



METROPOLITAN PLANNING COMMISSION

DRAFT AGENDA

May 12, 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:

Jessica Farr, Vice Chair
Lillian Blackshear
Edward Henley
Mina Johnson
Jim Lawson
Jeff Haynes
Councilmember Brett Withers

Staff Present:

Bob Leeman, Deputy Director
Lisa Milligan, Planning Manager II
Alex Dickerson, Legal

Staff Absent:

Lucy Kempf, Executive Director

Commissioners Absent:

Greg Adkins, Chair
Brian Tibbs

Lucy Alden Kempf

Secretary and Executive Director, Metro Planning Commission

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 4:02 p.m.

B: ADOPTION OF AGENDA

Ms. Johnson moved and Mr. Lawson seconded the motion to adopt the agenda. (7-0)

C: APPROVAL OF APRIL 28, 2022 MINUTES

Ms. Blackshear moved and Ms. Johnson seconded the motion to approve the minutes. (7-0)

D: RECOGNITION OF COUNCILMEMBERS

No Councilmembers spoke at this time.

E: ITEMS FOR DEFERRAL / WITHDRAWAL 1a, 1b, 2, 3a, 3b, 4, 5, 6,7, 8

Ms. Milligan stated Ms. Blackshear has recused herself from Items 1a, 1b, 3a and 3b.

Ms. Johnson moved and Mr. Henley seconded the motion to approve the Deferred and Withdrawn Items. (7-0)

F: CONSENT AGENDA ITEMS 19, 20, 24

Ms. Milligan stated Ms. Blackshear has recused herself from Item 18.

Mr. Lawson moved and Ms. Johnson seconded the motion to approve the Consent Agenda. (7-0)

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

1a. 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 May 26, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022CP-008-001 to the May 26, 2022, Planning Commission meeting. (6-0-1)

**1b. 2022SP-013-001
2ND & VAN BUREN**

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 May 26, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-013-001 to the May 26, 2022, Planning Commission meeting. (6-0-1)

2. 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 May 26, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-063-001 to the May 26, 2022, Planning Commission meeting. (7-0)

**3a. 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 May 26, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-016-001 to the May 26, 2022, Planning Commission meeting. (6-0-1)

**3b. 84-85P-005
BILTMORE PUD CANCEL**

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 May 26, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 84-85P-005 to the May 26, 2022, Planning Commission meeting. (6-0-1)

**4. 2022SP-021-001
BERKHAMSTEAD**

Council District 31 (John Rutherford)
Staff Reviewer: Logan Elliott

A request to rezone from AR2a to SP zoning for property located at 7088 Burkitt Rd, approximately 550 feet east of Old Burkitt Rd, (11.4 acres), to permit up to 129 multi-family residential units, requested by CSDG, applicant; Blackburn Family Limited Partners II LP, owner.

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2022SP-021-001 defer indefinitely. (7-0)

**5. 2022SP-023-001
AUTUMN GLEN**

Council District 15 (Jeff Syracuse)
Staff Reviewer: Seth Harrison

A request to rezone from RS10 to SP zoning for properties located at 2001 Lebanon Pike and Lebanon Pike (unnumbered), approximately 300 feet southwest of Quinn Circle, (12.67 acres), to permit a mixed-use development, requested by Dale & Associates, applicant; Tennestate Enterprises, Inc., owner.

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

The Metropolitan Planning Commission deferred 2022SP-023-001 to the May 26, 2022, Planning Commission meeting. (7-0)

**6. 2022SP-026-001
4046 & 4060 MURFREESBORO PIKE**

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

A request to rezone from AR2A to SP on properties located at 4046 & 4060 Murfreesboro Pike, approximately 667 feet northeast of Maxwell Road (10.12 acres), to permit a mixed use development, requested by RJX Partners, LLC, applicant; Cooper, Louise TN Real Estate Trust, The & Mortie Q. Dickens, owners

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

The Metropolitan Planning Commission deferred 2022SP-026-001 to the May 26, 2022, Planning Commission meeting. (7-0)

**7. 2022SP-027-001
1711 BROADWAY**

Council District 19 (Freddie O'Connell)
Staff Reviewer: Logan Elliott

A request to rezone from MUI-A to SP zoning for property located at 1711 Broadway, approximately 145 feet west of 17th Avenue South, zoned MUI-A (1.28 acres), to permit a mixed use development, requested by Mary McGowan, applicant; US Bank National Association, owner.

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

The Metropolitan Planning Commission deferred 2022SP-027-001 to the May 26, 2022, Planning Commission meeting. (7-0)

8. 2022Z-054PR-001

Council District 31 (John Rutherford)

Staff Reviewer: Abbie Rickoff

A request to rezone from AR2A to CL-A and MUL-A zoning for property located at 6930 Nolensville Pike, approximately 290 feet south of Southpoint Parkway (3.69 acres), requested by Morelock Engineering, LLC, applicant; Zadik Holdings, LLC, owner.

Staff Recommendation: Defer to the June 9, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022Z-054PR-001 to the June 9, 2022, Planning Commission meeting. (7-0)

9. 2022CP-000-001

2022 WALKNBIKE UPDATE

Council District

Staff Reviewer: Joren Dunnavant

A request to amend *NashvilleNext, the General Plan for Nashville and Davidson County Update 2017* component part *WalknBike*, a strategic plan dedicated to improving walking and biking. The update is referred to in this staff report as the 2022 Update. *NashvilleNext* encompasses the entire Metropolitan Nashville/Davidson County area, referred to as Metro. This amendment is requested by the Metro Planning Commission, applicant, as part of routine updating of the *NashvilleNext* Plan.

Staff Recommendation: Approve.

