widow.

The land that was to become 915 Kirkwood was originally part of the Vaulx estate known as Mount Alban (later known as Breeze Hill). After the death of the family’s patriarch, Joseph Vaulx, in 1908, his descendants began to divide and sell much of the estate for development. Nashville was rapidly growing in the late nineteen and early twentieth centuries, expanding outward in all directions, thanks in part to the trolley lines that enabled middle and working class Nashvillians to live further than walking distance to their jobs. The area around 915 Kirkwood was on the outer edges of Nashville’s expansion, but located very near the trolley that ran down what is today Leland Avenue. It was the perfect location for grand suburban homes.

At least two of the Vaulx descendants built homes for themselves along Kirkwood Avenue after the death of Joseph Vaulx, using architects Thompson Asmus & Norton to design what today is 831 and 837 Kirkwood in 1909 (Figures 1 & 2). Mary Berry Bass purchased the plot that would become 915 Kirkwood in 1912 from the descendants of Vaulx. It is possible that Mary knew the extended Vaulx family, having grown up on an estate near theirs and having lived in the area after marriage. With two nearby Asmus & Norton-designed homes, Mary hired the firm to construct one for herself.

Christian Asmus & George Norton were prolific and highly regarded Nashville architects. Their other buildings include the Cathedral of the Incarnation and the Home for Aged Masons. Christian Asmus was the supervising architect for 1889 Tennessee Centennial. A German immigrant, Asmus came to America in 1865. His obituary in the Nashville Banner states, “Considered one of the South’s leading architects, Mr. Asmus was a partner in firms which drew plans for some of the outstanding commercial and residential structures in Nashville as well as churches, schools and the like.” In 1919, Asmus founded the successor firm, Asmus & Clark, that went on to design many more Nashville institutional buildings.

For Mary Berry Bass, Asmus & Norton designed a grand, two-and-a-half story Colonial Revival home. The house contains many Neo-Classical architectural details include a pedimented porch roof with thick doric columns, classical surround at the double door front entry, dentil moldings at the cornice, and pedimented dormers. The house was constructed of brick, which is currently painted, but a Tennessean article states that the building had “gray brick, with stone trimmings and a slate roof.” The article further described the home as follows:



## **Metro Planning Commission Meeting of 2/24/22**

The home is splendidly arranged. There is to be a spacious front porch, garden entrance, rear porch and sun parlor in addition to the library, living rooms, dining room, kitchen, baths and other chambers on the first floor. The first floor is to be finished in mahogany and hard woods and the second floor in hard woods. The servants' house, garage and stables will be in separate buildings.

Mary Berry Bass did not spend many years in the house. In 1919, she sold the house to Edward B. Craig and his wife. A Nashville Banner article describes, "Although the house, which is almost new, is one of the most attractive in this beautiful residence section, Mr. Craig will make a number of improvements, rendering it a truly magnificent home." It is not known which improvements were made by Craig.

Craig was a collector for the Internal Revenue Service (IRS) at the time, serving during the Woodrow Wilson administration. He was also one of the founders of the National Life & Accident Insurance Company. Shortly before Craig's death in 1925, he celebrated the marriage of his daughter, Corrine, to Albert E. Parrish, in the home in 1923. A marriage announcement in the Tennessean describes some of the home's interiors, including its library with mantel, its "large living hall," and its "morning room," all of which were decorated with elaborate flowers.

Today, 915 Kirkwood remains a stately and elegant reminder of the development of this part of Nashville from country estates to grand suburban homes. Over one-hundred years after its construction, its architecture, materials, and details remain intact.

### **METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On February 16, 2022, the Metro Historic Zoning Commission reviewed the request and recommended approval of the Historic Landmark designation. In addition, they adopted the existing design guidelines for Historic Landmarks to guide changes on the property.

### **STAFF RECOMMENDATION**

The proposed Historic Landmark Overlay District is intended to preserve the historic structures on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and Staff. Staff recommends approval of the Historic Landmark Overlay District.



## Metro Planning Commission Meeting of 2/24/22



### **2021Z-077PR-001**

Map 103-01, Parcel(s) 036

07, West Nashville

20 (Mary Carolyn Roberts)



## Metro Planning Commission Meeting of 2/24/22

**Item #21**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2021Z-077PR-001**  
20 – Roberts  
09 – Taylor  
Barge Cauthen & Associates, applicant; JJZ Realty Partnership, G.P., owner.

**Deferrals**

This item was deferred from the August 26, 2021, September 23, 2021, October 14, 2021, October 28, 2021, January 13, 2022 and February 10, 2022, Planning Commission meetings. No public hearing was held

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

Swaggart  
*Disapprove.*

**APPLICANT REQUEST**  
**Zone change from R6 to OR20.**

Zone Change

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

**Existing Zoning**

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of two duplex lots for a total of four residential units.*

**Proposed Zoning**

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. OR20 would permit a maximum of six residential units.

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





## Metro Planning Commission Meeting of 2/24/22

### ANALYSIS

For background, this application was associated with a policy amendment, case no. 2021CP-007-003. The policy amendment was intended to align the policy with this proposed zoning. On January 13, 2022, after a public hearing was held, the Planning Commission disapproved the policy amendment.

The approximately quarter acre property proposed to be rezoned to OR20 is located on the south side of Cowden Avenue. The property is undeveloped and is classified as vacant residential land. The properties directly across Cowden Avenue are zoned for commercial (CS). Both have frontage on Charlotte Pike. One property is occupied with various commercial uses and the other is a used auto dealership. The abutting property to the east is zoned for residential (R6) and is occupied with a single-family home. The abutting property to the south and west is split zoned. The portion of the property abutting the subject properties southern property boundary is zoned for office and residential (OR20) and is occupied with a parking lot. The portion of the property abutting the subject properties western boundary is zoned for commercial (CS) and is occupied with a two-story office building. The property fronts Charlotte Avenue and Neighborly Avenue.

The proposed OR20 zoning district is not consistent with the existing T3 NE land use policy. T3 NE only supports residential uses. While OR20 permits residential it also permits nonresidential uses. Since the proposed OR20 zoning district is not consistent with the T3 NE land use policy, staff recommends disapproval.

### 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: R6

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	0.29	7.26 D	4 U	41	7	3

\*Based on two-family lots

#### Maximum Uses in Proposed Zoning District: OR20

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.14	0.8 F	4,879 SF	57	31	6



## Metro Planning Commission Meeting of 2/24/22

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	0.13	0.8 F	6 U	26	1	3

Traffic changes between maximum: **R6 and OR20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+42	+25	+6

