



METROPOLITAN PLANNING COMMISSION

DRAFT AGENDA

March 24, 2022
4:00 pm Regular Meeting

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

MISSION STATEMENT

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

Commissioners Present:

Greg Adkins, Chair
Jessica Farr, Vice Chair
Edward Henley
Mina Johnson
Jeff Haynes
Jim Lawson
Brian Tibbs
Councilmember Brett Withers

Staff Present:

Lucy Kempf, Executive Director
Bob Leeman, Deputy Director
Lisa Milligan, Planning Manager II
Shawn Shepard, Planning Manager I
Molly Pike, Planner III
Alex Dickerson, Legal

Commissioners Absent:

Lillian Blackshear

Metro Planning Department of Nashville and Davidson County
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Notice to Public

Please remember to turn off your cell phones.

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

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

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

Planning Commission meetings are shown live on the Metro Nashville Network, Comcast channel 3, [streamed online live](#), and [posted on YouTube](#), usually on the day after the meeting.

Writing to the Commission

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

Mailing Address: Metro Planning Department, 800 2nd Avenue South, P.O. Box 196300, Nashville, TN 37219-6300
Fax: (615) 862-7130
E-mail: planning.commissioners@nashville.gov

Speaking to the Commission

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

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

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

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

Legal Notice

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



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MEETING AGENDA

A: CALL TO ORDER

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

B: ADOPTION OF AGENDA

Mr. Lawson moved and Mr. Haynes seconded the motion to adopt the agenda. (6-0)

Mr. Tibbs joined the meeting.

C: APPROVAL OF MARCH 10, 2022 MINUTES

Mr. Lawson moved and Mr. Haynes seconded the motion to approve the minutes of March 10, 2022. (7-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Gamble spoke in favor of Item 21 and asked the Commission for their support of the project.

E: ITEMS FOR DEFERRAL / WITHDRAWAL 1, 2a, 2b, 3, 4 5, 6, 7, 8a, 8b, 9a, 9b, 10, 11, 12, 13, 14, 15, 16, 17

Director Kempf stated Item 10 was a rezoning on Crutcher Street. The staff recommended the project be deferred and the applicant agreed. Ms. Kempf advised the Commission that they would anticipate supporting a future rezoning. She pointed out that the applicant requested this be entered into the record.

Ms. Milligan advised the April 18th and April 28th meetings will be held at the Board of Education building at 2601 Bransford Avenue, as the Election Commission will be utilizing the room for early voting. Chairman Adkins mentioned the location change will also be publicly posted.

Vice Chair Farr joined the meeting.

Mr. Haynes moved and Ms. Farr seconded the motion to approve the Deferred and Withdrawn items. (8-0)

F: CONSENT AGENDA ITEMS 29, 33

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

Tentative Consent Item: Items noted below as On Consent: Tentative will be read aloud at the beginning of the meeting by a member of the Planning Staff to determine if there is opposition present. If there is opposition present, the items will be heard by the Planning Commission in the order in which they are listed on the agenda. If no opposition is present, the item will be placed on the consent agenda.

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

G: ITEMS TO BE CONSIDERED

1. 2021Z-018TX-001

BL2021-922/Brandon Taylor
Staff Reviewer: Amelia Lewis

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

Staff Recommendation: Defer to the June 23, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021Z-018TX-001 to the June 23, 2022, Planning Commission meeting. (7-0)

2a. 2022CP-008-001 NORTH NASHVILLE COMMUNITY PLAN AMENDMENT

Council District 19 (Freddie O'Connell)
Staff Reviewer: Cory Clark

A request to amend the North Nashville Community Plan by changing from T4 Urban-Open Space and D District-District Industrial policy to T4 MU-Urban Mixed Use Neighborhood policy for properties located at 2nd Ave N (unnumbered) and 1st Ave N (unnumbered), at the corner of 1st Ave N and 2nd Ave N, zoned IR (1.71 acres), requested by Barge Design Solutions, applicant; Roy Glenn Goodwin, owner.

Staff Recommendation: Defer to the April 14, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022CP-008-001 to the April 14, 2022, Planning Commission meeting. (7-0)

2b. 2022SP-013-001 2ND & VAN BUREN SP

Council District 19 (Freddie O'Connell)
Staff Reviewer: Seth Harrison

A request to rezone from IR to SP zoning for properties located at 2nd Avenue North (unnumbered), 1st Avenue North (unnumbered), 1500 2nd Avenue North and 100 Van Buren Street, at the northwest corner of 1st Ave N and Van Buren Street (2.99 acres), to permit 303 unit multi-family development, requested by Barge Design Solutions, applicant; Toll Southeast LP Company and Roy Glenn Goodwin, owners. (See associated case #2022CP-008-001).

Staff Recommendation: Defer to the April 14, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-013-001 to the April 14, 2022, Planning Commission meeting. (7-0)

3. 2019SP-007-003 SONYA DRIVE MIXED USE DEVELOPMENT (AMENDMENT)

Council District 22 (Gloria Hausser)
Staff Reviewer: Seth Harrison

A request to amend a Specific Plan for properties located at 616, 618, and 620 Old Hickory Boulevard and 7315 Sonya Drive, approximately 400 feet north of Tolbert Road (29.6 acres), zoned SP, to permit a maximum of 175 multi-family units, requested by Kimley-Horn, applicant; Southfield Properties and AM Investors No. 2, LLC and Norwood Manor LLC, owners.

Staff Recommendation: Defer to the April 14, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2019SP-007-003 to the April 14, 2022, Planning Commission meeting. (7-0)

- 4. 2021SP-063-001**
CHARLOTTE VIEW WEST
Council District 35 (Dave Rosenberg)
Staff Reviewer: Logan Elliott

A request to rezone from R40 to SP zoning for property located at Charlotte Pike (unnumbered), at the corner of Charlotte Pike and Old Charlotte Pike, (1 acre), to permit 57 multi-family residential units, requested by Dale & Associates, applicant; Charlotte West Partner, LLC, owner.

Staff Recommendation: Defer to the April 14, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-063-001 to the April 14, 2022, Planning Commission meeting. (7-0)

- 5. 2021SP-081-001**
OLIVERI MIXED-USE
Council District 33 (Antoinette Lee)
Staff Reviewer: Dustin Shane

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

Staff Recommendation: Defer to the April 14, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-081-001 to the April 14, 2022, Planning Commission meeting. (7-0)

- 6. 2021SP-084-001**
GRACE PARK SP
Council District 08 (Nancy VanReece)
Staff Reviewer: Seth Harrison

A request to rezone from RS10 to SP zoning for properties located at 3039 and 3041 Hillside Road, approximately 660 feet south of Broadmoor Drive (3.16 acres), to permit 30 multi-family residential units, requested by Timothy Blake Cothran, applicant; Judy Cothran and Timothy Blake Cothran, owners.

Staff Recommendation: Defer to the April 14, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-084-001 to the April 14, 2022, Planning Commission meeting. (7-0)

- 7. 2021SP-091-001**
PIN HOOK RIDGE
Council District 33 (Antoinette Lee)
Staff Reviewer: Abbie Rickoff

A request to rezone from AR2a to SP-R zoning for property located at 3834 Pin Hook Road, approximately 390 feet west of Lakewood Village Drive (10.2 acres), to permit 39 single family residential lots, requested by Ragan Smith, applicant; Century Communities of Tennessee, LLC, owner.

Staff Recommendation: Defer to the May 26, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-091-001 to the MY 26, 2022, Planning Commission meeting. (7-0)

**8a. 2022SP-016-001
NEWSOM PLACE**

Council District 35 (Dave Rosenberg)
Staff Reviewer: Logan Elliott

A request to rezone from AR2a and CL to SP zoning for property located at Newsom Station Road (unnumbered), approximately 285 feet west of Settlers Way, (10.51 acres), and located in a Planned Unit Development Overlay District, to permit a mixed use development, requested by Dale & Associates, applicant; Branstetter Legacy Partners, LLC, owner. (See associated case #84-85P-005)

Staff Recommendation: Defer to the April 14, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-016-001 to the April 14, 2022, Planning Commission meeting. (7-0)

**8b. 84-85P-005
BILTMORE PUD (CANCELTION)**

Council District 35 (Dave Rosenberg)
Staff Reviewer: Logan Elliott

A request to cancel a portion of a Planned Unit Development located at Newsom Station Road (unnumbered), approximately 300 feet west of Settlers Way (10.51 acres), zoned AR2a and CL, requested by Dale & Associates, applicant; Branstetter Legacy Partners, LLC, owner. (See associated case #2022SP-016-001).

Staff Recommendation: Defer to the April 14, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 84-85P-005 to the April 14, 2022, Planning Commission meeting. (7-0)

**9a. 2022HLI-001-001
518 RUSSELL STREET**

BL2022-1155/Withers
Council District 06 (Brett Withers)
Staff Reviewer: FRONT COUNTER

A request to apply a Historic Landmark Interiors Overlay District to property located at 518 Russell Street, at the southwest corner of Russell Street and S. 6th Street, zoned R8 and within the Edgefield Historic Preservation District (0.51 acres), requested by Councilmember Brett Withers, applicant; Tulip Street Partners, LLC, owner. (See associated case #2022NL-001-001)

Staff Recommendation: Defer to the April 28, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022HLI-001-001 to the April 28, 2022, Planning Commission meeting. (7-0)

9b. 2022NL-001-001
518 RUSSELL STREET

BL2022-1156/Withers
Council District 06 (Brett Withers)
Staff Reviewer: Abbie Rickoff

A request to apply a Neighborhood Landmark Overlay District on property located at 518 Russell Street, at the corner of Russell Street and S. 6th Street, zoned R8 and within the Edgefield Historic Preservation District (0.51 acres), to permit a hotel and special events, requested by Daniels & Chandler Architects, applicant; Tulip Street Partners, LLC, owner. (See associated case #2022HLI-001-001)

Staff Recommendation: Defer to the April 28, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022NL-001-001 to the April 14, 2022, Planning Commission meeting. (7-0)

10. 2021Z-114PR-001

Council District 06 (Brett Withers)
Staff Reviewer: Dustin Shane

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

Staff Recommendation: Defer to the April 14, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021Z-114PR-001 to the April 14, 2022, Planning Commission meeting. (7-0)

11. 2022Z-019PR-001

Council District 21 (Brandon Taylor)
Staff Reviewer: Abbie Rickoff

A request to rezone from RS5 to R6-A zoning for property located at 1521 16th Ave. N., located in the Detached Accessory Dwelling Unit Overlay District, approximately 120 feet north of Underwood Street (0.23 acres), requested by Samuel L. Brown, applicant and owner.