APPLICANT REQUEST

A request to amend the *NashvilleNext* Plan 2017 Update by adopting the 2022 WalknBike Update.

2022 WalknBike Update

A request to amend *NashvilleNext, the General Plan for Nashville and Davidson County Update 2017* component part *WalknBike*, a strategic plan dedicated to improving walking and biking. The update is referred to in this staff report as the 2022 Update. *NashvilleNext* encompasses the entire Metropolitan Nashville/Davidson County area, referred to as Metro. This amendment is requested by the Metro Planning Commission, applicant, as part of routine updating of the *NashvilleNext* Plan.

BACKGROUND

NashvilleNext was adopted in June 2015, and the Update 2017 was adopted in August 2017. In spring 2017, several Metro Departments, led by Metro Public Works, completed *WalknBike*, which implements the *NashvilleNext* transportation element, known as the Access Nashville 2040 Transportation Plan (“Access Nashville”).

It is important to note that no changes are proposed to the overall structure of NashvilleNext with the 2022 WalknBike Update. WalknBike is a distinct, separate component of NashvilleNext.

ACCESS NASHVILLE

Access Nashville identifies the following action step:

- Update the Strategic Plan for Sidewalks and Bikeways on a regular basis. In the next update, reflect the vision, policy direction, Countywide Critical Needs, and Community Priorities identified in *NashvilleNext*. Restructure the planning process for sidewalks and bikeways to include low-stress bikeways and innovative bicycling infrastructure concepts being implemented in peer cities, the Metropolitan Parks and Greenways Master Plan, and the city’s bikeshare system. The city’s bicycle and pedestrian infrastructure planning process should set transparent, short- and mid-term priorities for all of its components within given financial constraints. Monitor funding opportunities for sidewalks and bikeways through the Nashville Area MPO’s Regional Transportation Plan updates and Transportation Improvement Program.

In accordance with the action steps identified with Access Nashville, Metro Public Works initiated the 2022 Update in spring 2021, and management of the 2022 Update transitioned to the Nashville Department of Transportation & Multimodal Infrastructure (NDOT) in July 2021.

Staff engaged with a Steering Committee, which was expanded from the *WalknBike* 2017 Steering Committee, as well as community members throughout Metro to develop the 2022 Update. The 2022 Update was published to the Metro website in February 2022.

POWERS AND ROLE OF THE PLAN

The 2022 Update is a component of Metro's General Plan.

The General Plan is authorized by State law "with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development, and identify areas where there are inadequate or nonexistent publicly or privately owned and maintained services and facilities when the planning commission has determined the services are necessary in order for development to occur" (Tenn. Code Ann. § 13-4-203).

The Metro Charter gives the Metro Planning Commission the power to "Make, amend and add to the master or general plan for the physical development of the entire metropolitan government area," (Metro Nashville Charter, chapter 5, sec. 11.504 (c)).

COMMUNITY PARTICIPATION

Outreach efforts focused on engaging the public about WalknBike 2022 with dialog about sidewalk and bikeway needs in Metro. Community engagement was intended to help staff understand residents' interests, challenges, needs, and top priorities when walking, biking, and using scooters in Metro.

The WalknBike Steering Committee was expanded from WalknBike 2017 to include representatives from community organizations, underserved communities, and diverse groups including MNPS, Black Girls Do Bike, Walk/Bike Nashville, Conexión Americas, BCycle, APAC, and Empower Tennessee. Key activities of the Steering Committee meetings included:

- Review of WalknBike 2017 and vision, overview of the 2022 planning process, and validating the overall vision
- Gather input on the prioritization process and overview of new community survey
- Present survey results and establish next steps

Community engagement activities and participation included:

- Steering Committee
 - 32 participants
 - 22 organizations
 - Expanded to include organizations not traditionally involved in the planning process
 - 3 meetings
- In person events
 - 20 events
 - Outreach to older adults and youth
 - Participation in existing community events, including Walk Bike Nashville events
 - Canvassing on college campuses
- Targeted focus groups, including one focused on people who walk and bike and one focused on people from underserved and disabled communities, with total 16 participants
- Online survey
 - 3,057 responses
 - 10,000 people reached
 - Extensive social media campaign
 - NDOT Facebook Live videos
- Intercept surveys on WeGo bus routes on Nolensville Pike, Dickerson Pike, and Murfreesboro Pike
- Communications with Metro and regional leadership
 - Fall 2021 Steering Committee meetings
 - Implementation-focused coordination with NDOT
 - Public Works WalknBike Committee
 - Greater Nashville Regional Council (GNRC) Bicycle and Pedestrian Advisory Committee (BPAC), March 2022
 - Metro Council Transportation & Infrastructure Committee, April 2022

The project team developed a public survey for the 2022 Update using MetroQuest Studio. The survey questions focused on gathering data on public opinion and priorities for sidewalks and bikeways throughout Metro. The survey was available in English and Spanish from September 16, 2021, to November 15, 2021. The survey was distributed at local community events and publicized in social media, the NDOT website, and local newsletters.

CHANGES PROPOSED IN 2022 UPDATE

The 2022 Update focuses on two key objectives: plan implementation and project delivery. In addition to re-evaluating areas of critical need, the prioritization process considers constructability factors when identifying projects to advance. By considering factors that can impede project delivery, such as right-of-way acquisition and utility conflicts, the 2022 Update positions NDOT to move forward with a balanced list of both priority projects that can be

delivered in an expedited manner as well as more challenging, high priority projects with longer timeframes and greater costs.

The 2022 Update maintains the Priority Sidewalk Network and Priority Bikeway Network identified in WalknBike 2017 and expands the priority networks with additional projects identified through an updated critical needs analysis. The critical needs analysis was developed in response to community engagement and considers the following factors.