### METRO SCHOOL BOARD REPORT

**Projected student generation existing R6 district: 0 Elementary 0 Middle 0 High**

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

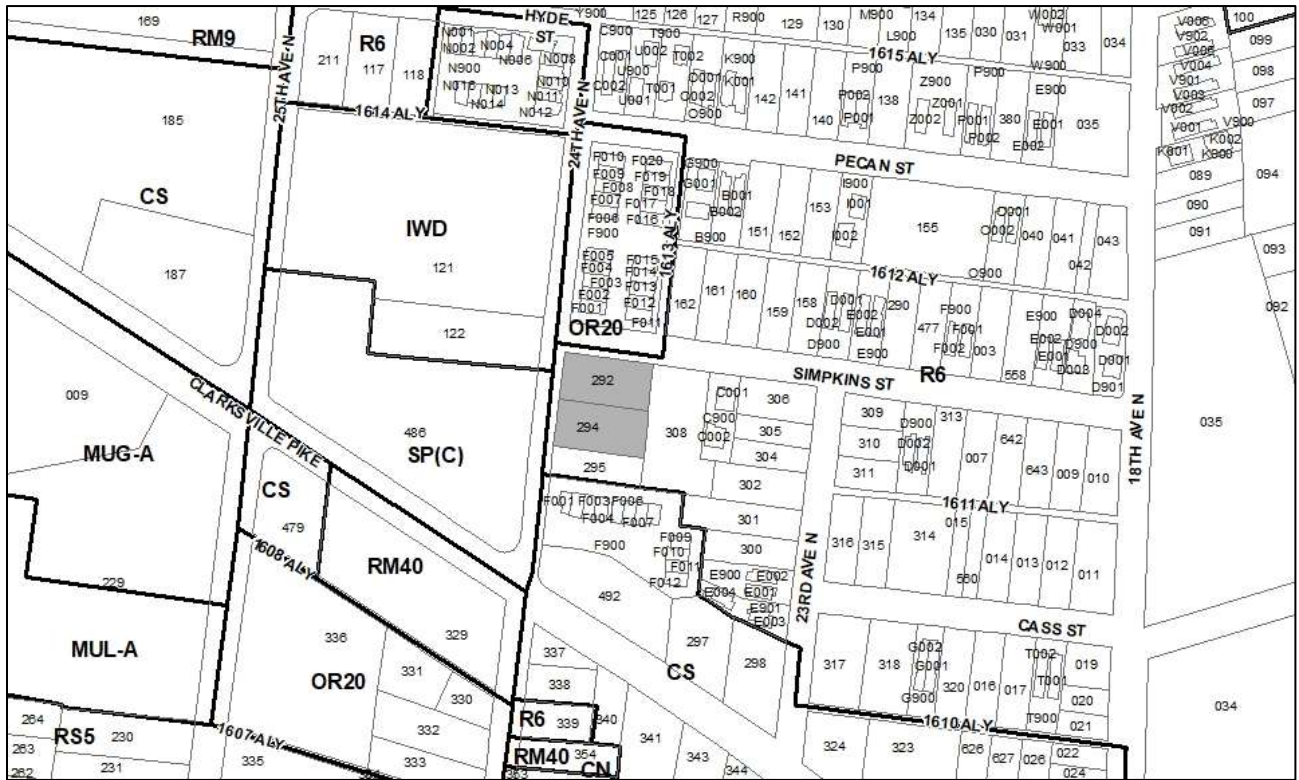
The proposed OR20 zoning district is expected to generate two additional students than what is typically generated under the existing R6 zoning district. Students would attend Charlotte Park Elementary School, H.G. Hills Middle School, and Hillwood High School. Charlotte Park Elementary and Hillwood Highschool are identified as having capacity for additional students. H.G. Hill Middle School is identified as overcapacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

### STAFF RECOMMENDATION

Staff recommends disapproval.



# Metro Planning Commission Meeting of 2/24/22



## 2022Z-008PR-001

Map 081-06, Parcel(s) 292, 294  
08, North Nashville  
02 (Kyonzté Toombs)



## Metro Planning Commission Meeting of 2/24/22

**Item #22**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2022Z-008PR-001**  
02 – Toombs  
01 – Gentry  
Michael Willis, applicant; Michael & Betty Willis and Chakarra S. Hull, owners.

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

Swaggart  
*Approve.*

### **APPLICANT REQUEST**

**Zone change from R6 to RM15-A-NS.**

#### Zone Change

A request to rezone from One and Two-Family Residential (R6) to Multi-Family Residential-Alternative-No Short Term Rentals (RM15-A-NS) zoning for properties located at 2112 and 2116 24th Ave N, at the corner of Simpkins Street and (0.46 acres).

#### **Existing Zoning**

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of two duplex lots for a total of four residential units.*

#### **Proposed Zoning**

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

### **NORTH NASHVILLE COMMUNITY PLAN**

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

### **ANALYSIS**

The subject site consists of two individual properties totaling approximately 0.46 acres. The northern property is located at the southeast intersection of 24<sup>th</sup> Ave. N. and Simpkins Street. The southern property only has frontage along 24<sup>th</sup> Ave. N. Each property currently contains a single-family home, and both are duplex eligible. The property to the north on the north side of Simpkins Street is zoned OR20 and contains a three-story multi-family development. The property directly east (behind) the site is zoned R6 and contains a single-family home. The immediate property to the south is zoned R6 and contains a duplex. The property immediately south of it is zoned OR20-NS and is approved for multi-family. Two separate properties are



## Metro Planning Commission Meeting of 2/24/22

located on the west side of the site on the opposite side of 24<sup>th</sup> Ave. N. One of the properties is zoned IWD and contains a duplex and the other is zoned SP and contains a supermarket.

Staff finds that the proposed RM15-A-NS zoning district is consistent with the T4 NM land use policy at this location. The proposed RM15-A-NS could permit up to seven dwelling units. Given the surrounding zoning and development pattern the additional density that would be permitted by the proposed RM15-A-NS zoning district is appropriate under the policy. The proposed RM15-A-NS zoning district also includes design standards intended to implement an urban form which is a prominent goal for redevelopment in the urban transect. The additional density will support existing and new commercial development immediately to the south along Clarksville Pike.

### 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: **R6**

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)	0.55	5.445 D	4 U	54	8	5

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	0.55	20 D	7 U	58	4	5

Traffic changes between maximum: **R6 and RM15-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+3 U	+4	-4	-

### METRO SCHOOL BOARD REPORT

**Projected student generation existing R6 district: 0 Elementary 0 Middle 0 High**

**Projected student generation proposed RM15-A-NS district: 1 Elementary 1 Middle 1 High**

The proposed RM15-A-NS zoning district is expected to generate three additional students than what is typically generated under the existing R6 zoning district. Students would attend Churchwell Elementary School, John Early Middle School, and Pearl-Cohn High School. All three schools are identified as having capacity for additional students. This information is based