Staff Recommendation: Defer to the April 14, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022Z-019PR-001 to the April 14, 2022, Planning Commission meeting. (7-0)

12. 2022Z-031PR-001

Council District 33 (Antoinette Lee)
Staff Reviewer: Logan Elliott

A request to rezone from AR2a to MUL-A-NS zoning for properties located at 4046 and 4060 Murfreesboro Pike, approximately 445 feet south of Maxwell Road and within the Murfreesboro Pike Urban Design Overlay, (10.12 acres), requested by RJX Partners, LLC, applicant; The Louise Cooper TN Real Estate Trust and Mortie Q. Dickens, owners.

Staff Recommendation: Defer to the April 14, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022Z-031PR-001 to the April 14, 2022, Planning Commission meeting. (7-0)

**13. 2021DTC-027-001
801 MONROE**

Council District 19 (Freddie O'Connell)
Staff Reviewer: Jared Islas

A request for an overall height modification on properties located at 801, 811 and 817 Monroe Street, 1217, 1221 and 1223 Rosa L Parks Boulevard, 1214 9th Avenue North and 9th Avenue North (unnumbered), at the southern corner of Monroe Street and Rosa L Parks Boulevard, zoned DTC and located with the Phillips-Jackson Street Redevelopment District Overlay (1.43 acres), to permit a ten story building on Rosa L Parks Boulevard, a five story building on Monroe Street and a four story building on 9th Avenue North, requested by STG Design, applicant; Monroe Nashville, owner.

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2021DTC-027-001 Indefinitely. (7-0)

**14. 2021S-227-001
RESUBDIVISION PLAT LOT 364 PLAN OF D.T. MCGAVOK**

Council District 21 (Brandon Taylor)
Staff Reviewer: Jason Swaggart

A request for final plat approval to create two lots on property located at 1720 17th Avenue North, at the southeast corner of Century Street and 17th Avenue North, zoned RS5 (0.38 acres), requested by WT-Smith Surveying, applicant; Frank Beasley, owner.

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2021DTC-027-001 Indefinitely. (7-0)

**15. 2022S-025-001
OVERSTREET SUBDIVISION**

Council District 11 (Larry Hagar)
Staff Reviewer: Seth Harrison

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 RS15 and RS7.5 (2.81 acres), requested by HFR Design, applicant; Tommy & Flora Ann Overstreet, owners.

Staff Recommendation: Defer to the April 14, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022S-025-001 to the April 14, 2022, Planning Commission meeting. (7-0)

**16. 2022S-043-001
CANTER CHASE APARTMENTS (RESERVE PARCEL)**

Council District 28 (Tanaka Vercher)
Staff Reviewer: Amelia Lewis

A request to amend a previously approved plat to remove the reserve parcel status and make parcel 368 a buildable lot on property located at Murfreesboro Pike (unnumbered), approximately 760 feet southwest of Murfreesboro Pike (2.35 acres), requested by Collier Engineering, applicant; James R. Jones, owner.

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2022S-043-001 Indefinitely. (7-0)

17. 2022S-048-001
8392 CUB CREEK ROAD

Council District 35 (Dave Rosenberg)
Staff Reviewer: Jason Swaggart

A request for final plat approval to create one lot for property located at 8392 Cub Creek Road, approximately 2,300 feet southwest of River Road Pike, zoned AR2a (2.44 acres), requested by Collier Engineering, applicant; WGB Properties, LLC, owner.

Staff Recommendation: Defer to the April 14, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022S-048-001 to the April 14, 2022, Planning Commission meeting. (7-0)

18a. 2022Z-004TX-001

BL2022-1121/Angie Henderson
Staff Reviewer: Shawn Shepard & Molly Pike

A request to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to amend Chapters 17.12, 17.24, 17.28, 17.36, and 17.40 pertaining to the cluster lot option.

Staff Recommendation: Approve with a second substitute and direct staff to prepare a housekeeping amendment to the Metro Subdivision Regulations.

Ms. Shepard stated this project has been underway for quite some time and midway through the work a new staff member, Molly Pike, joined the department. Ms. Shepard said that both she and Ms. Pike will present Items 18a and 18b together, but Commission will vote on them separately.

Ms. Shepard and Ms. Pike presented the staff recommendation to approve with a second substitute and direct staff to prepare a housekeeping amendment to the Metro Subdivision Regulations.

Chairman Adkins stated the applicant in this case is the Planning Commission working with the Council members.

Councilmember Henderson spoke in favor of staff recommendation.

Director Kempf stated they received a lot of emails in support and also received a request for deferral from a member of the Homebuilder's Association. She said this is a complex matter and wanted to be sure the Department is transparent and that all of the outcomes around their work are well understood.

Roy Dale, 516 Heather Place, spoke in favor of the application.

George Ewing, 4601 Whites Creek Pike, spoke in favor of the application.

Elizabeth Fox, 3812 Whitland Avenue, spoke in favor of the application.

Angela Williams, 7203 Old Hickory Blvd., spoke in favor of the application.

Matt Donahue, 509 Jefferson Davis Drive, believed this ordinance is what Nashville needs but was concerned about the alternative tool and the ability for sites that do not have the conservation, but this was a great tool for sites that do. He asked the Commission to leave the public hearing open and consider the alternate tool to make sure these other properties are not increasing the home costs for the community.

Elise Hudson, 4601 Whites Creek Pike, spoke in favor of the application.

Ian Rhett, 4600 Cato Road, stated he was in favor of this plan but was concerned with allowing the clustering of density in places they do not want density. He asked that the Commission exclude T2 from this consideration.

Councilmember Gamble stated she was in support of this conservation development proposal, but has one concern over the prohibition of all recreational facilities as a use for space within the conservation development option.

Councilmember Henderson said this plan does not mean you cannot have recreation or a playground or tennis court; that it just does not count towards the natural area protected. It was trying to increase the value of a balance and trade off standpoint of areas that are preserved and protected and cannot be disturbed.

Mr. Adkins closed the public hearing.

Ms. Farr said she would like to know more about the alternative tool discussion.

Ms. Shepard stated as this was currently set up, the legislation would replace the current cluster lot standards with conservation development. Further, if adopted in this form, the current cluster lot tool would no longer be present in the Zoning Code. She said that depending on timing of adoption of any other tools, there could be a period of time where they would need to either proceed prior to the effective date or as the effective date, there would not be a different option for them until such time as that was prepared and adopted.

Ms. Farr stated she was very impressed with the process the staff has undertaken. To have so little opposition and have the development community speaking in support of this was really a testament to the work they have done. Ms. Farr said that being a visual person, she liked the concept. She felt she would be more comfortable with a few more examples, especially where there have been issues with the cluster lots and wanted to think about what it would look like under this and how it would change the development. Ms. Farr thought that the question about the T2 Rural was good. She asked, if you end up with 20% of the land being developable, could we end up with this really out of place, even though it's only using the small amount of land, a totally out of place development pattern. She said that raised a concern for her.

Ms. Shepard stated to clarify on that aspect, the current rural subdivision regulations currently permit the use of the cluster lot option within the development footprint. So, the rural subdivision regulations already specify that certain primary conservation lands be identified and satisfied first.

Ms. Kempf said that one of the challenges in the rural policy areas is that some of the zoning is suburban.

Ms. Farr liked the thought they were developing a very intentional policy and in an intentional effort to preserve those natural features.

Mr. Tibbs said the cluster lot option and proposed conservation development slides were very beneficial. He thought that getting rid of the cluster made sense.

Ms. Johnson stated she really liked the plan. She said this plan codifies the intent to preserve trees, open spaces and natural areas.

Councilmember Withers stated he was excited about this plan. He believed it appeared to be density neutral and the fact it required preservation was a good thing. He expressed concern about the lots that don't have these constraints, but otherwise felt this was a good tool.

Mr. Henley wanted to be mindful that the community had enough time to understand and respond to this change in text. He said he was a big fan of where they were going. He thought there was a piece that was missing if replacing the cluster lot option, but fully supported what was presented of managing growth in areas that had sensitive areas and areas they wanted to preserve.

Mr. Haynes thought they do not need a deferral as this has been worked on for a year. He said they had to protect the fabric of our city, which included Lower Broadway, rolling hills and natural resources. Mr. Haynes stated he was for this plan and was prepared to vote yes.

Mr. Lawson said he was not supportive of a deferral and would support a motion to approve.

Mr. Lawson moved and Mr. Haynes seconded the motion to approve.

Ms. Johnson stated the Bill, as currently written, had language that was inconsistent, such as common open space versus natural open space. She asked that staff go over it once again to make sure it was what staff intended.

Chairman Adkins stated that Ms. Johnson's request was a housekeeping modification that staff and the Councilmember can add, and if it becomes material, it goes back to the Commission.

Ms. Farr wanted to put on the record that she wanted to really think about what that alternative tool or secondary tool was and have a timeline for that because she doesn't want to end up in a complicated situation. She said she would not want to leave the existing cluster lot in place but would like to think there was a timeline for that alternative tool.

Ms. Kempf stated she would like to recommend a meeting with the community, stakeholders that have been working with them, a presentation to the Commission and a work session. She stated that would take about 2 ½ months.

Mr. Tibbs said a visual would help him but loved the trees and how that was worded. He felt this would be a helpful tool and that timeframe was good to understand.

Mr. Henley asked for the date of enactment to be formally addressed.

Ms. Shepard advised the staff recommendation was for an effective date of June 15, 2022, assuming this kept to the schedule it was on. She said a different effective date would be something the Commission could recommend or consider, but she wanted the date to match the filing deadline date for logistic consistency.

Mr. Henley was concerned that the motion, as approved, had no alternative. He said that what people have prepared for, trained for and have enlisted professional services, all went away. Further, there was a new thing that had to be absorbed by the community with no perfunctory option that replaced what was there. He preferred the new enactment date guidance be given by staff when they plan to bring a second tool.

Ms. Milligan guessed there were somewhere between 15 to 20 concept plans that, in the past, 6 to 7 months have been consulted on. She said she has not been able to do, in this amount of time, was see how many of those have actually already been submitted and were under review. She stated she guessed that 98% of those are probably cluster.