- Safety: number of incidents on the roadway segment
- Connectivity:
 - For sidewalks, segments with no sidewalk on one or both sides of the street or segments with sidewalk gaps
 - For bikeways, segments connecting to existing or planned bikeways and/or to greenways
- Access to transit: segments within one-quarter mile of existing transit stops by ridership
- Health and equity: based on the Greater Nashville Regional Council (GNRC, Metro's Metropolitan Planning Organization or MPO) Degrees of Vulnerability index, segments within Highly Vulnerable or Vulnerable areas

Maps depicting the critical needs areas for sidewalks and bikeways are included with this staff report. The 2022 WalknBike Update document is attached to this report.

STAFF RECOMMENDATION

Staff recommends approval of the 2022 WalknBike Update.

Approve. (7-0)

Resolution No. RS2022-135

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022CP-000-001 is approved. (7-0)

10. 2008SP-040-003

A+STORAGE-BELLEVUE (AMENDMENT)

Council District 22 (Gloria Hausser)

Staff Reviewer: Jason Swaggart

A request to amend a Specific Plan for property located at 505 Old Hickory Blvd, approximately 580 feet north of Ridgelake Parkway, zoned SP (5.08 acres), to add vehicular rental/leasing as a permitted use and limit the use to four vehicles, requested by Bellevue Best Self Storage, applicant; Crescenta Valley Mini Storage LP, owner.

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

APPLICANT REQUEST

Amend SP to add vehicular rental/leasing as a permitted use.

Zone Change

A request to amend a Specific Plan for property located at 505 Old Hickory Blvd, approximately 580 feet north of Ridgelake Parkway, zoned SP (5.08 acres), to add vehicular rental/leasing as a permitted use and limit the use to four vehicles.

Existing Zoning

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

SITE CONTEXT AND PLAN DETAILS

The site is located on the west side of Old Hickory Boulevard in the Bellevue area. The site is developed with a self-storage facility. The driveway into the self-storage facility is approximately 600 feet north of Ridgelake Parkway. The SP was originally approved by Council in 2008, (BL2008-179). The Council approved plan is regulatory and does not include a site plan. The SP requires development of the site to be consistent with the standards of the Commercial Services (CS) zoning district. The SP allows uses permitted by CS with some exceptions. The SP list numerous uses that are prohibited. The list of prohibited uses includes vehicular rental/leasing. This request is to amend the SP by allowing vehicular rental/leasing as a permitted use. All the other uses included in the Council approved plan would still be prohibited.

Site Plan

The site plan consists of a modified version of the final site plan that was previously approved and constructed. The modified plan identifies four existing parking spaces that will accommodate four moving trucks. The proposed SP also limits the maximum number of moving trucks to four.

BELLEVUE COMMUNITY PLAN

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

Conservation (CO) 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

In 2008, the Planning Commission recommended to Council that the preliminary SP be disapproved as it was not consistent with the T3 NM policy that applies to the site. Ultimately Council approved the SP despite the Commission's recommendation, and the storage facility has been constructed. While vehicular rental/leasing is not a use supported by T3 NM policy, it is compatible with the existing commercial use that was approved by Council. Since the plan limits the number of moving trucks to four and the parking for the moving trucks is located so that it is not visible from Old Hickory Boulevard, staff finds that the additional use will have no noticeable impact on the surrounding area.

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. With the exception of vehicular rental/leasing, all uses prohibited by Substitute Ordinance BL2008-179 remain as prohibited uses. Vehicular rental/leasing is limited to four vehicles and shall be parked at the location shown on the plan. All other standards/requirements of Substitute Ordinance BL2008-179 shall remain in effect.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. 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.
6. 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 conditions. (7-0)

Resolution No. RS2022-136

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008SP-040-003 is approved with conditions and disapprove without conditions. (7-0)

CONDITIONS

1. With the exception of vehicular rental/leasing, all uses prohibited by Substitute Ordinance BL2008-179 remain as prohibited uses. Vehicular rental/leasing is limited to four vehicles and shall be parked at the location shown on the plan. All other standards/requirements of Substitute Ordinance BL2008-179 shall remain in effect.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. 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.
6. 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.

11. 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: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Rezone from AR2a to Specific Plan to permit a multi-family residential development.

Preliminary SP

A request to rezone from Agricultural/Residential (AR2a) to Specific Plan (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 (4.09 acres), to permit a multi-family residential development.

Existing Zoning

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

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

Proposed Zoning

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.

ANTIOCH – PRIEST LAKE COMMUNITY PLAN

T3 Suburban Mixed Use Corridor (T3 CM) is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor. T3 CM areas are located along pedestrian friendly, prominent arterial-boulevard and collector-avenue corridors that are served by multiple

modes of transportation and are designed and operated to enable safe, attractive, and comfortable access and travel for all users. T3 CM areas provide high access management and are served by highly connected street networks, sidewalks, and existing or planned mass transit.

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal 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.

PLAN DETAILS

The approximately 4.09-acre site is on the northeastern side of Murfreesboro Pike, approximately 350 feet southeast of Parks Retreat Drive. The site is currently in use as a single-family residence. The existing home was built prior to 1865 and is known as the Hibbett House. After consultation with Metro Historic Zoning staff, it was determined that this structure would remain on the front of the property and Historic Landmark status would be applied for as a means of providing long-term protection (this is a condition of approval).

The site itself is relatively level with a few trees interspersed and thick hedgerows along the property lines. Several easements extend along the back length of the property underneath the transmission lines that cross it. A water conveyance also exists in the easement area. The development of this property will provide access from the south to the Oliveri Property SP (Case No. 2018SP-019-001), which was approved for 68 single-family residential lots and 24 multi-family units. Murfreesboro Pike is classified as an Arterial Boulevard in the Major and Collector Street Plan. Residential uses predominate in the area, but along Murfreesboro Pike abutting uses include a church and some vacant commercial land.