## **Metro Planning Commission Meeting of 2/24/22**

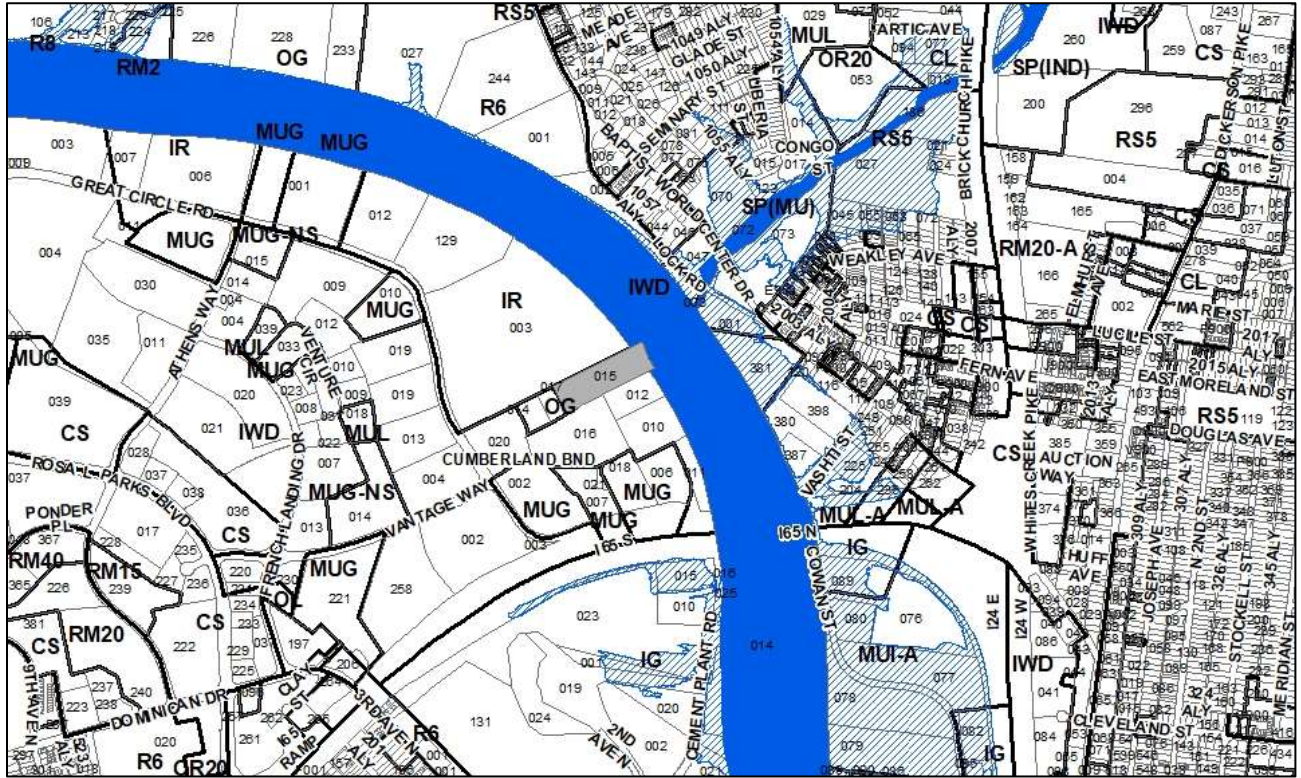
upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

### **STAFF RECOMMENDATION**

Staff recommends approval.



# Metro Planning Commission Meeting of 2/24/22



**2022Z-010PR-001**  
Map 071-13, Parcel(s) 015  
08, North Nashville  
02 (Kyonzté Toombs)



## Metro Planning Commission Meeting of 2/24/22

**Item #23**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2022Z-010PR-001**  
02 – Toombs  
01 - Gentry  
Catalyst Design Group, applicant; Apex Riverstone, LLC, owner.

**Deferrals**

This item was deferred from the February 10, 2022, Planning Commission meeting. No public hearing was held.

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

Harrison  
*Approve.*

**APPLICANT REQUEST**

**Zone change from IWD to MUG-NS.**

Zone Change

A request to rezone from Industrial Warehouse/Distribution (IWD) to Mixed-Use General No Short-Term Rental (MUG-NS) zoning for property located at 230 Cumberland Bend, approximately 860 feet east of Great Circle Road (4.96 acres).

**Existing Zoning**

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

**Proposed Zoning**

Mixed Use General No Short-Term Rental (MUG-NS) is intended for a moderately high intensity mixture of residential, retail, and office uses. Short term rental uses are prohibited within this district.

**NORTH NASHVILLE COMMUNITY PLAN**

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

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 they have already been disturbed.





## Metro Planning Commission Meeting of 2/24/22

### ANALYSIS

The 4.96-acre site is located on the north side of Cumberland Bend, east of Great Circle Road, and along the southern bank of the Cumberland River. Currently the site includes a large warehouse utilized for distribution. Access is currently provided by Cumberland Bend, a private drive, but currently has access, and will maintain access, to Great Circle Road, a local street as defined in the Major and Collector Street Plan (MCSP). The surrounding area is comprised of IR, IWD, MUG, and OG, with uses ranging from residential, commercial, and industrial.

This site is comprised of two policies, D EC and CO. The CO portions of the site are located along the southern boundary, due to the river. A greenway is located within the areas of conservation, but the remaining structure is not located within this area of concern. Any development within the conservation areas and along the riverfront would be addressed during the site plan/building permit phase with the Codes Department. D EC is intended to provide a mix of commercial and industrial uses with residential as a supportive use. MUG-NS allows for a variety of commercial uses, as well as residential. The proposed zoning is consistent with D EC. However, due to the number of recent rezonings in this area and the subsequent residential development, a careful review of the area and land use mix is needed prior to undertaking future rezonings. There is a balance that must be struck in Employment Centers and it is critical to ensure that the balance is not tipping too heavily to residential uses.

### FIRE MARSHAL RECOMMENDATION

#### Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	4.96	0.8 F	172,846 SF	319	30	33

#### Maximum Uses in Proposed Zoning District: MUG-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)	2.48	3.0 F	324 U	1,764	108	137

#### Maximum Uses in Proposed Zoning District: MUG-NS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.24	3.0 F	162,043 SF	6,117	152	617

#### Maximum Uses in Proposed Zoning District: MUG-NS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	1.24	3.0 F	162,043 SF	18,178	1,611	1,584



## Metro Planning Commission Meeting of 2/24/22

Traffic changes between maximum: IWD and MUG-NS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+25,740	+1,841	+2,305

### METRO SCHOOL BOARD REPORT

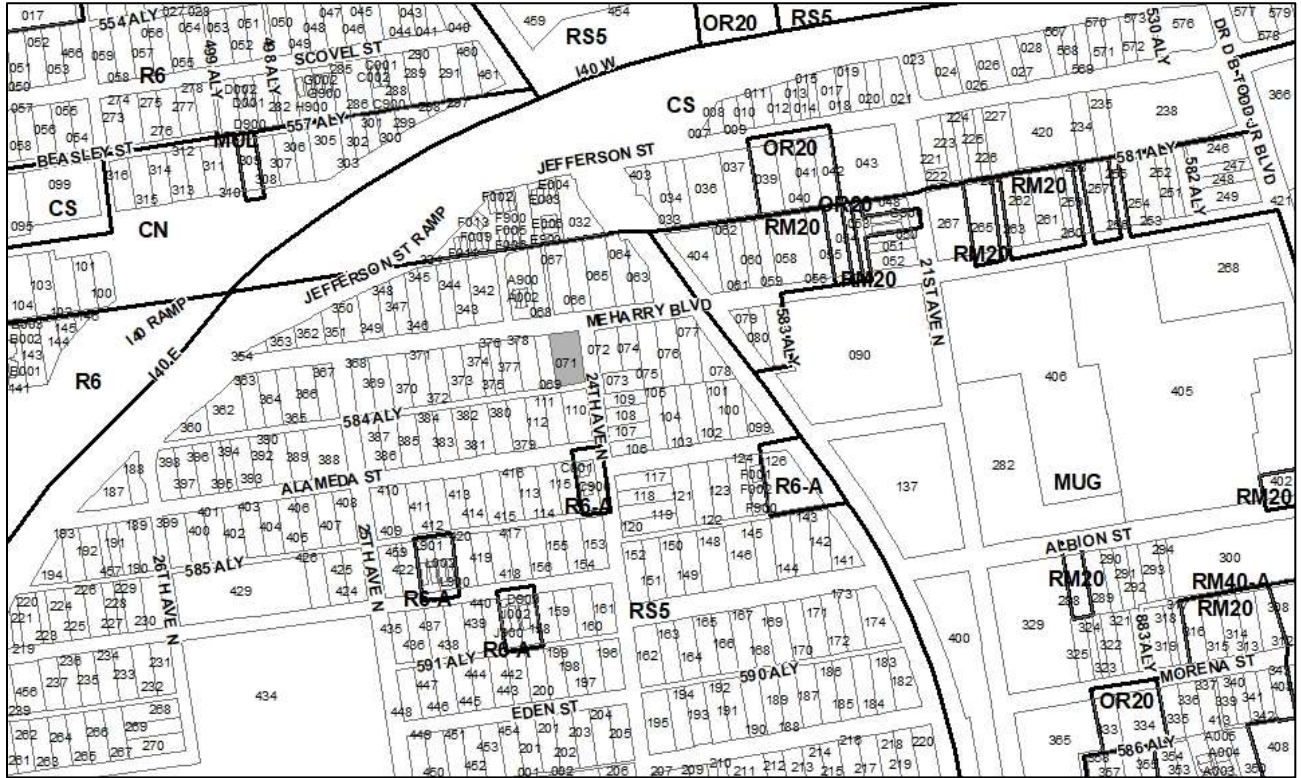
The mix of uses could vary and assumption of impact at this point is premature. Students would attend Jones Elementary School, John Early Middle School, and Pearl-Cohn High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School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