Mr. Haynes said that if they do have 15 to 20 pre-applications with concept plans and everyone has known about this, they have not heard from those applications or concept plans. He felt that they would be hearing from the applicants if the enactment date was causing heartburn.

Mr. Henley sympathized with the small scale developers who were the applicants for these type projects and thought about the homes that could go away.

Mr. Henley made the motion that the enactment date is slid back to the most appropriately defined date.

Chairman Adkins stated Mr. Henley's motion was out of order.

Mr. Lawson clarified that his original motion was to approve staff recommendation on 18a. He then withdrew his motion.

Mr. Haynes withdrew his second to Mr. Lawson's original motion.

Mr. Haynes stated he would support a one meeting deferral if there was enough time for staff to work on the additional language for the additional scenario, come up with a better time line, come up with an extended effective date, and try to marry those two together.

Mr. Lawson moved and Ms. Farr seconded the motion to defer to the April 14, 2022, Planning Commission meeting. (7-1) Ms. Johnson voted against.

Resolution No. RS2022-80

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-004TX-001 is deferred to the April 14, 2022 Planning Commission meeting. (7-1)

18b. 2022Z-005TX-001

BL2022-1122/Angie Henderson

Staff Reviewer: Shawn Shepard & Molly Pike

A request to amend Titles 2 and 17 of the Metropolitan Code of Laws, to amend Chapters 17.24 and 17.28 pertaining to Tree Protection and Replacement, and to amend Chapters 2.226, 17.04, 17.12, 17.20, 17.24, 17.28, and 17.40 to make associated housekeeping amendments.

Staff Recommendation: Approve amendment to Title 17 with a substitute.

Mr. Lawson moved and Mr. Henley seconded the motion to defer to the April 14, 2022, Planning Commission meeting. (8-0)

Resolution No. RS2022-81

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021CP-008-003 is deferred to the April 14, 2022 Planning Commission meeting. (8-0)

19a. 2021CP-008-003

NORTH NASHVILLE COMMUNITY PLAN AMENDMENT

Council District 19 (Freddie O'Connell)

Staff Reviewer: Cory Clark

A request to amend the North Nashville Community Plan by changing from D I Policy to T4 MU Policy for property located at 3rd Avenue North (unnumbered), approximately 150 feet north of Van Buren Street, zoned IR (0.33 acres), requested by Martin Construction Company, applicant; MPAG LLC, owner (see associated case 2021SP-044-001).

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend North Nashville Community Plan to change the community character 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) policy for a portion of the property located at Third Avenue North (unnumbered), zoned Industrial Restrictive (IR) (approximately 0.19 acres).

NORTH NASHVILLE COMMUNITY PLAN

Current Policy

District Impact (D I) policy is intended to create and enhance areas that are dominated by one or more activities that have, or can have, a significant, adverse impact on the surrounding area, 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. Permanent residential activities are not appropriate in D I policy areas.

Requested Policy

T4 Urban Mixed Use Neighborhood (T4 MU) policy is intended to maintain, enhance, and create urban mixed-use neighborhoods with a diverse mix of moderate to high density residential, commercial, office, and light industrial land uses. These community policy areas have high levels of connectivity and complete street networks with sidewalks, bikeways, and existing or planned transit. Insufficient or missing transportation infrastructure may require enhancements to improve pedestrian, bicycle, and vehicular connectivity.

BACKGROUND

The community plan amendment was requested in conjunction with Case No. 2021SP-044-001, a request to rezone from Industrial Restrictive (IR) to Specific Plan (SP) for property located at Third Avenue North (unnumbered) to permit five multi-family residential units (approximately 0.33 acres). The current policy for this location, District Impact (D I), does not support residential activities. As such, the applicant has proposed amending the current community policy to T4 Urban Mixed Use Neighborhood (T4 MU) policy which would support permanent residential activities.

The community plan amendment area (site) is in the Germantown Neighborhood, approximately 0.3 miles west of the Cumberland River. Currently, approximately 0.19 acres of the site is in D I policy and approximately 0.14 acres of the site is in T4 MU policy. In the early 2000s when the policy lines were drawn, an old railroad line was used to distinguish the boundary between the D I and T4 MU policies. Today that rail line is not in use. Third Avenue North, a prominent corridor west of the site, has existing mixed-use developments. In addition, the surrounding neighborhood

areas display a consistent mixed-use development pattern. The site is near the Magdeburg Greenway which guides cyclists and pedestrians to an entry for accessing the Cumberland River Greenway.

COMMUNITY PARTICIPATION

This is a minor community plan amendment with no required community meeting facilitated by Planning staff. However, the applicant has held two meetings with the Germantown Neighborhood Association.

ANALYSIS OF URBAN MIXED USE NEIGHBORHOOD COMMUNITY POLICY

The area requested for the community plan amendment is a suitable location to extend T4 MU community policy for the following reasons:

NashvilleNext Growth and Preservation Concept Map

The plan amendment area, identified on the NashvilleNext Growth & Preservation Concept Map as located in a Transition & Infill area and adjacent to a Center, is suitable for amending the policy to allow a mix of uses.

Community Character Policy

The community plan amendment site falls under the scope of the North Nashville Community Plan and is in the Germantown Neighborhood. North Nashville is primarily urban residential in character with walkable neighborhoods along with centers and corridors with a mix of uses. The North Nashville Community Plan recognizes that neighborhoods are the backbone of the community and as such employs elements within the Community Character Policy to maintain stable neighborhoods that offer a variety of housing types for meeting the needs of a diverse and growing population close to the downtown core.

Currently, the development site is split into two policies. Having the entire site in T4 MU policy allows integration of the site into the fabric of the current urban mixed-use neighborhood by providing a housing option to complement housing observed throughout the area. In addition, users of the site would be within walking distance of Morgan Park to take advantage of this green space for enjoying outdoor recreational activities.

Transportation and Connectivity

T4 Urban Mixed Use Neighborhood (T4 MU) areas have high levels of connectivity and complete street networks with sidewalks, bikeways, and existing or planned transit. The site is situated between Third Avenue North and Second Avenue North which are both classified as arterial-boulevards by the Major & Collector Street Plan. Users of the site will have vehicle access by side entrances located on either roadway. Nearby to the south is Van Buren Street with the segment between Third and Second Avenues classified as an arterial-boulevard. Fifth Avenue North (due west) and Garfield Street (due north), both classified as collector-avenues, are located 0.18 miles and 0.20 miles respectively from the site. All these roadways, through additional connectivity with local streets, provide access to the west to Rosa L. Parks Boulevard and to the south to Jefferson Street, both arterial-boulevards and two prominent corridors in Nashville.

Sidewalks and bikeways are provided in many areas of the Germantown Neighborhood but currently do not exist on this site. The Magdeburg Greenway, north of the site, provides a path for individuals partaking in outdoor recreational activities such as walking and cycling. The Magdeburg Greenway connects to the Cumberland River Greenway, an approximately 12-mile greenway system connecting Downtown Nashville to numerous parts of North Nashville.

Public transit stops are conveniently located throughout the neighborhood to accommodate users. Local public transit service is provided by the WeGo Route 9. This bus route runs north/south and has several bus stops along Third Avenue North and provides connections for accessing Downtown, East Nashville, the Metro Center/North Rhodes Park neighborhood, and points of interest further west into North Nashville.

Relationship to Surrounding Policies

The site is in the urban Germantown Neighborhood area which is primarily T4 MU policy.

- Open Space (OS) policy is applied to Morgan Park, directly west, and can be accessed from the site by crossing Third Avenue North. OS policy is also applied to the nearby Magdeburg Greenway.
- District Impact (D I) policy, directly north, recognizes a large grouping of Metro Water Service buildings and uses.
- District Industrial (D IN) policy, directly east, has various business activities taking place there.

The site is distinct in that it is divided currently between two community policies, D I and T4 MU. The urban Germantown Neighborhood to the south is all T4 MU community policy with numerous recent completed developments and new developments under construction. Because of the existing and ongoing nature of water infrastructure operations on D I policy land, it is not reasonable to conclude that land use will change anytime in the foreseeable future. The D IN policy area to the east can reasonably be viewed as a more realistic choice for future policy changes as it shares the same key characteristic as this site and abuts existing T4 MU community policy.

Analysis Summary

Amending the current community policy from D I to T4 MU for the northern half of the site is appropriate at this time based on the following:

- The plan amendment area, identified on the NashvilleNext Growth & Preservation Concept Map as located in a Transition & Infill area and adjacent to a Center, is suitable for amending the policy to allow a mix of uses.
- The urban neighborhood area around the site is primarily T4 MU community policy, and an extension of T4 MU policy to this portion of the property is appropriate.
- Changing to T4 MU policy aligns with the level of transition and infill occurring with residential and mixed-use development taking place throughout the surrounding urban neighborhood area.
- Changing to T4 MU policy to allow residential and other uses is appropriate, adjacent to a park, community center, and greenway.
- The site is suitable for T4 MU policy because the existing Germantown Neighborhood has high levels of connectivity and mobility options for users of the site.
- The site has good nearby street connectivity that provides access, through arterials and local streets, to prominent corridors, including Rosa L. Parks Boulevard and Jefferson Street, and other points of interest.
- The Magdeburg Greenway, north of the site, provides bicycle and pedestrian access to spaces for outdoor recreational activities and connects to the Cumberland River Greenway.
- Local public transit service is near the site and provides access to various employment and entertainment destinations.
- Redevelopment of the site will result in sidewalks being constructed and adding to the overall sidewalk network.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0)

Resolution No. RS2022-82

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021CP-008-003 is approved. (8-0)

**19b. 2021SP-044-001
GERMANTOWN GREEN**

Council District 19 (Freddie O'Connell)

Staff Reviewer: Seth Harrison

A request to rezone from IR to SP zoning for property located at 3rd Avenue North (unnumbered), approximately 145 feet north of Van Buren Street (0.33 acres), to permit five multi-family residential units, requested by Dale and Associates, applicant; MPAG LLC, owner (see associated case 2021CP-008-003).

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

APPLICANT REQUEST

Preliminary SP to permit 5 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 five multi-family residential units.

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-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.*

NORTH NASHVILLE COMMUNITY PLAN

Existing Policy

D Impact (D I) is intended to enhance and create areas that are dominated by one or more activities with the potential to have a significant, adverse impact on the surrounding area, 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. Examples of DI areas include hazardous industrial operations, mineral extraction and processing, airports and other major transportation terminals, correctional facilities, major utility installations, and landfills.