Site Plan

The plan calls for a multi-family residential development consisting of a maximum of 25 single-family residential townhomes at 6.11 units per acre. The pre-1865 home fronting Murfreesboro Pike will remain, and parking will be installed behind it along with sidewalks connecting it to the rest of the development and to the proposed 55-foot ROW Heirloom Drive, which runs along the eastern boundary of the property and connects it to the Oliveri Property SP to the north, which is under construction. The townhomes will be accessible by two entrances along Heirloom Drive. Twelve surface parking spaces will be located internal to the development (each townhome will feature either a 1- or 2-car garage). Units 1 through 8 will front directly onto the street and feature 2-car garages while units 9 through 25 will face the internal drive. Water quality/quantity areas are proposed in the rear underneath the power transmission lines and in the front of the site between Murfreesboro Pike and the historic home. Maximum height is set at 45 feet and three stories.

Five feet of ROW dedication is proposed along Murfreesboro Pike as per the MCSP, with sidewalks and grass strips also proposed along all streets. Street trees will be planted fifty feet on center within the grass strips as required by the Murfreesboro Pike UDO. Evergreen plantings will screen parking areas and landscape buffer yards will be provided per Code for abutting properties.

Parking will be provided at the ratio required by Code. The units in the western half of the development will feature one-car garages with another parking space on the driveway in front of the garage whereas those in the eastern half will feature two-car garages. Surface parking for guests will be provided at the north and south ends. The Code-required parking ratio of 2.5 spaces per 3-bedroom multifamily unit would require 62 spaces, so the parking provision proposed exceeds the Code-required minimum. Though townhomes are classified as multi-family by the Code and therefore ineligible for tandem parking, the SP permits this arrangement since the provision of extra spaces within the development will ensure proper functioning of the parking facilities. Bicycle parking will be provided as required by the Metro Code. Sidewalks meeting or exceeding the Major and Collector street plan and the local street standard are provided throughout the site.

ANALYSIS

The plan is consistent with the proposed T3 CM and CO policies. The T3 CM policy is intended to enhance suburban mixed-use corridors by encouraging a greater mix of higher-density residential development along the corridor with buildings that are compatible with the general character of suburban neighborhoods. The plan calls for a multi-family residential development that would provide additional density and housing options as well as improved pedestrian, bicycle, and vehicular connections along the corridor. The plan and architectural standards are consistent with the suburban nature of the T3 CM policy, but the visual impact of the automobile is reduced through the provision of garage parking. Pedestrian and vehicular connectivity will be improved through the sidewalks and public streets as shown within the plan which meets the connectivity goals stated in the T3 CM policy. Finally, the historic preservation goals of NashvilleNext are advanced by the preservation of the Hibbett House on site.

The CO policy is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies to the stream buffers underneath the transmission lines in the rear of the site. The plan preserves these areas within open space tracts.

Staff recommends approval with conditions and disapproval without all conditions.

HISTORIC ZONING STAFF

Approve with conditions

- Staff of the MHZC recommend a Historic Landmark for the Hibbett House, the Pre-1865/NRE log building at the front of the property, as a means of providing long-term protection of the structure. The Hibbett House is a mid-nineteenth century log home connected to a prominent family in the area. The structure was possibly constructed by Joseph F. Hibbett after he purchased the property in the early 1850s, although the structure could pre-date Hibbett’s ownership.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. A minimum of 30% of W&S Capacity must be paid before issuance of building permits. WS Water/Sewer Availability Review # :2021062354.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final construction plans and road grades shall comply with the design regulations established by the Nashville Department of Transportation / Department of Public Works.
- Sidewalk construction along Murfreesboro Pike per the Major and Collector Street plan. Construction of the bike lane and sidewalk along Murfreesboro Pike to tie to the existing bike lane / sidewalk / curb fronting the adjacent parcel, Map 175/ Parcel 199.
- The proposed public sidewalks are to be located within public right of way.
- Dedicate the Oliveri Lane public right of way to the Map 175 / Parcel 77 property boundary.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Install signs and pavement markings in accordance with the standards provided in the Manual on Uniform Traffic Control Devices (MUTCD).

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)	4.09	0.5 D	4 U	54	8	5

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	4.09	-	25 U	135	9	12

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+21 U	+81	+1	+7

METRO SCHOOL BOARD REPORT

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

Projected student generation existing SP-R district: 2 Elementary 2 Middle 1 High

The proposed SP-R zoning is expected to generate 5 more students than the existing AR2a zoning district. Students would attend Mt. View Elementary School, J.F. Kennedy Middle School, and Antioch High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 25 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. On the corrected plan set, dedicate the Oliveri Lane public right of way to the Map 175 / Parcel 77 property boundary.
3. On the corrected plan set, change “single-family residential townhomes” in the purpose note to “multi-family residential townhomes.”
4. Prior to or with application for final site plan, apply for Historic Landmark zoning for the Hibbett House, the Pre-1865/NRE log building at the front of the property, as a means of providing long-term protection of the structure.
5. On the corrected plan set, add a note stating that the homeowner’s association for the development will be responsible for the maintenance and upkeep of the Hibbett House.
6. On the corrected plan set, change the fallback zoning in Note No. 16 to RM9-A-NS.
7. The following design standards shall be added to the plan:
 - a. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 15% glazing.
 - b. Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers.
 - c. 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.
 - d. Porches, if provided, shall provide a minimum of six feet of depth.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. The final site plan shall label all internal driveways as “Private Driveways.” A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association.
10. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
11. Comply with all conditions and requirements of Metro reviewing agencies.
12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
13. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
14. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Approve with conditions and disapprove without conditions. (7-0)