### STAFF RECOMMENDATION

Staff recommends approval.



# Metro Planning Commission Meeting of 2/24/22



**2022Z-015PR-001**  
Map 092-03, Parcel(s) 071  
08, North Nashville  
21 (Brandon Taylor)



## Metro Planning Commission Meeting of 2/24/22

**Item #24**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2022Z-015PR-001**  
21 – Taylor  
05 – Buggs  
Fulmer Lucas Engineering, LLC, applicant; II Stacks, LLC, owners.

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

Shane  
*Approve.*

### **APPLICANT REQUEST**

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

##### Zone Change

A request to rezone from Single-Family Residential (RS5) zoning to One and Two-Family Residential–Alternative (R6–A) zoning for property located at 2401 Meharry Boulevard, at the corner of 24th Ave N and Meharry Blvd (0.26 acres).

##### **Existing Zoning**

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 1 unit based on acreage alone.*

##### **Proposed Zoning**

One and Two-Family Residential–Alternative (R6–A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre, including 25 percent duplex lots, and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *R6-A would permit 1 duplex lot for a total of 2 units.*

### **NORTH NASHVILLE COMMUNITY PLAN**

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

### **ANALYSIS**

The application consists of one parcel (Map 092-03, Parcel 071) totaling 0.26 acres in size and located at the southwestern corner of the intersection of Meharry Boulevard and 24<sup>th</sup> Avenue North. The property contains a bungalow built around 1935. Surrounding uses include single-



## Metro Planning Commission Meeting of 2/24/22

family residential, several two-family lots, and commercial properties along Jefferson Street one block to the north. R6-A zoning exists interspersed throughout the neighborhood.

The application proposes to rezone the property from RS5 to R6-A. The requested R6-A zoning is supported by the T4 NE policy. The proposed zoning allows for one or two-family residential uses, which would increase housing choice in the area. The standards for building placement, parking, and access (via the existing alley in the rear) required by the R6-A district would also improve the relationship of development to the street, creating a more walkable neighborhood consistent with the goals of the T4 NE policy.

The proposed R6-A zoning district will incorporate additional intensity into the neighborhood in a manner that helps transition down from the commercial and denser residential uses to the north around Jefferson Street. The R6-A zoning district represents a modest increase in intensity, consistent with the surrounding context and goals of the policy. For these reasons, staff recommends approval of the rezoning.

### FIRE RECOMMENDATION

#### Approve

Maximum Uses in Existing Zoning District: **RS5**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.26	8.712 D	2 U	28	7	2

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

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)	0.26	7.260 D	2 U	28	7	2

\*Based on two-family lots

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

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

### METRO SCHOOL BOARD REPORT

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

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

The proposed R6-A zoning is not expected to generate any more students than the existing RS5 zoning district. Any additional students would attend Park Avenue Elementary School, McKissack Middle School, and Pearl-Cohn 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.



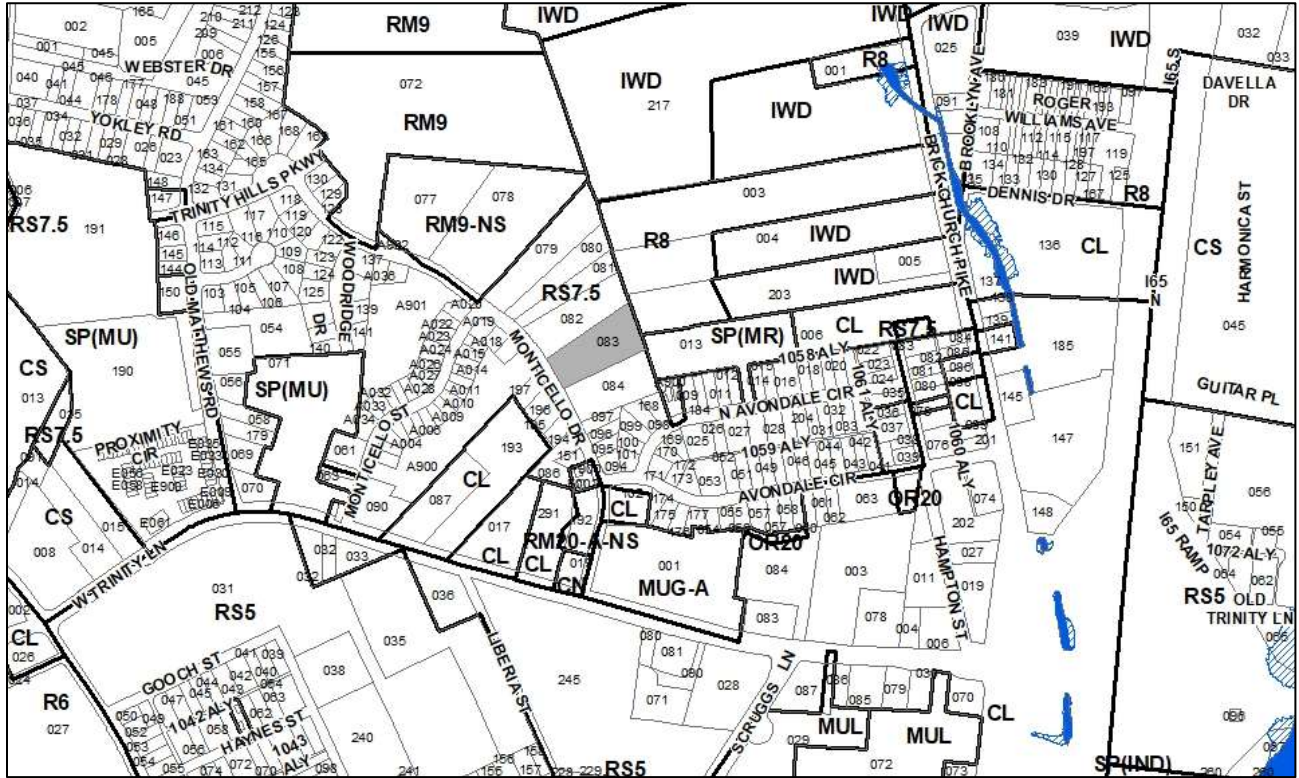
## Metro Planning Commission Meeting of 2/24/22

### **STAFF RECOMMENDATION**

Staff recommends approval.