Proposed Policy

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.

SITE CONTEXT AND PLAN DETAILS

The approximately 0.33 acre property is located between 3rd Avenue North and 2nd Avenue North, north of Van Buren Street. 3rd Avenue North is designated as an Arterial Boulevard according to the Major and Collector Street Plan (MCSP) and 2nd Avenue North is a local street. The site is currently vacant and utilized as parking occasionally. In the surrounding area are residential and industrial uses, and Morgan Park. Directly north of the site is a greenway.

The proposed SP includes 5 multi-family residential units along a single private drive connecting 2nd Avenue North and 3rd Avenue North. The plan includes one detached housing type, with one unit facing 2nd Avenue North, one unit facing 3rd Avenue North, and the remaining units fronting the existing greenway. The proposed plan includes ROW dedication, sidewalks and planting strips along both frontages as required by the MCSP.

ANALYSIS

The proposed policy of T4 CM calls for high density residential, enhanced building design, and development suitable for all modes of transportation. As the plan is proposed, it is meeting the policy goals of T4 CM. For the size and narrowness of the lot, the plan is proposing a medium density in an area with a variety of density and uses. With the addition of sidewalks connecting to the greenway and sidewalks through the site and along 3rd and 2nd Avenue North, pedestrian connectivity is increasing. The plan proposing frontages and pedestrian connections to the greenway will limit pedestrians along the road, creating a safer environment for the residents. Based on the introduction of sidewalks along 2nd and 3rd Avenue North, increased glazing along the greenway, and higher density development, the plan is consistent with T4 CM.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- 30 feet to eave of pitched roof. Any portion of the structure with less than 5' fire-separation-distance to closest interior lot line shall be of fire rated construction in accordance with 2018 IRC R302.1.

METRO PARKS RECOMMENDATION

Approve with conditions

- As a condition of their Preliminary SP approval and , the applicant must enter into a Participation Agreement with Metro Parks and MWS that identifies the proposed publicly accessible green space, receive Metro Parks and MWS's approval of the design of the green space, have Metro's approval of design and construction as well as maintenance and identify that there will be no cost to Metro. The work must be completed and approved by Metro Parks and Metro Water Service prior to issuance of a Use & Occupancy permit. The Agreement will need Park Board and Metro Council approval.

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. A minimum of 30% of W&S Capacity must be paid before issuance of building permits. (Water & Sewer Capacity Fee Permit No's. T2021035861&

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.
- Identify waste/recycle disposal plan. 5 units requires a dumpster. An HOA agreement w/private hauler will be required for roll away can pickup.
- Call out ST-324 ramp schedule off 3rd and 2nd.
- Provide 'Now Entering Private Drive' signage at each access.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Extend sidewalk on 2nd Avenue and 3rd Avenue approximately 25' to connect to greenway.

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)	0.33	0.6 F	8,625 SF	59	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
Multi- Family Residential 3-10 (221)	0.33	-	5 U	26	1	3

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
-	-	-	-	-33	-	+2

METRO SCHOOL BOARD REPORT

Projected student generation existing IR 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 beyond what is generated under the current IR zoning. Students would attend Jones Elementary, John Early Middle School, and Pearl-Cohn High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions if the associated plan amendment is approved. If the associated plan amendment is not approved, staff recommends disapproval.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 5 multi-family units as identified on the proposed SP plan. Short term rental property owner-occupied and short term rental property not owner-occupied shall be prohibited.
2. Units that front onto right-of-way shall address the right-of-way with the buildings architecture and typical architectural elevations shall be provided with the final site application.
3. Interior units are required to front onto Greenway. Elevation will be reviewed by staff with submission of the final site plan
4. Height of structures limited to height of 30' at eave of pitched roof.
5. Replace Architectural Note C with the following: Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.
6. With the final site plan, submit elevations consistent with the elevations included with the Preliminary SP.
7. Comply with all conditions and requirements of Metro reviewing agencies.
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. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. 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.
11. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.

12. 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.

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

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

Resolution No. RS2022-83

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-044-001 is approved with conditions and disapproved without all conditions. (8-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 5 multi-family units as identified on the proposed SP plan. Short term rental property owner-occupied and short term rental property not owner-occupied shall be prohibited.
2. Units that front onto right-of-way shall address the right-of-way with the buildings architecture and typical architectural elevations shall be provided with the final site application.
3. Interior units are required to front onto Greenway. Elevation will be reviewed by staff with submission of the final site plan
4. Height of structures limited to height of 30' at eave of pitched roof.
5. Replace Architectural Note C with the following: Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.
6. With the final site plan, submit elevations consistent with the elevations included with the Preliminary SP.
7. Comply with all conditions and requirements of Metro reviewing agencies.
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. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. 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.
11. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
12. 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.
13. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

20. 2021SP-092-001

DODSON CHAPEL

Council District 14 (Kevin Rhoten)

Staff Reviewer: Dustin Shane

A request to rezone from RS15 and SP to 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, requested by Kimley-Horn, applicant: Dodson Chapel United Methodist Church, owner.

Staff Recommendation: Approve with conditions and disapprove without all conditions.

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.

HISTORY

The Planning Commission considered this case at the February 24, 2022, meeting. During the public hearing, a representative from the neighboring Vulcan-operated rock quarry spoke in opposition to the project, citing concerns with the construction timeline. After closing the public hearing, the Planning Commission deferred the item for two meetings and asked the parties to discuss the issues. Since then, the meeting between the parties has taken place.

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 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

Proposed Architecture

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. 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.

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.

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. The Developer and any current or subsequent owner agrees to erect a fence between the proposed development and the adjacent use currently operated by Vulcan Materials Company. The fence should be a minimum of six feet in height.
4. 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."
5. On the corrected plan set, add note that landscaping will satisfy all provisions of Chapter 17.24 (not just parking and screening).

6. On the corrected plan set, provide ADA sidewalk ramps at southernmost drive entrance.
7. On the corrected plan set, show improvements to Dodson Chapel Road extending to the intersection with Old Hickory Boulevard.
8. On the corrected plan set, provide private sidewalk connections from the townhomes to the internal sidewalk network.
9. 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.
10. 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.
11. 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.
12. Comply with all conditions and requirements of Metro reviewing agencies.
13. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
14. 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.
15. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

Resolution No. RS2022-84

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-092-001 is approved with conditions and disapproved without all conditions including an additional condition related to installation of fencing. (8-0)

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. The Developer and any current or subsequent owner agrees to erect a fence between the proposed development and the adjacent use currently operated by Vulcan Materials Company. The fence should be a minimum of six feet in height.
4. 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."
5. On the corrected plan set, add note that landscaping will satisfy all provisions of Chapter 17.24 (not just parking and screening).
6. On the corrected plan set, provide ADA sidewalk ramps at southernmost drive entrance.
7. On the corrected plan set, show improvements to Dodson Chapel Road extending to the intersection with Old Hickory Boulevard.
8. On the corrected plan set, provide private sidewalk connections from the townhomes to the internal sidewalk network.
9. 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.
10. 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.
11. 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.
12. Comply with all conditions and requirements of Metro reviewing agencies.
13. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
14. 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.
15. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted,

except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

**21. 2022SP-014-001
MULBERRY DOWNS**

Council District 03 (Jennifer Gamble)
Staff Reviewer: Amelia Lewis

A request to rezone from RS7.5 to SP zoning for a portion of property located at Dickerson Pike (unnumbered), approximately 930 feet west of Dickerson Pike, (25.43 acres), to permit up to 149 multi-family units, requested by Alfred Benesch & Company, applicant; Sallie R. Hicks Family, LLC, owner.

Staff Recommendation: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Preliminary SP to permit a multi-family development.

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to Specific Plan (SP) zoning for a portion of property located at Dickerson Pike (unnumbered), approximately 930 feet west of Dickerson Pike, (25.43 acres), to permit up to 149 multi-family units.

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 125 single family lots for a total of 125 units. This calculation is based on acreage alone and does not account for compliance with the subdivision regulations.*

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 152 multi-family units in attached townhomes.*

PARKWOOD – UNION HILL COMMUNITY PLAN

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

PARKWOOD – UNION HILL COMMUNITY PLAN (cont.)

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.

SITE

The subject site is a 25 acre portion of a 30 acre parcel located on the north side of Mulberry Downs Circle, west of the intersection of Mulberry Downs Circle and Dickerson Pike. This report will refer to the “site” or the “subject site” as the portion of the parcel to be rezoned to SP. The property to the north is zoned R10 and developed with one and two-family structures. The property to the west and to the south is zoned RS7.5. The property on the south side of Mulberry Downs Circle, across from the subject site is vacant. To property to the west zoned RS7.5 is also within a Planned Unit Development that resulted in the development of single-family homes. The properties to the east along Dickerson Pike have a range of zoning districts, with a majority being zoned Commercial Services (CS) and the properties being established with primarily non-residential uses.

PLAN DETAILS

The proposed development consists of 149 attached multi-family units across the 25 acre site. The units are broken up into groupings ranging from four units to eight units in several buildings across the site. All units are a maximum of three stories and rear loaded. The rear loaded units are accessed via private alleys. Units located along the southern property line are oriented to Mulberry Downs Circle. The other units on the site are oriented to public roads or open spaces.

A vehicular entrance into the site is located along Mulberry Downs Circle, towards the southwest corner of the site. Internal connectivity is through three public streets on the site: Roads A, B, and C. Road A, the access road into the site, as well as Road C, located internally to the site but further east, continue to the north to connect to a previously approved subdivision. Road B, which runs east to west on the site, connecting Roads A and B before ending in a cul-de-sac. All proposed public roads include 5 foot sidewalks and 4 foot grass strips to provide internal connectivity between units, to the subdivision to the north, and to Mulberry Downs Circle.

Additional features of the site include a club house and pool on the western portion of the property, and private walking trails along the eastern portion of the site. A Type B Buffer is located along the northern property line. It is a condition of the SP that a landscape buffer be added along the western property line where private alleys abut the property line.

ANALYSIS

There are two policies on the site, Suburban Neighborhood Evolving (T3 NE) and Conservation (CO). The intent of the T3 NE Policy is to create and enhance suburban neighborhoods with the best qualities of classic suburban neighborhoods— greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques. The site is located between two existing neighborhoods, of which are primarily single-family residential uses. The proposed development will provide a new housing type in the area, increasing housing choice options. Vehicular access is provided by a series of public roads that connect to planned stub roads to the north. With the public roads are new sidewalks along these streets and the existing Mulberry Downs Circle. This also enhances pedestrian connectivity between the surrounding neighborhoods.