Resolution No. RS2022-137

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-081-001 is approved with conditions and disapprove without conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 25 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. On the corrected plan set, dedicate the Oliveri Lane public right of way to the Map 175 / Parcel 77 property boundary.
3. On the corrected plan set, change “single-family residential townhomes” in the purpose note to “multi-family residential townhomes.”
4. Prior to or with application for final site plan, apply for Historic Landmark zoning for the Hibbett House, the Pre-1865/NRE log building at the front of the property, as a means of providing long-term protection of the structure.
5. On the corrected plan set, add a note stating that the homeowner’s association for the development will be responsible for the maintenance and upkeep of the Hibbett House.
6. On the corrected plan set, change the fallback zoning in Note No. 16 to RM9-A-NS.
7. The following design standards shall be added to the plan:
 - a. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 15% glazing.
 - b. Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers.
 - c. 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.
 - d. Porches, if provided, shall provide a minimum of six feet of depth.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. The final site plan shall label all internal driveways as “Private Driveways.” A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association.
10. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
11. Comply with all conditions and requirements of Metro reviewing agencies.
12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
13. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
14. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

**12. 2022SP-034-001
THE PIKE AT HIGHLAND HEIGHTS**

Council District 05 (Sean Parker)
Staff Reviewer: Amelia Lewis

A request to rezone from CL to SP zoning for a portion of properties located at 1405, 1407, 1409A Dickerson Pike, approximately 200 feet north of Marie St (3.47 acres), and within the Dickerson Pike Sign Urban Overlay District, to permit all uses within the MUG-A-NS zoning district, requested by Smith Gee Studio, applicant; Dickerson Pike Propco 2, LLC, 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 Commercial Limited (CL) to Specific Plan (SP) zoning for a portion of properties located at 1405, 1407, 1409A Dickerson Pike, approximately 200 feet north of Marie St (3.47 acres), and within the Dickerson Pike Sign Urban Overlay District, to permit all uses within the MUG-A-NS zoning district.

Existing Zoning

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

Proposed Zoning

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

EAST NASHVILLE COMMUNITY PLAN

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

Supplemental Policy

The site is within the Highland Heights Study Supplemental Policy which was approved and adopted by the Planning Commission on June 14, 2018. The Highland Heights Study was completed after an extensive community engagement process and resulted in updates to the community character policies for the area, as well as establishment of a supplementary Building Regulating Plan and Mobility Plan for the area. The community character policy for this site, T4 CM did not change with adoption of the Highland Heights plan. This site is within the M2 Subdistrict of the Building Regulating Plan.

SITE AND CONTEXT AND PLAN DETAILS

The site is comprised of the eastern portion of three contiguous parcels located on the east side of Dickerson Pike, with a combined acreage of approximately 3.42 acres. The surrounding parcels along Dickerson Pike are zoned CL, MUG-A, and SP (Specific Plan). The surrounding land uses include mixed use and non-residential.

The proposed SP is regulatory in nature and intended to permit the development of the site under MUG-A-NS zoning with a new public road referred to as the Luton Street extension. An adjacent SP to the east, 2022SP-019-001, includes the roadway boundaries. While the bounds of this SP will not include the road, in order to provide phasing options, the roadway can be constructed with whichever development is first.

ANALYSIS

There are several policies to guide the proposed rezoning or development on the site, including T4 CC policy and the Highland Heights supplemental policy.

The T4 CC policy is intended to maintain, enhance, and create urban community centers and encourage their development or redevelopment as intense mixed use areas that provide a mix of uses and services to meet the needs of the larger surrounding urban area. The M2 subdistrict of the Highland Heights plan states that developments in this area are intended to evolve toward a balanced mixture of residential and commercial land uses along the corridor that provides an opportunity for a varied development pattern in regard to the size, scale, and density. The proposed zoning district, MUG-A-NS, would allow the creation of high density residential and non-residential uses development consistent with the goals of the T4 CC policy and the M2 subdistrict.

The Highland Heights supplemental policy, which calls for future development of the Dickerson Corridor, is intended to serve new residents and offset potential displacement as the corridor develops. In order to support the increased residential intensity as called for by the policies, a development should also provide for improved pedestrian, bicycle and vehicular connectivity. This goal for enhanced connectivity is addressed by the Highland Heights Mobility Plan, an approved mobility plan that was later adopted into the Major and Collector Street Plan (MCSP). This plan is intended to permit the development of the site in accordance with the land use policies on the site, while also completed the necessary infrastructure, in a phased development if needed, to support such intensity.

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve with conditions

- HD required and shall be accepted by TDEC prior to final submittal. Otherwise 40 acre drainage channel will be treated as a stream and applicable stream buffers will remain undisturbed. (The buffer along waterways will be an area where the surface is left in a natural state and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 - Regulations.)
- Must comply with all regulations in the Stormwater Management Manual at the time of final submittal.