# Metro Planning Commission Meeting of 2/24/22



**2022Z-020PR-001**

Map 071-01, Parcel(s) 083

03, Bordeaux - Whites Creek - Haynes Trinity

02 (Kyonzté Toombs)



## Metro Planning Commission Meeting of 2/24/22

**Item # 25**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2022Z-020PR-001**  
02 – Toombs  
1 – Gentry  
Gladys Bond, applicant and owner.

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

Elliott  
*Approve.*

### **APPLICANT REQUEST** **Zone change from RS7.5 to R8.**

#### Zone Change

A request to rezone from Single-Family Residential (RS7.5) to One and Two-Family Residential (R8) zoning for property located at Monticello Drive (unnumbered), approximately 800 feet north of W Trinity Lane (1.33 acres).

#### **Existing Zoning**

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

#### **Proposed Zoning**

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 7 lots with 1 duplex lot for a total of 8 units.*

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

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

#### Supplemental Policy

This site is located within the Haynes Trinity Small Area Plan area of the Bordeaux-Whites Creek-Haynes Trinity Community Plan area. The intent of the supplemental policy is to create and enhance neighborhoods with greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques. The policy plans for a local street and alley on the site.





## Metro Planning Commission Meeting of 2/24/22

### SITE

The application includes a single comprising approximately 1.33 acres located on the east side of Monticello Drive in the Haynes Trinity neighborhood. Monticello Drive is classified as a Collector Avenue in the Major and Collector Street Plan and the street contains single-family, two-family, and multi-family residential land uses with some vacant property. The site is currently vacant and the site rises in topography towards the rear of the property.

### ANALYSIS

Staff finds that the proposed zoning district to be consistent with the intent of T4 NE policy to enhance urban neighborhoods with greater housing choice. The site is well served by transportation infrastructure and is located near a T4 MU, Urban Mixed Use Neighborhood, policy area. NashvilleNext also identifies this area as potentially appropriate for infill development due to its proximity to the West Trinity Lane Corridor. The requested zoning district would permit a building form that is appropriate considering the surrounding development pattern and zoning. The requested zoning is also consistent with the intent of the Supplemental Policy for this area to become a higher density urban neighborhood. Several of the recent rezonings in the area make the planned street and alley in the Supplemental Policy unlikely to be realized. The request represents a modest increase of intensity that can be served by the current infrastructure and can function absent the potential mobility shown in the small area plan.

### 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: **RS7.5**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	1.33	5.808 D	7 U	90	9	8

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	1.33	5.445 D	8 U	102	11	9

\*Based on two-family lots

Traffic changes between maximum: **RS7.5 and R8**

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



## **Metro Planning Commission Meeting of 2/24/22**

### **METRO SCHOOL BOARD REPORT**

**Projected student generation existing RS7.5 district: 1 Elementary 1 Middle 1 High**

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

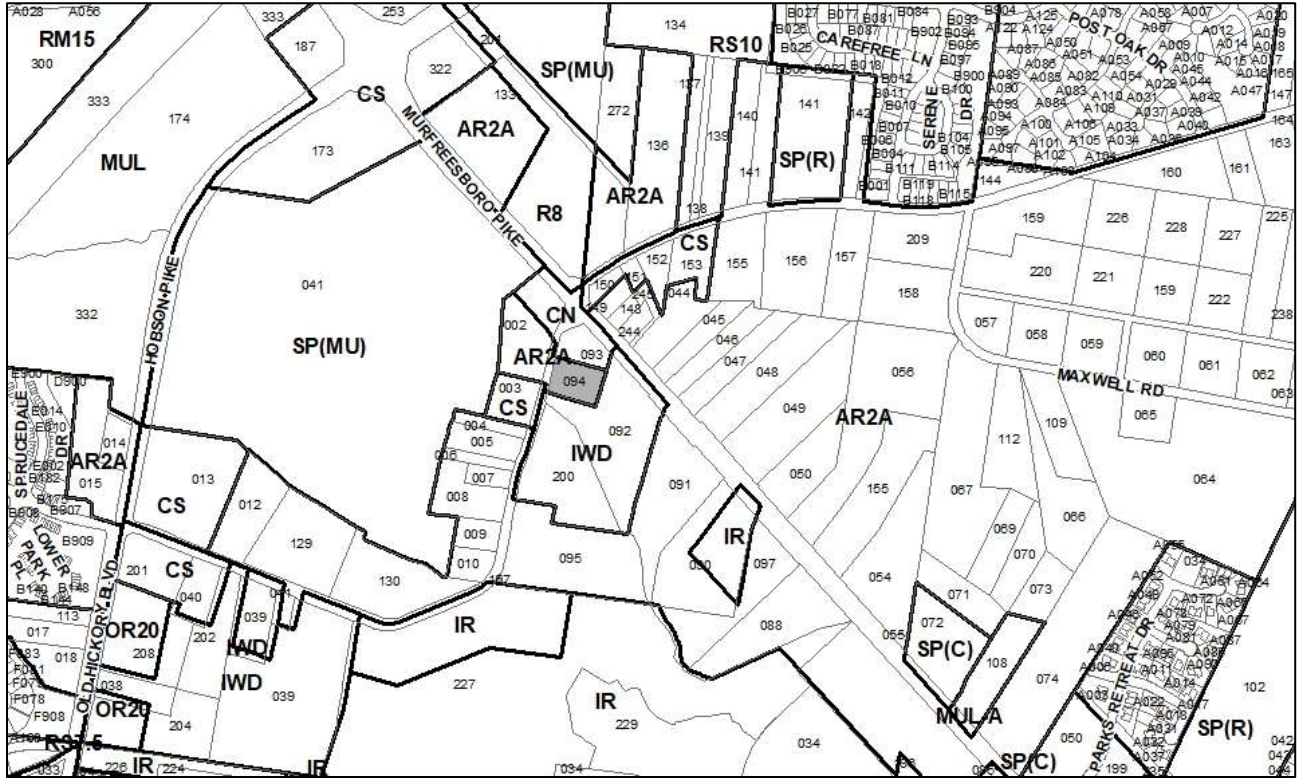
The proposed R8 zoning is expected to generate no additional students than the existing RS7.5 zoning. Students would attend Alex Green Elementary School, Brick Church Middle School, and Whites Creek High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

### **STAFF RECOMMENDATION**

Staff recommends approval.



# Metro Planning Commission Meeting of 2/24/22



**2022Z-024PR-001**  
Map 175, Parcel(s) 094  
13, Antioch - Priest Lake  
33 (Antoinette Lee)



## Metro Planning Commission Meeting of 2/24/22

**Item #26**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2022Z-024PR-001**  
33 – Lee  
06 – Bush  
Collier Engineering, applicant; Nesma Mikhaeil & Maged Shokralla, owners.