The CO Policy on the site is in place due to an existing stream buffer that touches the southeast corner of the site, as well as large portions of contiguous slopes ranging from 15 percent to 25 percent. The applicant has identified these areas on an existing conditions map, and largely shown them as areas of open space on the plan. This is consistent with the guidance of the CO Policy to preserve these features, as well as the T3 NE guidance to create developments that are mindful of the environmental features on the site.

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% of W&S Capacity must be paid before issuance of building permits.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- At final: Include proposed public roadway construction drawings (profiles, grades, drainage). Roadway construction drawings shall comply with NDOT Subdivision Street Design Standards.
- Callout roadway sections, (access and ADA) ramps, sidewalks, curb & gutter, etc. per NDOT detail standards.
- Show 'Now Entering Private Drive' signage where applicable off public roads. Provide internal stop control at intersections.
- Provide stopping sight distance exhibits at any relevant intersections and accesses
- Dimension ROW pavement widths for clarity.
- Note: A private hauler will be required for waste/recycle disposal. Comply w/ NDOT traffic comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Development will be required to construct a sidewalk to NDOT's standards, east to Dickerson Pike. This condition is an offsite requirement and is independent of the ownership of the remaining acreage at the time of final approval. At

final, site plan shall show the full extension of the sidewalk down to Dickerson Pike including all required ROW dedications.

- Provide a 3 lane section for the eastbound approach on Mulberry Downs at the intersection of Dickerson Pike, which includes two exiting lanes (RTL & LTL) and one receiving lane.
- At final, submit a stamped TIS memo that includes a signal warrant analysis at Mulberry Downs Circle & Dickerson Pike with the background volumes produced by the Meritage Homes subdivision that is currently under construction, in addition to the other background volumes. Note the developer will be expected to make a financial contribution towards a future signal at the Mulberry Downs & Dickerson Pike intersection. The contribution amount will be determined prior to the third reading at council. Additional traffic comments forthcoming following the submittal of the TIS memo.

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)	25.43	5.808 D	125 U	1,277	93	126

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)	25.43	-	149 U	810	50	65

Traffic changes between maximum: RS7.5 and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+24 U	-467	-43	-61

METRO SCHOOL BOARD REPORT

Projected student generation existing RS7.5 district: 18 Elementary 15 Middle 15 High

Projected student generation proposed SP district: 30 Elementary 26 Middle 21 High

The proposed SP zoning is expected to generate 29 additional students than the existing RS7.5 zoning. Students would attend Bellshire Elementary School, Madison Middle School, and Hunters Lane School. All schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 149 multi-family residential units. Short term rental property, owner occupied and short term rental property, not-owner occupied shall be prohibited.
2. On the corrected plan set, on page 2, remove the second to last bullet point.
3. On the corrected plan set, revise all references to the fallback zoning as RM9-NS.
4. With the Final SP, a landscape buffer shall be added along the western property line where private alleys abut the property line.
5. A minimum of eight bicycle parking spaces shall be publicly available on the site.
6. With the final site plan, provide a sidewalk connection from the site to Dickerson Pike. If Planning and NDOT determine that it is not feasible to construct the sidewalk, additional pedestrian improvements may be required.
7. Any right-of-way dedication necessary for construction of the sidewalk connection from the site to Dickerson Pike shall be dedicated prior to approval of any final site plan.
8. The existing bike lane shall remain on Mulberry Downs Circle unless otherwise decided by Planning and NDOT at the time of Final SP.
9. With the landscape plan submitted at Final SP, additional screening of alleys and/or surface parking may be required.
10. 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.

11. 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.
12. 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.
13. Comply with all conditions and requirements of Metro reviewing agencies.
14. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9-NS zoning district as of the date of the applicable request or application.
15. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
16. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan.

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

Resolution No. RS2022-85

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-014-001 is approved with conditions and disapproved without all conditions. (8-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 149 multi-family residential units. Short term rental property, owner occupied and short term rental property, not-owner occupied shall be prohibited.
2. On the corrected plan set, on page 2, remove the second to last bullet point.
3. On the corrected plan set, revise all references to the fallback zoning as RM9-NS.
4. With the Final SP, a landscape buffer shall be added along the western property line where private alleys abut the property line.
5. A minimum of eight bicycle parking spaces shall be publicly available on the site.
6. With the final site plan, provide a sidewalk connection from the site to Dickerson Pike. If Planning and NDOT determine that it is not feasible to construct the sidewalk, additional pedestrian improvements may be required.
7. Any right-of-way dedication necessary for construction of the sidewalk connection from the site to Dickerson Pike shall be dedicated prior to approval of any final site plan.
8. The existing bike lane shall remain on Mulberry Downs Circle unless otherwise decided by Planning and NDOT at the time of Final SP.
9. With the landscape plan submitted at Final SP, additional screening of alleys and/or surface parking may be required.
10. 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.
11. 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.
12. 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.
13. Comply with all conditions and requirements of Metro reviewing agencies.
14. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9-NS zoning district as of the date of the applicable request or application.
15. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
16. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan.

**22. 2021NL-003-001
435 OLD HICKORY BOULEVARD**

B2021-854/Nancy VanReece
Council District 08 (Nancy VanReece)
Staff Reviewer: Seth Harrison

A request to apply a Neighborhood Landmark Overlay District to property located at 435 Old Hickory Boulevard, at the southeast corner of Donna Drive and Old Hickory Boulevard, zoned RS20 (1.44 acres), to permit small event and short-term rentals, requested by Councilmember Nancy VanReece, applicant; Brandon Thornberry, owner (see associated case 2021HL-003-001).

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Apply Neighborhood Landmark Overlay District (NLOD).

Neighborhood Landmark Development Plan

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

Existing Zoning

Single-Family Residential (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre. *RS20 would permit a maximum of 2 units.*

Proposed Overlay

Neighborhood Landmark Overlay District (NLOD) is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood or community.

MADISON COMMUNITY PLAN

T3 Suburban Residential Corridor (T3 RC) is intended to maintain, enhance, and create suburban residential corridors. T3 RC areas are located along prominent arterial-boulevard or collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive and comfortable access and travel for all users. T3 RC areas provide high access management and are served by moderately connected street networks, sidewalks, and existing or planned mass transit.

PLAN DETAILS

The development plan proposes an special event space, such as wedding venue and art shows, and short-term rental facility on a 1.44 acre site located at 435 Old Hickory Boulevard, also listed as 91 Donna Drive. The site includes a 4,020 square foot house, with an attached 3-vehicle garage, and in ground pool. The existing structure has previously been used as a single-family residence and is currently vacant. The extent of the external changes proposed are the repair of an existing 3-foot fence, new landscaping, and a proposed sign located at the southeast corner of Old Hickory Boulevard and Donna Drive. No changes are proposed to the exterior of the building or parking, aside from minor changes such as painting.

The proposed event uses would take place inside the existing structure and outside within a designated area. Total allowable indoor event space would be 2,670 square feet, limited to the first story of the structure. Total allowable outdoor event space would be 7,970 square feet, limited to the fenced area located at the southeast of the parcel, with the pool. Special events would utilize portable sound systems. When not utilized for events, the site will be available for only 1 not owner occupied short-term rental.

This site is also located within a Historic Overlay District, so any exterior modifications to the building will be subject to Metro Historic Zoning Commission.

Parking

Required parking for this site would be 13 spaces for the indoor event space. Parking spaces are required to be at least 18 feet deep and 8.5 feet wide. The driveway on site is approximately 200 feet long and 15 feet wide at the property line, widening to 44 feet before the 3-vehcile garage. Utilizing these numbers, it is estimated to be an available 18 parking spaces available on site.

Although the site meets the minimum parking requirements for indoor commercial amusement (event space), outdoor commercial amusement (event space) is determined by a traffic engineer. To ensure adequate parking for all events, a signed agreement with another location, at 701 Gallatin Pike, has been provided to allow for an additional 58 parking spaces. In total 76 parking spaces would be available.

ANALYSIS

The intent of this Neighborhood Landmark Overlay District to is utilize an existing single-family residence and provide an adaptive reuse. The proposed site is located along Old Hickory Boulevard, which is classed as an arterial boulevard in the Major and Collector Street Plan (MCSP). Based on the location as a corner parcel along an arterial boulevard, this reuse could provide a benefit to the surrounding area with short-term rental for artists and event holders at this and other surrounding commercial locations.

NDOT RECOMMENDATION

Approve with conditions

- Consult with metro zoning/codes on whether sidewalk requirement along frontage required, due to renovations.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

- 1. Permitted uses are limited to what is allowed in RS20 base zoning, one not owner-occupied short-term rental, indoor and outdoor commercial amusement limited to special events, such as wedding venue and art shows.
- 2. Indoor commercial amusement is limited to 2,670 square feet, outdoor commercial amusement is limited to 7,970 square feet, and one not owner-occupied short-term rental is permitted.
- 3. Use of sound systems will be limited to a maximum of 300 watts, microphones, and amplified instruments. These can only be operated between 10:00 a.m. and 9:00 p.m. on weekdays and between 10:00 a.m. and 10:00 p.m. on weekends.
- 4. A maximum of 70 decibels on the A-weighted scale shall be permitted to occur at the boundary line of the nearest residential property.
- 5. Max capacity at any event is limited to 100 attendants.
- 6. Any modifications to the site will be required to comply with Metro requirements.

Approve with conditions. (8-0)

Resolution No. RS2022-86

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021NL-003-001 is approved with conditions. (8-0)

CONDITIONS

- 1. Permitted uses are limited to what is allowed in RS20 base zoning, one not owner-occupied short-term rental, indoor and outdoor commercial amusement limited to special events, such as wedding venue and art shows.
- 2. Indoor commercial amusement is limited to 2,670 square feet, outdoor commercial amusement is limited to 7,970 square feet, and one not owner-occupied short-term rental is permitted.
- 3. Use of sound systems will be limited to a maximum of 300 watts, microphones, and amplified instruments. These can only be operated between 10:00 a.m. and 9:00 p.m. on weekdays and between 10:00 a.m. and 10:00 p.m. on weekends.
- 4. A maximum of 70 decibels on the A-weighted scale shall be permitted to occur at the boundary line of the nearest residential property.
- 5. Max capacity at any event is limited to 100 attendants.
- 6. Any modifications to the site will be required to comply with Metro requirements.