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. Public and/or private Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. Submittal of an availability study is required before the Final SP can be reviewed. Once this study has been submitted, the applicant will need to address any outstanding issues brought forth by the results of this study. A minimum of 30% 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.
- Reference Major Street Collector Plan (MCSP) for ROW frontage requirements.
- Dimension ROW pavement widths for clarity.
- Note: A private hauler will be required for waste/recycle disposal.
- Remove proposed South garage access of Dickerson Pike.
- Access off Dickerson Pike is to be shared with Gatewood Ave development. Any additional access needed can be provided via Luton St. extension.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Development’s only access on Dickerson Pike will be provided through the shared access with the Northern Parcel’s driveway (2020SP-051-001). Any proposed/additional accesses for this development will be provided through the Luton Street extension.
- Parking for the development shall be per code.
- TIS has been received. At a minimum, the development is to make bus-stop and pedestrian infrastructure improvements at intersections within the area. The submitted TIS is to reflect the maximum entitlements permitted for the proposed zoning, and per review of the final site plan, revisions to the TIS may be required. Coordinate with NDOT for final TIS conditions.
- MCSP requirements will be show on all street frontages.
- Ensure final designs follow the codes and requirements of all metro agencies.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	3.70	0.6 F	96,703 SF	3,651	91	369

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)	1.84	3.0 F	240 U	1,306	81	103

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.93	3.0 F	121,532 SF	4,588	114	463

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.93	3.0 F	121,532 SF	13,633	1,208	1,187

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+15,876	+1,312	+1,384

METRO SCHOOL BOARD REPORT

Projected student generation existing CL district: 18 Elementary 15 Middle 13 High

Projected student generation proposed SP district: 43 Elementary 36 Middle 31 High

The proposed SP zoning district is expected to generate 64 additional students than what is typically generated under the existing CL zoning district. Students would attend Shwab Elementary School, Jere Baxter Middle School, and Maplewood 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.

CONDITIONS

1. Permitted uses shall be limited to all those permitted by MUG-A-NS.
2. The entire length of the north/south road, from Gatewood Avenue to Marie Street as shown in the Highland Heights Plan, shall be included with the first final site plan submitted, if phased. If not phased, the entire length of the road shall be included with the submission of the final site plan. The developer has the option of pursuing either of the following regarding the construction of the road:
 - a. The right-of-way shall be platted and improvements bonded prior to the issuance of any building permits. If the right-of-way has been platted and bonded with the adjacent developments: 2020SP-051-001 and 2022SP-019-001, then the final site plan shall indicate as such and reference the adjacent cases. No U&Os shall be issued until the roadway is completed.
 - b. The applicant will be required to submit and receive approval for roadway plans in accordance with Nashville DOT standards. The road shall be constructed to Nashville DOT standards and the improved right-of-way platted or dedicated prior to issuance of any U&O permits
3. Access from Gallatin Pike for this development shall be shared per the conditions of 2020SP-051-001, unless otherwise approved by Nashville DOT.
4. On the corrected copy, revise note three, "Parking shall be per Metro Code Requirements."
5. On the corrected copy, revise note 9.f. "Height shall be measured per Metro Code."
6. On the corrected copy, revise note 13, the build to zone shall be measured from the right-of-way line, unless an exception from these requirements is made by staff.
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 MUG-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
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 conditions. (7-0)

Resolution No. RS2022-138

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-034-001 is approved with conditions and disapprove without conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to all those permitted by MUG-A-NS.
2. The entire length of the north/south road, from Gatewood Avenue to Marie Street as shown in the Highland Heights Plan, shall be included with the first final site plan submitted, if phased. If not phased, the entire length of the road shall be included with the submission of the final site plan. The developer has the option of pursuing either of the following regarding the construction of the road:
 - a. The right-of-way shall be platted and improvements bonded prior to the issuance of any building permits. If the right-of-way has been platted and bonded with the adjacent developments: 2020SP-051-001 and 2022SP-019-001, then the final site plan shall indicate as such and reference the adjacent cases. No U&Os shall be issued until the roadway is completed.
 - b. The applicant will be required to submit and receive approval for roadway plans in accordance with Nashville DOT standards. The road shall be constructed to Nashville DOT standards and the improved right-of-way platted or dedicated prior to issuance of any U&O permits
3. Access from Gallatin Pike for this development shall be shared per the conditions of 2020SP-051-001, unless otherwise approved by Nashville DOT.
4. On the corrected copy, revise note three, “Parking shall be per Metro Code Requirements.”
5. On the corrected copy, revise note 9.f. “Height shall be measured per Metro Code.”
6. On the corrected copy, revise note 13, the build to zone shall be measured from the right-of-way line, unless an exception from these requirements is made by staff.
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 MUG-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
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.

13. 2022Z-038PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Dustin Shane

A request to rezone from RS10 to R10 zoning for property located at 1717 C County Hospital Road, approximately 325 feet south of Manchester Ave (0.3 acres), requested by Williams Engineering, LLC, applicant; Tony Patton, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS10 to R10.

Zone Change

A request to rezone from Single-Family Residential (RS10) to Residential (R10) zoning for property located at 1717 C County Hospital Road, approximately 325 feet north of Manchester Ave (0.3 acres).

Existing 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 a maximum of 1 unit based on acreage alone.*

Proposed Zoning

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 1 duplex lot for a total of 2 units. Metro Codes provides final determinations on duplex eligibility.*

BORDEAUX - WHITES CREEK - HAYNES TRINITY COMMUNITY PLAN

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

ANALYSIS

The application consists of one parcel (Map 080-04, Parcel 024) totaling 0.3 acres in size and located approximately 310 feet from the intersection of County Hospital Road and Hydes Ferry Pike. The property is currently vacant residential land. Surrounding uses include single-family residential lots zoned RS10. There are R10-zoned parcels a few blocks to the north and south.

The application proposes to rezone the property from RS10 to R10. The requested R10 zoning is supported by the T3 NE policy. The proposed zoning allows for one or two-family residential uses, which would increase housing choice in the area. Several surrounding parcels have recently been rezoned with higher densities. A majority of these zoning requests are from RS10 to R10 although there are some SPs and other two-family zoning districts as well. While the evolving policy likely anticipated a change in zoning districts within this area, staff and the community are becoming increasingly aware of an increase in rezoning activity. While the T3 NE policy supports change in housing type and increased density within the policy area, it also intends for there to be a variety of housing options in the area it is applied. To provide for a variety of housing options in the area, some of the existing single-family housing should be maintained.