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

Shane  
*Approve.*

### **APPLICANT REQUEST** **Zone change from AR2a to CS**

#### Zone Change

A request to rezone from Agricultural/Residential (AR2a) to Commercial Service (CS) zoning for property located at 12515 Old Hickory Blvd, approximately 250 feet south of Murfreesboro Pike (1.61 acres).

#### **Existing Zoning**

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 1 lot with 1 duplex lot for a total of 2 units based on acreage alone.*

Murfreesboro Pike Urban Design Overlay (UDO) is intended to foster suburban development that is pedestrian friendly while still accommodating for the market needs of suburban development. This UDO focuses on broad design standards while emphasizing best practices for quality suburban design.

#### **Proposed Zoning**

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

### **ANTIOCH – PRIEST LAKE 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.

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



## Metro Planning Commission Meeting of 2/24/22

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 application consists of one parcel (Map 175, Parcel 094) totaling 1.61 acres in size located approximately 250 feet south of Murfreesboro Pike on the east side of Old Hickory Boulevard. The property contains a vacant grassy lot with immature trees interspersed. The property gently slopes down away from Murfreesboro Pike. Surrounding land uses include a vacant commercial property zoned Commercial Neighborhood (CN), a wooded property zoned AR2a, a church zoned Commercial Services (CS), and a general retail store and a vacant industrial property zoned Industrial Warehousing/Distribution (IWD).

The application proposes to rezone the property from AR2a to CS. The property is within the T3 Suburban Mixed Use Corridor (T3 CM) policy area. T3 CM policy is intended to create pedestrian-friendly, prominent arterial-boulevard and collector-avenue corridors that accommodate residential, commercial, and mixed-use development. The policy prioritizes higher-intensity mixed use and commercial uses near intersections such as the one to the north with Murfreesboro Pike.

The CCM lists CS as an appropriate zoning district under T3 CM policy. The applicant wants to develop this property simultaneously with the one to the north with retail and warehouse uses that are allowed under CN and CS zoning. The preliminary site plan submitted with the rezoning application meets the Murfreesboro Pike Urban Design Overlay. A full review will be conducted upon submission of the final site plan to ensure that it meets all the standards of the Murfreesboro Pike Urban Design Overlay.

Commercial land uses are a desired development pattern for T3 CM policy areas, and the current zoning, AR2a, does not support this policy goal. For these reasons, staff recommends approval of the rezoning.

### FIRE MARSHALL RECOMMENDATION

#### Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	1.61	0.5 D	2 U	28	7	2

\*Based on two-family lots

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)	1.61	0.6 F	42,079 SF	1,588	40	160



## Metro Planning Commission Meeting of 2/24/22

Traffic changes between maximum: AR2a and CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1,560	+33	+158

### METRO SCHOOL BOARD REPORT

**Projected student generation existing AR2a district: 0 Elementary 0 Middle 0 High**

**Projected student generation proposed CS district: 0 Elementary 0 Middle 0 High**

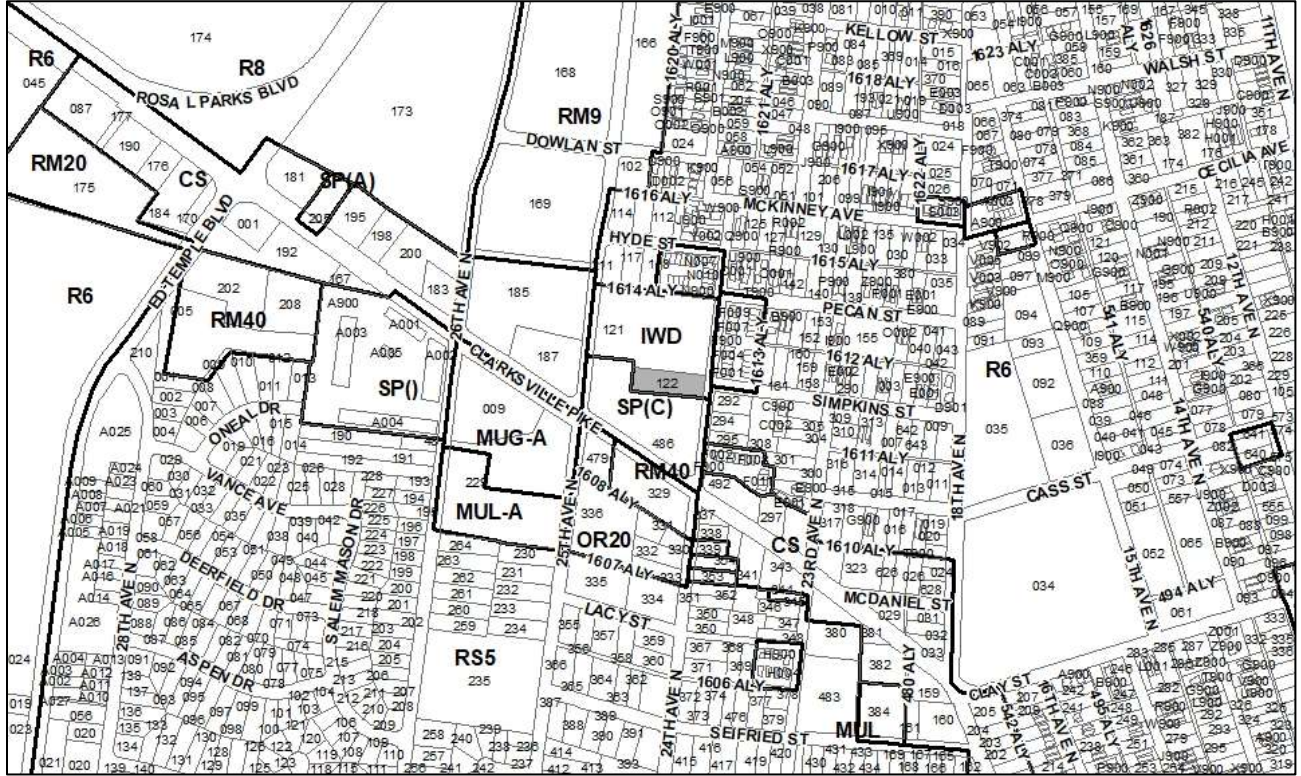
The proposed CS zoning is expected to generate no more students than the existing AR2a zoning district. Students would attend Cane Ridge Elementary School, Antioch Middle School, and Cane Ridge High School. The first two schools are identified as having capacity for additional students while Cane Ridge High School is identified as being over capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

### STAFF RECOMMENDATION

Staff recommends approval.



# Metro Planning Commission Meeting of 2/24/22



**2022Z-028PR-001**  
Map 081-02, Parcel(s) 122  
08, North Nashville  
02 (Kyonzté Toombs)





## Metro Planning Commission Meeting of 2/24/22

**Item #27****Council District****School District****Requested by****Zone Change 2022Z-028PR-001**

02 – Toombs

01 – Gentry

SWS Engineering, applicant; Wanda P. Mclay, owner.

**Staff Reviewer**

Harrison

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

A request to rezone from Industrial Warehousing/Distribution (IWD) to Office/Residential – No Short-Term Rentals (OR20-NS) zoning for property located at 2115 24th Ave N, approximately 325 feet north of Clarksville Pike (0.60 acres).