23. 2022Z-014PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Jason Swaggart

A request to rezone from IWD to MUG zoning for property located at 210 Cumberland Bend, approximately 1,160 feet east of Great Circle Road (5.04 acres), requested by Kimley-Horn, applicant; Dore Frog, LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from IWD to MUG.

Zone Change

A request to rezone from Industrial Warehouse/Distribution (IWD) to Mixed-Use General (MUG) zoning for property located at 210 Cumberland Bend, approximately 1,160 feet east of Great Circle Road (5.04 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.

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.

ANALYSIS

The approximately five-acre site does not have frontage on a public street and is accessed by shared access easements including Cumberland Bend, which is a private drive. The site is generally located north and east of Great Circle Road and the eastern property line abuts the Cumberland River and Metro Center Levee Trail/greenway. Currently the site includes a structure and the use on the property is classified as light manufacturing. 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 eastern 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 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)	5.04	0.8 F	175,633 SF	319	30	33

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	2.56	3.0 F	324 U	1,764	108	137

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

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**

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

Traffic changes between maximum: **IWD and MUG**

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

Approve. (8-0)

Resolution No. RS2022-87

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-014PR-0001 is approved. (8-0)

24. 2022Z-030PR-001

Council District 17 (Colby Sledge)
Staff Reviewer: Abbie Rickoff

A request to rezone from IWD to MUL-A-NS zoning for properties located at 2251 Winford Avenue and 802 Longview Avenue, approximately 92 feet north of Eugenia Avenue (0.72 acres), requested by Smith Gee Studio, applicant; William Ruff & Snyddwood GP, owners.

Staff Recommendation: Approve.

The Metropolitan Planning Commission deferred 2022Z-030PR-001 to the April 28, 2022, Planning Commission meeting. (7-0)

25a. 2022Z-035PR-001

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

A request to rezone from AR2a and R15 to RS10 zoning for properties located at 3807 and 3817 Hamilton Church Road and Hamilton Church Road (unnumbered), approximately 330 feet east of S Shore Drive (37.12 acres), and located within a Planned Unit Development, requested by Dale & Associates, applicant; Pardue Family Hamilton Church Road Partners, owner. (See associated case #88P-054-001).

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from AR2a and R15 to RS10.

Zone Change

A request to rezone from Agriculture/Residential (AR2a) and One and Two-Family Residential (R15) to Single Family Residential (RS10) zoning for properties located at 3807 and 3817 Hamilton Church Road and Hamilton Church Road (unnumbered), approximately 330 feet east of S Shore Drive (37.12 acres), and partially located within a Planned Unit Development (PUD) Overlay.

Existing Zoning

Agriculture/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. *Approximately 4.41 acres of the site is zoned AR2a. Based on this acreage, AR2a would permit a maximum of two lots with two duplex lots for a maximum of four units. Application of the Subdivision Regulations may result in fewer units. Metro Codes provides final determinations on duplex eligibility.*

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

Approximately 32.71 acres of the area to be rezoned is zoned R15. Based on this acreage, R15 would permit a maximum of 80 lots, with 20 duplex lots, for a maximum of 100 units. Application of the Subdivision Regulations may result in fewer lots. Metro Codes provides final determinations on duplex eligibility.

Proposed Zoning

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 up to 137 single-family lots. Application of the Subdivision Regulations may result in fewer lots.

ANTIOCH - PRIEST LAKE COMMUNITY PLAN

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

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

SITE AND CONTEXT

The site is comprised of three contiguous parcels with a cumulative acreage of 37.12 acres. All three parcels have frontage on Hamilton Church Road. The properties to the north, across Hamilton Church Road are zoned AR2a, as are the properties to the east and south. The properties to the west are zoned R15 and are within a PUD Overlay. The surrounding land uses are primarily single-family homes in addition to some vacant properties.

ANALYSIS

The site is located in the Suburban Neighborhood Evolving (T3 NE) policy. According to the policy guide, these areas are undeveloped, underdeveloped, or suitable for substantial infill and redevelopment and are anticipated to be developed in suburban residential patterns, but at higher densities and with greater housing variety than classic suburban neighborhoods. The proposed zoning district is in keeping with the residential intent of the policy as well as the surrounding single-family land uses. Additional factors for rezonings in this policy area include the size of the site, character of adjacent transect policies, and the location along corridors. The size of the site would permit a development consistent with surrounding development patterns, the site is surrounded by the T3 NE policy, and is located along Hamilton Church Road, classified as a collector road in the Major and Collector Street Plan (MCSP).

The Conservation (CO) policy on site is in place due to the 100 year floodplain and one small area of steep slopes. The policy states that when balancing the T3 NE and CO policy, lot configuration and right-of-way should not take priority over the preservation of the environmental features. While this application is for rezoning, future development should consider this policy guidance.

FIRE MARSHAL 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)	4.41	0.5 D	4 U	54	8	5

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
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One and Two-Family Residential* (210)	32.71	2.904 D	100 U	1,040	76	102
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*Based on two-family lots

Maximum Uses in Proposed 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)	37.12	4.356 D	137 U	1,389	103	138

Traffic changes between maximum: **AR2a and RS30**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+33 U	+298	+19	+31

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2a/R15 district: **24** Elementary **16** Middle **17** High

Projected student generation proposed RS10 district: **31** Elementary **22** Middle **23** High

The proposed R10 zoning district is expected to generate two additional students than what is typically generated under the existing RS10 zoning district. Students would attend Mt. View Elementary School, J F. Kennedy Middle School, and Antioch Creek High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0)

Resolution No. RS2022-87

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-035PR-0001 is approved. (8-0)

**25b. 88P-054-001
SOUTHS SHORE PUD (CANCELATION)**

Council District 33 (Antoinette Lee)

Staff Reviewer: Amelia Lewis

A request to cancel a portion of a Planned Unit Development located at Hamilton Church Road (unnumbered), approximately 335 feet east of S Shore Drive (32.71 acres), zoned R15, requested by Dale & Associates, applicant; Pardue Family Hamilton Church Road Partners, owner (see associated case 2022Z-035PR-001).

Staff Recommendation: Approve subject to the approval of the associated zone change. Disapprove if the associated zone change is not approved.

APPLICANT REQUEST

Cancel PUD.

PUD Cancellation

A request to cancel a portion of a Planned Unit Development located at Hamilton Church Road (unnumbered), approximately 335 feet east of S Shore Drive (32.71 acres), zoned One and Two-Family Residential (R15).

Existing Zoning

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

The Planned Unit Development Overlay District (PUD) permitted a total of 224 residential units across the entire PUD

site. A total of 89 residential units were approved for this portion of the site.

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

ANTIOCH – PRIEST LAKE COMMUNITY PLAN

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

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

ANALYSIS

The preliminary PUD plan was approved in 1988 for a residential development with 224 single-family lots across the approximately 65 acre site. The development was intended to be developed in several phases. Phases 1 and 2, west of this parcel have been completed. The remaining part of the PUD, and portion to be canceled, was identified as Phase 3. A revised preliminary PUD plan for this phase was approved in 2001. Phase 3 was approved for 89 residential lots and extensions of public roads from phases 1 and 2. A final site plan was not approved.

The cancelation of the PUD would permit the development of the site without the previously approved plan. The associated case, 2022Z-035PR-001, would modify the zoning on the site to permit single-family residences. Any future subdivision of the site would be required to meet current Subdivision Regulations, which will include the extension of public stub roads in addition to more refined environmental standards.

STORMWATER RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Future development shall provide connectivity to existing public roadway network.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- See Nashville DOT comments.

WATER SERVICES RECOMMENDATION

Approve

STAFF RECOMMENDATION

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

Approve. (8-0)

Resolution No. RS2022-88

“BE IT RESOLVED by The Metropolitan Planning Commission that 88P-054-001 is approved. (8-0)

26. 2022DTC-011-001

MILES NASHVILLE

Council District 19 (Freddie O'Connell)

Staff Reviewer: Nora Yoo

Request for an overall height modification to the standards of the Downtown Code to allow a 19-story residential building, within the Lafayette subdistrict, requested by ESa, applicant.

Staff Recommendation: Approve with conditions or defer without all conditions.

APPLICANT REQUEST

Modification of overall height standards of the Downtown Code (DTC).

DTC Overall Height Modification

A request for a modification of overall building height on property located at 516-526 Rep. John Lewis Way S., within the Lafayette Subdistrict of the Downtown Code (DTC), to allow for a new residential building of 19 stories where eight stories of building height are permitted by right.

Existing Zoning

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

PROJECT OVERVIEW

The project proposes a 19-story mixed-use and residential building consisting of 637 residential units, 10,400 square feet of retail space, an 8,150 square foot pocket park along Rep. John Lewis Way South, 317 below-grade parking spaces, and a rooftop residential pool/amenity area.

PLAN DETAILS

The general bounds of the property include Lea Avenue to the north, Rep. John Lewis Way South to the west, and Alley #146 to the east. The site contains two street frontages and one alley frontage which serve different functions. The Rep. John Lewis Way S. frontage contains retail and the pocket park, along with the primary entry to the residential lobby of the building. The Lea Avenue frontage contains retail at the corner of Rep. John Lewis Way S., with some back-of-house program toward the corner of Alley #146. Access to parking and loading are located on the alley.

OVERALL HEIGHT MODIFICATION PROCESS

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

1. The Executive Director of the Planning Department shall determine whether the development has made reasonable efforts to pursue all appropriate bonuses available in the Bonus Height Program.
2. The applicant shall hold a community meeting providing notices to all property owners within 300 feet.
3. The Planning Commission shall review the modification request and may grant additional height for exceptional design, including but not limited to unique architecture, exceptionally strong streetscape, contribution to the skyline, improvement of the project's relationship to surrounding properties, and improvement to the character of the neighborhood. In some instances, consideration may be given where a project results in implementation of significant community improvements (e.g. quality open space, upgrading public infrastructure, or others determined by the policies of Metro departments) and/or contributes to the implementation of community improvements determined by the policies of Metro departments.