To balance the needs of the current residents and the existing infrastructure and to maintain the housing diversity called for in the policy, staff has analyzed an area bounded by John Mallette Drive to the north, Hydes Ferry Road to the west, the Cumberland River to the south, and Clarksville Pike to the east, which consists of 286 parcels. Since 2021, 39 parcels in the area have been rezoned. For the analysis, staff looked at the study area as if it were not developed and consisted of vacant land and zoned for one and two-family. Under this scenario, a subdivision that included 286 lots would be limited to 25% duplex lots. The 25% limit for duplex lots is dictated by current Zoning Code requirements and is intended to maintain a variety of housing options. The 25% limitation results in 71 lots being duplex eligible. This would allow for the rezoning of 32 additional parcels. Staff recommends that when the 71-parcel mark is reached, further analysis regarding the land uses, infrastructure, and policy should occur. The map below shows the northern half of this area in greater detail and the existing development entitlements.

The proposed R10 zoning district will incorporate additional intensity into the neighborhood in a manner that does not disrupt the suburban character of the neighborhood. It represents a modest increase in intensity, consistent with the surrounding context and goals of the policy. For these reasons, staff recommends approval of the rezoning.

FIRE RECOMMENDATION

Approve

Maximum Uses in Existing Zoning District: **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)	0.30	4.356 D	1 U	15	5	1

Maximum Uses in Proposed Zoning District: **R10** *Based on two-family lots

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.30	4.356 D	2 U	28	7	2

Traffic changes between maximum: **RS10 and R10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1 U	+13	+2	+1

METRO SCHOOL BOARD REPORT

Projected student generation existing RS10 districts: 0 Elementary 0 Middle 0 High

Projected student generation proposed R10 district: 0 Elementary 0 Middle 0 High

The proposed R10 zoning is not expected to generate any more students than the existing RS10 zoning district. Any additional students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2022-139

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-038-001 is approved. (7-0)

14. 2022Z-050PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Seth Harrison

A request to rezone from R8 to IWD zoning for property located at 439 Haynie Ave, approximately 1195 feet north of Brick Church Pike (0.19 acres), requested by Bell Group, LLC, applicant & owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from R8 to IWD.

Zone Change

A request to rezone from One and Two-Family Residential (R8) to Industrial Warehousing/ Distribution (IWD) zoning for property located at 439 Haynie Ave, approximately 1195 feet north of Brick Church Pike (0.19 acres).

Existing Zoning

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 1 lot with 1 duplex lot for a total of 2 units.*

Proposed Zoning

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

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

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.

ANALYSIS

The 0.19 acre site is located on the north side of Haynie Avenue, a local street, west of the Haynie Avenue and Brick Church Pike intersection. The surrounding zoning consists of IWD, R8, and RM9, with majority of the uses consisting of industrial, with some single family and vacant land.

The DI policy allows for industrial uses in area that can be impacted by the more intense uses associated with it. While there are some residential uses in the area, since the majority of this area has developed as industrial, the proposed zoning would not be out of character. Because the surrounding area is primarily industrial and IWD is a more intense zoning district compared to R8, the proposed zoning would be consistent with the policy goals of DI.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.19	5.445 D	1 U	15	5	1

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.19	0.8 F	6,621	56	1	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+41	-4	-

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2022-139

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-050PR-001 is approved. (7-0)

15. 2022Z-052PR-001

Council District 19 (Freddie O’Connell)
Staff Reviewer: Dustin Shane

A request to rezone from IWD to MUN-A zoning for property located at 19 Keith St, approximately 208 feet south of Hermitage Ave (0.13 acres), requested by Duane Cuthbertson, applicant; Charles G. Hunter ET UX, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from IWD to MUN-A.

Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) zoning to Mixed Use Neighborhood–Alternative (MUN–A) zoning for property located at 19 Keith St, approximately 208 feet south of Hermitage Ave (0.13 acres).

Existing Zoning

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

Proposed Zoning

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

SOUTH NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The application consists of one parcel (Map 094-13, Parcel 005) totaling 0.13 acres located on the western side of Keith Street and bordered by Alley 152 on the north and Alley 705 on the west. The property contains a mobile home heavily screened by vegetation. Surrounding uses include vacant commercial land to the south, an office building to the west, and a warehouse to the north. An auto body repair shop and a parking lot are across Keith Street to the east. All surrounding uses are zoned IWD.

The application proposes to rezone the property from IWD to MUN-A. The property is within the T4 Urban Mixed Use Neighborhood (T4 MU) policy area. T4 MU policy is intended to create urban, mixed use neighborhoods with a diverse mix of moderate- to high-density residential, commercial, office, and light industrial uses. The policy envisions high levels of connectivity and complete street networks with sidewalks, bikeways, and existing or planned transit.

The CCM lists MUN-A as an appropriate zoning district under T4 MU policy. MUN-A would support the policy’s intent to a greater degree than the existing IWD zoning. That zoning designation reflected an earlier vision for the area as a purely auto-oriented industrial corridor. As the need for industrially zoned land has decreased in cities across the United States, community planning efforts have targeted many of these areas for rezoning to residential and commercial uses. Industrially oriented policies will remain in place for certain portions of Lebanon Pike to the east, but the subject property and those adjacent to it have been included in the mixed-use policy area west of the railroad tracks that cross Lebanon Pike. Allowing a more intense mix of uses at this location supports the existing policy guidance and future planning efforts aimed at creating an urban mixed-use district in this area of the county so near Nashville’s core. For these reasons, staff recommends approval of the rezoning.