**Existing Zoning**

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

**Proposed Zoning**

Office/Residential – No Short-term Rentals (OR20-NS) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *OR20-NS would permit a maximum of 12 units based on acreage alone.*

**NORTH NASHVILLE COMMUNITY PLAN**

T4 Urban Mixed Use Corridor (T4 CM) is intended to enhance urban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of urban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

**ANALYSIS**

The 0.60 acre site is located on the west side of 24<sup>th</sup> Avenue North, north of Clarksville Pike. Currently the site includes a duplex. Access is currently restricted to 24<sup>th</sup> Avenue North, a local street as defined in the Major and Collector Street Plan (MCSP). The surrounding area is comprised of SP, IWD, OR20, RM20-A, and CS zoning, with uses ranging from residential and commercial uses.

The T4 CM policy on this site calls for mix of uses, pedestrian friendly development, and located near prominent arterials or collectors. This site is located in the proposed Corridor Development Overlay (CDO) where the requirements encourage pedestrian friendly development as well as design requirements, and the proposed zoning of OR20-NS allows for a variety of uses, both commercial and residential. Since this plan includes a mixed-use zoning district and surrounded by similar type zoning, the proposed rezoning would be consistent with the T4 CM policy.





## Metro Planning Commission Meeting of 2/24/22

### FIRE MARSHAL RECOMMENDATION

**Approve**

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.60	0.8 F	20,909 SF	79	4	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	0.30	20 D	6 U	31	3	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.30	0.8 F	10,454 SF	119	36	13

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+71	+35	+12

### METRO SCHOOL BOARD REPORT

The mix of uses could vary and assumption of impact at this point is premature. Students would attend Gower Elementary School, H. G. Hill Middle School, Hillwood High School. Gower Elementary and Hillwood High School are identified as having additional capacity, but H. G. Hill Middle School has been identified as being over capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

### STAFF RECOMMENDATION

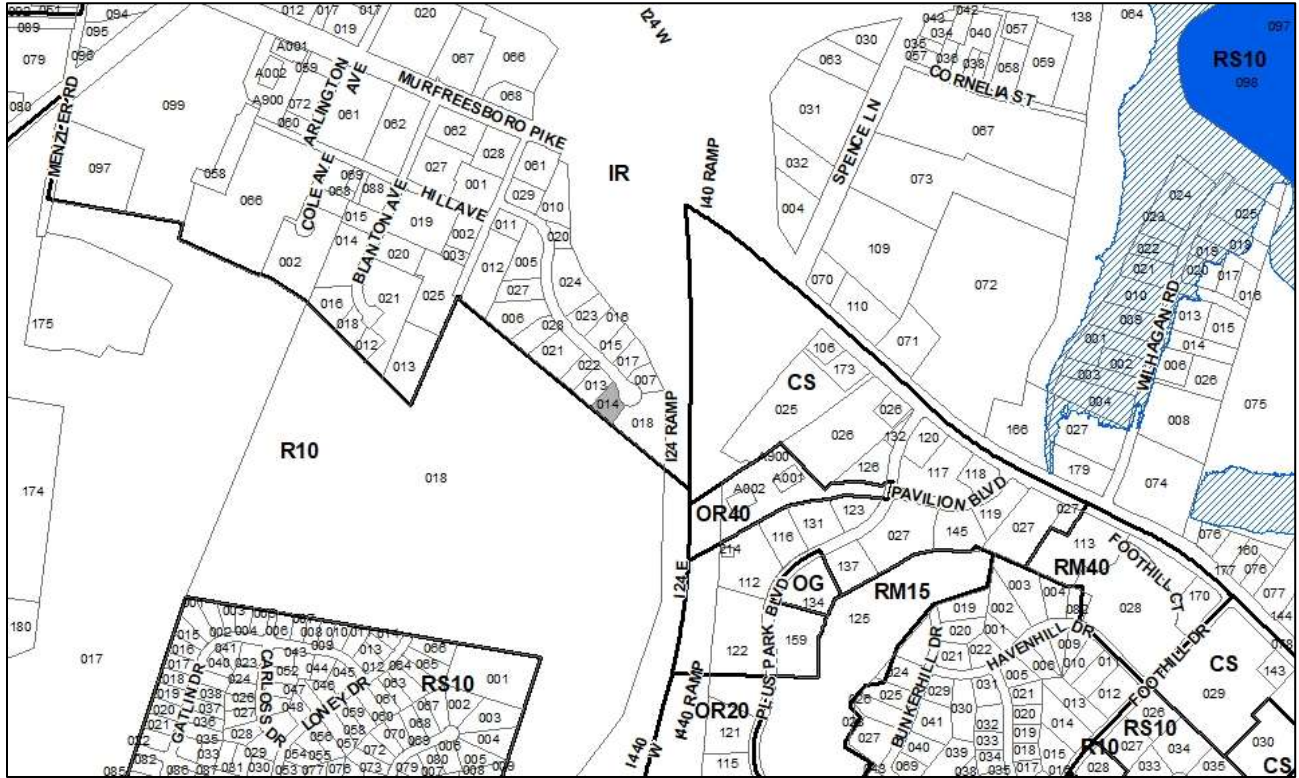
Staff recommends approval.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 2/24/22



## 2022S-039-001

### INTERSTATE PARK SOUTH RESUB LOT 10 SUBDIVISION AMENDMENT

Map 106-11, Parcel(s) 014

11, South Nashville

17 (Colby Sledge)



## Metro Planning Commission Meeting of 2/24/22

<b>Item #28</b>	<b>Subdivision Amendment 2022S-039-001</b>
<b>Project Name</b>	<b>Interstate Park South Resub Lot 10</b>
<b>Council District</b>	17 - Sledge
<b>School District</b>	05 - Buggs
<b>Requested by</b>	Fulmer Lucas, applicant; 341 Hill Ave, owner.
<b>Staff Reviewer</b>	Shane
<b>Staff Recommendation</b>	<i>Approve.</i>

### APPLICANT REQUEST

**Amend plat to reduce front setback from 15 feet to 5 feet along Hill Avenue**

#### Amend Plat

A request to amend a previously approved plat to reduce the platted front setback from 15 feet to 5 feet on property located at 341 Hill Avenue, approximately 925 feet southeast of Crutchfield Avenue, zoned IR (0.52 acres).

#### **Existing Zoning**

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

#### **PLAN DETAILS**

This request is to amend the plat to reduce a platted setback along Hill Avenue for property located at 341 Hill Avenue. The property is at the southwest corner of the Hill Avenue cul-de-sac.

#### **ANALYSIS**

This property has a platted setback of 15 feet along Hill Avenue. The application is to reduce the platted setback to 5 feet. The minimum setback along Hill Avenue (zoned IR) would be 5 feet based on the Metro Zoning Code.

The property to the north of the subject property along the western side of Hill Avenue has a platted setback of 15 feet and an existing building located approximately 20 feet from the lot line. The properties across the street have platted setbacks of 15 feet and existing buildings located approximately 20 and 50 feet from the lot line. The property to the south at the end of the cul-de-sac has no platted setback and an existing building located approximately 68 feet from the lot line.