OVERALL HEIGHT MODIFICATION ANALYSIS

Bonus Height Program

In the Lafayette Subdistrict, an additional three stories may be earned, up to a maximum of 11 stories, through use of the Bonus Height Program. A Determination Letter, signed by the Executive Director of the Planning Department, is attached to this staff report, and states the development has applied various bonuses available in the Bonus Height Program, including application of LEED silver certification, Pervious Surfaces, Open Space, and Underground Parking bonuses. The project has made strides to meet exceptional design criteria by limiting and placing all parking underground, creating a publicly-accessible urban pocket park/plaza at the center of the project, and proposing a deed restriction to prohibit short term rental (STR) conversion.

Community Meeting

The applicant held a virtual community meeting on Monday, February 28 at 5:30 P.M. and sent notices to properties within 300 feet. 12 people were in attendance, including the development team, Planning staff, and one neighboring property owner. A brief presentation was given to the attendees. The adjacent property owner inquired about the alley dimensions and expressed concern that the lack of a step-back on Lea Avenue could leave their property in more

shadow than if the step-back were in place. They were in agreement that the proposed pocket park would be a welcome addition to this area.

DTC Design Review Committee Meeting

The applicant brought the project to the Downtown Code Design Review Committee meeting on March 4, 2022. The Committee discussed the two presented material palettes and reviewed material samples without any objections. They discussed the site plan and the importance of maintaining public access to the proposed pocket park, and recommended a condition be added to the approval regarding public access and hours of operation; that condition is included in the staff recommendation below. The Committee voted (with none opposed) to approve the concept design and proposed DTC modifications, and to recommend approval of the proposed Overall Height Modification.

Exceptional Design

The architectural massing of the Miles Project creates a courtyard pocket park along Rep. John Lewis Way S. This park will be a welcome addition to area identified in the DTC as having open space deficiencies. The new park will have frontage on approximately 10,400 square feet of retail spaces on two sides, and the lobby entry along the back. In total, the perimeter of the open space provides 248 linear feet of activation along the adjacent retail and lobby spaces. The park will be open to the public and will provide over 200 linear feet of seating in an activated lawn and plaza area where residents, visitors, and passersby can gather. The integration of different paver and seating materials, a variety of plantings, and an accessible path to navigate the level change help ensure that this park makes a strong contribution to the urban fabric of this emerging residential neighborhood. Additionally, the street side façades are articulated with areas that project and peel away allowing for opportunities for material shifts and provide relief and texture to the overall building massing. The north wing includes a carved-out balcony amenity area on upper floors that provides visual interest to the overall composition of the building, and adds a unique articulation to the streetscape.

The project proposes adding 637 housing units, 48% of which will be micro-studios of approximately 350 square feet each on average. The addition of residential units in this area will increase the supply of downtown housing options, responding to the need for more housing units in the urban core. The integration of micro-units embraces the potential for vibrant density in this emerging downtown neighborhood. The applicant has agreed to a deed restriction to prohibit short term rental (STR) conversion.

All vehicular access, including service and loading, occur on the alley to the east of the building. This creates an uninterrupted widened sidewalk that wraps around Rep John Lewis Way S. and Lea Avenue for the building's entire street frontage. All parking is located below grade, and the proposed parking ratio of less than half the number of parking stalls (317) to number of units (637) indicates an emphasis on encouraging pedestrian and multi-modal transit in this central downtown location.

Additionally, the applicant has been working with NDOT to determine any necessary traffic and mobility improvements that need to be made to the surrounding area. A Traffic Impact Study is under review by NDOT and final recommendations are included as conditions of approval.

STAFF RECOMMENDATION

The project offers activated street frontages along Rep. John Lewis Way S. and Lea Avenue, as well as the new pocket park. The project's emphasis on residential use supports the goal of a vibrant urban neighborhood in the downtown core. The design – both massing and architecture – have been thoughtfully considered and respond to the existing and emerging context in a site-specific way.

Several conditions are recommended to ensure that bonus height actions and critical site elements are addressed according to the standards of the DTC. Staff recommends approval with conditions and deferral without all conditions:

CONDITIONS

1. The applicant must apply for and obtain approval of a mandatory referral to encroach over the Lea Avenue right-of-way, including any and all agreements NDOT deems necessary to allow for required functionality, prior to issuance of building permits.
2. All bonus height actions identified in this application, including those that require a deed or restrictive covenant, must be approved prior to building permit approval.
3. The proposed residential use shall not be converted to a short-term rental use, memorialized by a deed restriction or covenant, as reviewed by Metro Legal.
4. The applicant shall coordinate with NDOT on any proposed traffic improvements that result from the project TIS.
5. If implementation of final TIS recommendations has a substantial effect on the building design or site layout, it may be necessary for the plans to be re-reviewed by the Planning Commission. A corrected plan incorporating required improvements shall be submitted to staff prior to submission of any final site plans.

6. The developer shall work with Planning Staff to propose an agreement for reasonable public access (e.g. hours of operation and other operational expectations) to the privately-owned, publicly-accessible open space. This shall be reviewed by Metro Planning and Metro Legal, and recorded prior to the issuance of building permits.
7. All overhead lines along the site's frontages shall be buried.

Approve with conditions. (8-0)

Resolution No. RS2022-89

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022DTC-011-001 is approved with conditions. (8-0)

CONDITIONS

1. The applicant must apply for and obtain approval of a mandatory referral to encroach over the Lea Avenue right-of-way, including any and all agreements NDOT deems necessary to allow for required functionality, prior to issuance of building permits.
2. All bonus height actions identified in this application, including those that require a deed or restrictive covenant, must be approved prior to building permit approval.
3. The proposed residential use shall not be converted to a short-term rental use, memorialized by a deed restriction or covenant, as reviewed by Metro Legal.
4. The applicant shall coordinate with NDOT on any proposed traffic improvements that result from the project TIS.
5. If implementation of final TIS recommendations has a substantial effect on the building design or site layout, it may be necessary for the plans to be re-reviewed by the Planning Commission. A corrected plan incorporating required improvements shall be submitted to staff prior to submission of any final site plans.
6. The developer shall work with Planning Staff to propose an agreement for reasonable public access (e.g. hours of operation and other operational expectations) to the privately-owned, publicly-accessible open space. This shall be reviewed by Metro Planning and Metro Legal, and recorded prior to the issuance of building permits.
7. All overhead lines along the site's frontages shall be buried.

27. 2022S-017-001

RESUBDIVISION OF LOT DOYLE SUBDIVISION

Council District 17 (Colby Sledge)

Staff Reviewer: Seth Harrison

A request for final plat approval to create five lots on property located at 915 Kirkwood Avenue, at the corner of Kirkwood Avenue and Craig Avenue, zoned R8 (2.5 acres), requested by Brown Surveying, applicant; Courtney & Christine Gasper, owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Request for final plat approval to create five lots.

Final Plat

A request for final plat approval to create five lots on property located at 915 Kirkwood Avenue, at the corner of Kirkwood Avenue and Craig Avenue, zoned One and Two-Family Residential (R8) (2.5 acres).

SITE DATA AND CONTEXT

Location: The site is located at the southwest corner of Kirkwood Avenue and Craig Avenue.

Street Type: The site has frontage onto Kirkwood Avenue and Craig Avenue, and both streets are classified as local streets in the Major and Collector Street Plan.

Approximate Acreage: The proposed area for subdivision is 2.50 acres or 108,965 square feet.

Parcel/Site History: The site is comprised of one parcel, which was created via subdivision in 1995.

Zoning History: The site has been zoned R8 since 1974 (O73-650) and is within two overlays, Urban Zoning Overlay (BL2007-1426) and Historic Landmark Overlay (BL2022-1083).

Existing land use and configuration: The site currently contains one residential structure and several accessory structures.

Surrounding land use and zoning:

North: One and Two-Family Residential (R8)
South: One and Two-Family Residential (R10)
East: One and Two-Family Residential (R8)
West: One and Two-Family Residential (R8 and R10)

Zoning: One and Two-Family Residential (R8)

Min. lot size: 8,000 square feet
Max. height: 3 stories
Min. street setback: 20'
Min. rear setback for all properties: 20'
Min. side setback for all properties: 5'
Maximum Building Coverage: 0.45

PROPOSAL DETAILS

This proposal is for subdivision development under existing zoning entitlements. No rezoning is proposed with this application.

Number of lots: 4 single-family lots and 1 duplex lot

Lot sizes: Lot sizes range from 0.26 acres (11,124 square feet) to 0.57 acres (24,960 square feet).

Access: Lots 1-3 will have frontage on Kirkwood Avenue, Lot 4 will have frontage on Kirkwood Avenue and Craig Avenue, and Lot 5 will have frontage on Craig Avenue.

Subdivision Variances or Exceptions Requested: None.

APPLICABLE SUBDIVISION REGULATIONS

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

Prior versions of Subdivision Regulations for Nashville and Davidson County contained a uniform set of standards that were applied Metro-wide. This did not take into account the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is within the T4 Suburban Neighborhood Maintenance (T4 NM) policy. For sites within the T3 transect, the conventional regulations found in Chapter 3 are utilized.

3-1 General Requirements

Staff finds that all standards are met.

3-2 Monument Requirements

Permanent monuments, in accordance with this section of the regulations, shall be placed in all subdivisions when new streets are to be constructed.

3-3 Suitability of the Land

There are no sensitive environmental features on the site including steep slopes, problem soils, or streams.

3-4 Lot Requirements

All proposed lots comply with the minimum lot size of the Zoning Code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of R8 zoning at the time of building permit. All proposed lots have frontage on Kirkwood Avenue or Craig Avenue.

3-5 Infill Subdivisions

In order to ensure compatibility with the General Plan, the Commission has adopted specific regulations applicable to infill subdivisions, defined as residential lots resulting from a proposed subdivision within the R, R-A, RS, and RS-A zoning districts on an existing street. If a proposed infill subdivision meets all of the adopted applicable regulations, then the subdivision is found to be harmonious and compatible with the goals of the General Plan.

Section 3-5.2 requires lots to meet compatibility with the existing lots along Kirkwood Avenue and Craig Avenue. All proposed lots are required to meet compatibility as stated in the Regulations. Compatibility is determined by both lot frontage and lot area of existing lots along the same block face. Along Kirkwood Avenue, the required minimum lot

frontage for the proposed lots is about 76 feet and the minimum lot area is 21,490 square feet. Lots 1-4 along Kirkwood Avenue, meet these requirements.

Along Craig Avenue, there are no existing lots oriented to the same block face, but there are 3 lots across the street, from Lot 5, that can be used to determine harmonious development. The minimum lot frontage required would be 60 feet and the minimum lot area would be 10,803 square feet. As proposed, Lot 5 would provide harmonious development with the existing lots across the street.

3-6 Blocks

Not Applicable for this case.

3-7 Improvements

Not Applicable for this case.

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

Any required sidewalks will be completed with the building permit.

3-9 Requirements for Streets

Not Applicable for this case. No new streets proposed.

3-10 Requirements for Dedication, Reservations, or Improvements

Not applicable to this case. The proposal does not include ROW dedication.

3-11 Inspections During Construction

This section is applicable at the time of construction, which for this proposed subdivision, will occur only after issuance of a building permit approved by Metro Codes and all other reviewing agencies.

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

Not Applicable for this case. No new streets proposed.

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

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

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

Public Water is provided to this site by Metro. These conditions are listed in the recommendations from all agencies section below.

3-16 Sewerage Facilities

Metro Water Services has reviewed this proposed final plat for sewer and has recommended approval with conditions.

3-17 Underground Utilities

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

PLANNING STAFF COMMENTS

The proposed subdivision meets the standards of the subdivision regulations and zoning code. Future development will be required to meet the standards of the Metro Zoning Code in regard to setbacks, etc. Staff recommends approval with conditions as the proposed subdivision meets the requirements of the Zoning Code and Subdivision Regulations.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

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

TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

- W&S Capacity Fees must be paid before issuance of building permits for new lots.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Comply with all conditions and requirements of Metro agencies.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2022S-017-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions. (8-0)

Resolution No. RS2022-90

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-017-001 is approved with conditions. (8-0)

CONDITIONS

1. Comply with all conditions and requirements of Metro agencies.

28. 2022S-042-001

ROSEBANK SUBDIVISION RESUB LOT 29

Council District 07 (Emily Benedict)

Staff Reviewer: Logan Elliott

A request for final plat approval to create two lots on property located at 2321 and 2323 Carter Avenue, approximately 370 feet west of Preston Drive, zoned R10 (1.51 acres), requested by JW Land Surveying, LLC, applicant; Southgate Development, LLC, owner.

Staff Recommendation: Approve with conditions including an exception to the compatibility requirements based on the lots being consistent with the larger area for general compatibility.

APPLICANT REQUEST

Final Plat approval to create 2 one and two-family lots.

Final Plat

A request for final plat approval to create two lots on property located at 2321 and 2323 Carter Avenue, approximately 370 feet west of Preston Drive, zoned One and Two-Family Residential (R10) (1.51 acres).

SITE DATA AND CONTEXT

Location: The site is located on the north side of Carter Avenue and west of Preston Drive.

Street Type: The site has frontage onto Carter Avenue, a local street.

Approximate Acreage: 1.51 acres or 65,775 square feet.

Parcel/Site History: This site is comprised of two parcels. 2321 C Carter Avenue, parcel 083043L90000CO, was separated from 2323 Carter Avenue, parcel 08304029900 by deed in 2021 and without the proper subdivision application through the Planning Commission.

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

Existing land use and configuration: The land is currently used as a single-family residence with access taken from Carter Avenue.

Surrounding land use and zoning:

North, South, East, West: One and Two-Family Residential (R10)

Zoning:

One and Two-Family Residential (R10)
Min. lot size: 10,000 square feet

PROPOSAL DETAILS

This proposal is for subdivision development under existing zoning entitlements. No rezoning is proposed with this application.

Number of lots: 2

Lot sizes: Lots range from 31,913 to 32,190 square feet prior to necessary right-of-way dedication.

Access: The proposed lots will draw access from Carter Avenue through a single driveway that is placed within shared access easement that is split between the two proposed lots.

Open space: This application does not propose any open space and the subdivision regulations do not require any open space to be provided.

Subdivision Variances or Exceptions Requested: An exception to the Infill Subdivision (3-5) section of the Subdivision Regulations is requested with this application. This is described in detail below in the respective section.

APPLICABLE SUBDIVISION REGULATIONS

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

Prior versions of Subdivision Regulations for Nashville and Davidson County contained a uniform set of standards that were applied Metro-wide. This did not take into account the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is within the T3 NM policy. For sites within the T3 transect, the conventional regulations found in Chapter 3 are utilized.

3-1 General Requirements

This subdivision is required to meet the standards of Chapter 3. Staff finds that all standards are met with an exception requested to the Infill Subdivision (3-5) section.

3-2 Monument Requirements

Permanent monuments, in accordance with this section of the regulations, are shown at the proposed lot corners.

3-3 Suitability of the Land

The application provides a stream buffer for the area of the property unsuitable for development. There are no other sensitive environmental features on the site.

3-4 Lot Requirements

All proposed lots comply with the minimum lot size of the Zoning Code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of R10 and zoning at the time of building permit. All proposed lots have frontage on Carter Avenue.

3-5 Infill Subdivisions

In order to ensure compatibility with the General Plan, the Commission has adopted specific regulations applicable to infill subdivisions, defined as residential lots resulting from a proposed subdivision within the R, R-A, RS, and RS-A zoning districts on an existing street. If a proposed infill subdivision meets all of the adopted applicable regulations, then the subdivision is found to be harmonious and compatible with the goals of the General Plan.

This application proposes lots fronting on an existing street within the Neighborhood Maintenance policy area so the compatibility standards of the infill subdivision regulations apply.

There are two surrounding parcels as defined by the Subdivision Regulations, one on either side of the subject property. The compatibility standards generated from these two parcels require newly created lots to have a minimum lot width of 80', a minimum lot size of 24,362 square feet, a minimum setback of 40' and an orientation of the units to Carter Avenue. The proposed subdivision complies with all compatibility standards except for the minimum lot width. The property has a total frontage of 150' feet and the application proposes to create two 75' wide lots when the compatibility standards would require a minimum width of 80'. The compatibility standards include criteria for considering a larger area to evaluate general compatibility if the proposed subdivision does not comply with these minimum standards.

Staff considered the proposal in the context of the lots immediately across Carter Avenue as well as the lots to the west of the Leslie Court cul-de-sac and staff finds that the proposed lots provide a development pattern that is consistent with the lots in the larger area and supports granting an exception to the compatibility criteria for this subdivision. The proposed lots would be wider than the lots immediately across the street and wider than a majority of the lots west of the Leslie Court cul-de-sac and on the north side and within this block of Carter Avenue.

3-6 Blocks

This application does not propose to create any new blocks.

3-7 Improvements

Construction plans for any required public or private improvements (stormwater facilities, water and sewer, public roads, etc.) will be reviewed with the final site plan.

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

Sidewalks will not be required with the subdivision of this property pursuant to Section 17.20.120 of the Zoning Code.

3-9 Requirements for Streets

This application does not propose to create any new streets.

3-10 Requirements for Dedication, Reservations, or Improvements

The application proposes right-of-way dedication to meet the local street requirements. Staff is recommending a condition that the right-of-way be dimensioned on the plat to demonstrate compliance with the local street requirement.

3-11 Inspections During Construction

This section is applicable at the time of construction, which for this proposed subdivision, will occur only after issuance of a building permit approved by Metro Codes and all other reviewing agencies.

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

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

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

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

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

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

3-16 Sewerage Facilities

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

3-17 Underground Utilities

Utilities are required to be located underground whenever a new street is proposed. This is not applicable to this case as no new streets are proposed.

PLANNING STAFF COMMENTS

The proposed subdivision meets the standards of the Metro Subdivision Regulations, outside of the Compatibility Standards that the applicant is requesting an exception to, and the standards of the Metro Zoning Code for a

subdivision concept plan. Staff recommends approval with conditions if the Planning Commission approves the exception to the Compatibility Standards.

COMMENTS FROM OTHER REVIEWING AGENCIES

STORMWATER RECOMMENDATION
Approve

FIRE MARSHAL RECOMMENDATION
Approve

NASHVILLE DOT RECOMMENDATION
Approve with conditions

- Dimension right-of-way and dimension the distance to the centerline of pavement.
- New driveway connections or access points will require a permit from the Nashville Department of Transportation. Adequate sight distance must be provided per AASHTO for new driveway connections.

TRAFFIC AND PARKING RECOMMENDATION
Approve

WATER SERVICES RECOMMENDATION
Approve with conditions

- W&S Capacity must be Paid before issuance of building permits for new lot.

STAFF RECOMMENDATION

Staff recommends approve with conditions including an exception to the compatibility requirements based on the lots being consistent with the larger area for general compatibility.

CONDITIONS

1. Provide and dimension the local street standard half right-of-way for Carter Avenue on the corrected set submitted for recording.
2. A street setback of 40 feet shall be shown on the final plat consistent with the compatibility standards minimum setback requirement.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. 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.
5. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2022S-042-001 with conditions including an exception to the compatibility requirements based on the lots being consistent with the larger area for general compatibility.

Approve with conditions including an exception to the compatibility requirement based on the lots being consistent with the larger area for general compatibility. (8-0)

Resolution No. RS2022-91

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-042-001 is approved with conditions including an exception to the compatibility requirement based on the lots being consistent with the larger area for general compatibility. (8-0)

CONDITIONS

1. Provide and dimension the local street standard half right-of-way for Carter Avenue on the corrected set submitted for recording.
2. A street setback of 40 feet shall be shown on the final plat consistent with the compatibility standards minimum setback requirement.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. 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.
5. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

H: OTHER BUSINESS

29. New Employment Contract for Katie Kemezis.

Resolution No. RS2022-92

"BE IT RESOLVED by The Metropolitan Planning Commission that the New Employment Contract for John Houghton and Robert Murphy is **approved. (8-0)**

30. Confirmation of Downtown Design Review Committee Members

Resolution No. RS2022-93

"BE IT RESOLVED by The Metropolitan Planning Commission that the Confirmation of Downtown Design Review Committee Members is **approved. (8-0)**

31. Historic Zoning Commission Report

32. Board of Parks and Recreation Report

33. Executive Committee Report

34. Accept the Director's Report

Resolution No. RS2022-94

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

35. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

April 14, 2022

MPC Meeting

4 pm, 2601 Bransford Avenue, School Board Room

April 28, 2022

MPC Meeting

4 pm, 2601 Bransford Avenue, School Board Room

J: ADJOURNMENT

The meeting adjourned at 6:29 p.m.