## **Metro Planning Commission Meeting of 2/24/22**

### **TRAFFIC & PARKING RECOMMENDATION**

**Approve**

### **WATER SERVICES RECOMMENDATION**

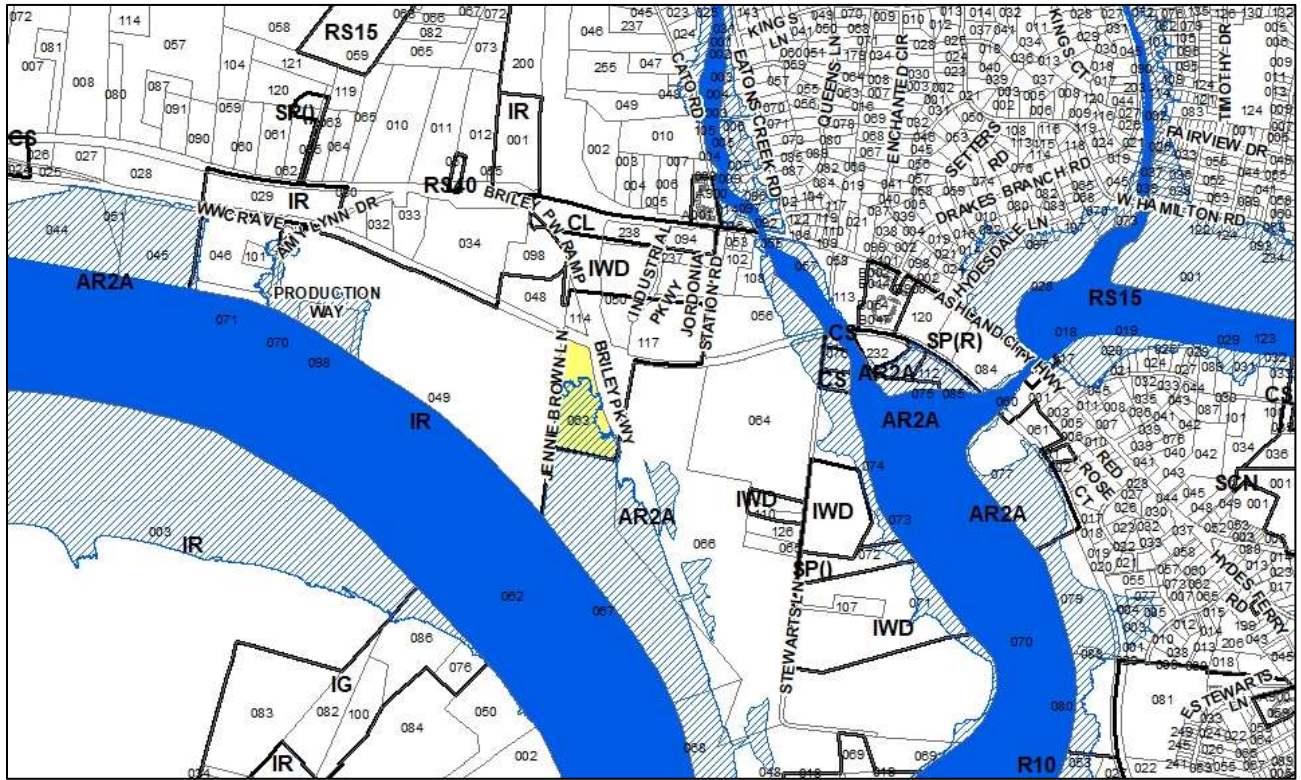
**Approve**

### **STAFF RECOMMENDATION**

Staff recommends approval.



# Metro Planning Commission Meeting of 2/24/22



**2022Z-003PR-001**

Map 069, Parcel(s) 063

03, Bordeaux – Whites Creek – Haynes Trinity

01 (Jonathan Hall)



## Metro Planning Commission Meeting of 2/24/22

### Item #29

Council Bill No.

Council District

School District

Requested by

### Zone Change 2022Z-003PR-001

BL2021-1043

01 – Hall

01 – Gentry

Councilmember Jonathan Hall, applicant; Waste Management, Inc. of Tennessee, owner.

### Deferrals

This item was deferred from the January 13, 2022, Planning Commission meeting. No public hearing was held.

### Staff Reviewer

Swaggart

### Staff Recommendation

*Defer indefinitely to allow pending lawsuit to be completed and to allow staff additional time to evaluate the request. If staff has not received concurrence on the deferral prior to the meeting, staff recommends disapproval.*

## APPLICANT REQUEST

### Zone change from IR to OL.

#### Zone Change

A request to rezone from Industrial Restrictive (IR) to Office Limited (OL) zoning for property located at Jennie Brown Lane (unnumbered), south of Ashland City Highway and west of Briley Parkway (17.25 acres).

#### **Existing Zoning**

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

#### **Proposed Zoning**

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

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

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

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





## Metro Planning Commission Meeting of 2/24/22

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.

### **HISTORY**

In March 2021, Waste Management applied for an expansion of an existing C&D (construction and demolition) landfill onto the property that is the subject of the request. The Solid Waste Board denied the application. Waste Management subsequently filed an appeal of the decision in court. The litigation is pending.

Planning staff has consulted with Metro Legal and Metro Legal recommends that the zoning of the parcel not be altered until Waste Management's appeal of the Solid Waste Regional Board's decision is resolved. As such, staff recommends indefinite deferral. Further, staff recommends deferral to evaluate the request and to review issues related to the impact of the rezoning with the Metro Legal Department.

The legislation to rezone the property was introduced at council on December 7, 2021. A public hearing was scheduled at Council on February 1, 2022. That hearing was deferred to March 1, 2022. Per Council rules, a public hearing on a zoning bill cannot be held unless a recommendation of the Planning Commission has been received or 30 days has passed. Given the date of introduction, the Public Hearing can be held on March 1, 2022, if the applicant does not defer.

### **ADDITIONAL INFORMATION**

Land uses policies serve as a guide for evaluating the appropriateness of application of certain zoning districts. This property is covered by two land uses policies: Conservation (CO) and District Industrial (D IN). The CO policy on the property recognizes the presence of a significant area of floodplain. Generally, the CO policy encourages development that is sensitive to the environmental constraints on the property. Further, any development on the site would be required to meet adopted Metro stormwater regulations. The District Industrial (D IN) land use policy supports a wide range of zoning districts, including but not limited to Industrial Restrictive (IR), Commercial Service (CS), Office Limited (OL), and Specific Plan (SP). However, not all locations within a particular policy area are appropriate for all supported zoning districts.

The existing Industrial Restrictive (IR) zoning permits a range of uses, including institutional uses, commercial, office, and industrial uses. IR has a floor area ratio of 0.60 which could result in approximately 450,000 square feet of building area. A maximum height of 45 feet is permitted at the building setback and height can increase based on a height control plane of 1.5 to 1, with no maximum height.

The proposed Office Limited (OL) zoning permits a range of uses including, institutional uses, office uses, and limited commercial uses. OL has a floor area ratio of 0.75 which could result in over 550,000 square feet of building area. OL allows for a maximum height of 30 feet at the setback line and then permits the height to increase based on a height control plane of 1.5 to 1 with no maximum height.



## **Metro Planning Commission Meeting of 2/24/22**

Staff continues to evaluate if this is an appropriate location for the Office Limited (OL) zoning district given existing surrounding land use, access issues, presence of floodplain, and context. Therefore, staff is recommending indefinite deferral to allow more time to evaluate this proposal and to allow the pending lawsuit to be completed. If staff has not received concurrence on the deferral prior to the meeting, then staff recommends disapproval.