FIRE MARSHALL RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.13	0.8 F	4,530 SF	53	1	1

Maximum Uses in Proposed Zoning District: **MUN-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	0.05	0.6 F	2 U	9	1	1

Maximum Uses in Proposed Zoning District: **MUN-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.03	0.6 F	784 SF	30	0	3

Maximum Uses in Proposed Zoning District: **MUN-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.03	0.6 F	784 SF	88	8	8

Traffic changes between maximum: **IWD and MUN-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+74	+8	+11

METRO SCHOOL BOARD REPORT

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

Given the mix of uses permitted by the MUN–A zoning district, the number of residential units ultimately built on site may vary and an assumption as to impact at this point is premature. School students generated by future development would attend McGavock Elementary School, Two Rivers Middle School, and McGavock High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2022-140

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-052PR-001 is approved. (7-0)

16. 2022Z-053PR-001

Council District 08 (Nancy VanReece)

Staff Reviewer: Dustin Shane

A request to rezone from CS and IWD to MUG-A zoning for property located at 625 Gallatin Pike, approximately 970 south of Nesbitt Ln (3.05 acres), requested by Collier Engineering, applicant; Tejal S. Patel, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from CS and IWD to MUG-A.

Zone Change

A request to rezone from Commercial Service (CS) and Industrial Warehousing/Distribution (IWD) zoning to Mixed Use General–Alternative (MUG–A) zoning for property located at 625 Gallatin Pike, approximately 970 feet south of Nesbitt Lane (3.05 acres).

Existing Zoning

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

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

Proposed Zoning

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

MADISON COMMUNITY PLAN

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

character of urban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

ANALYSIS

The application consists of one parcel (Map 043-05, Parcel 040) totaling 3.05 acres in size located on the western side of Gallatin Pike across from Wiley Street. The property formerly contained the Madison Motel, the parking area of which is still extant. Surrounding uses include a restaurant to the north, retail to the south, and auto dealers and strip shopping centers across Gallatin Pike to the east. Railroad tracks form the western border. IWD zoning exists north, west, and southwest of the property while CS is found to the east and southeast.

The application proposes to rezone the property from CS and IWD to MUG–A. The property is within the T4 Urban Mixed Use Corridor (T4 CM) policy area. T4 CM policy is intended to create pedestrian-friendly prominent arterial-boulevard and collector-avenue corridors that accommodate residential, commercial, and mixed-use development.

The CCM lists MUG–A as an appropriate zoning district under T4 CM policy. One of the stated goals of the policy is to create high-density residential, commercial, and mixed-use buildings. MUG–A would support this intent to a greater degree than the existing CS and IWD zonings. Those zoning designations reflected an earlier vision for the area as a purely auto-oriented commercial and industrial corridor. The rezoning request is further supported by the fact that this part of Gallatin Pike is a Tier One Center envisioned by several community planning efforts as the “downtown” of the surrounding Madison community. Allowing a more intense mix of uses at this location could enhance the communal function of the site and give residents more options for meeting daily needs. For these reasons, staff recommends approval of the rezoning.

FIRE 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)	1.46	0.8 F	50,878 SF	126	9	10

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.57	0.60 F	41,034 SF	1,549	39	156

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	1.53	3.0 F	200 U	1,088	68	87

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.76	3.0 F	99,317 SF	3,749	93	379

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.76	3.0 F	99,317 SF	11,141	987	971

Traffic changes between maximum: **IWD/CS and MUG-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+14,303	+1,100	+1,271

METRO SCHOOL BOARD REPORT

Projected student generation existing CS and IWD districts: 0 Elementary 0 Middle 0 High

Given the mix of uses permitted by the MUG–A zoning district, the number of residential units ultimately built on site may vary and an assumption as to impact at this point is premature. School students generated by future development would attend Amqui Elementary School, Neely’s Bend College Prep Middle School, and Hunters Lane High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2022-141

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-053PR-001 is approved. (7-0)

17. 2022Z-055PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Seth Harrison

A request to rezone from RS7.5 to R6-A zoning for property located at 409 Toney Rd, approximately 733 feet north of Whites Creek Pike (0.18 acres), located in the Haynes - Trinity Small Area Plan, requested by A Way Up LLC, applicant and owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS7.5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to One and Two-Family Residential (R6-A) zoning for property located at 409 Toney Rd, approximately 733 feet north of Whites Creek Pike (0.18 acres), located in the Haynes – Trinity Small Area Plan.

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 one residential unit.*

Proposed Zoning

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

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

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

Supplemental Policy

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

ANALYSIS

The 0.18 acre site is located on the west side of Toney Road, a local street, north of the Toney Road and Whites Creek Pike intersection. The surrounding zoning consists of RS7.5 and CS, with majority of the uses consisting of residential, with some duplexes located farther north along the same block face.

The T4 NE policy calls for variety of residential types, including single and two-family as well as multi-family, with an increase in overall density within an area. proposed R6-A zoning district would allow for additional density and an additional housing type, which would be consistent with the policy, it will also promote design that is consistent with the urban nature of the policy. Due to the increase in density and possible housing variety the proposed zoning would be consistent with the T4 NE policy.

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)	0.18	5.808 D	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.18	7.260 D	2 U	28	7	2

*Based on two-family lots

Traffic changes between maximum: **RS7.5 and R6A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1 U	+13	+2	+1

METRO SCHOOL BOARD REPORT

Projected student generation existing RS7.5 districts: 0 Elementary 0 Middle 0 High

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

The proposed R6-A zoning will generate no additional students than the existing RS7.5 zoning district. Students would attend Alex Green Elementary School, Brick Church College Prep Middle School, and Whites Creek High School. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2022-142

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-055PR-001 is approved. (7-0)

**18. 46-83P-004
METRO AIRPORT CENTER PUD (REVISION)**

Council District 15 (Jeff Syracuse)
Staff Reviewer: Logan Elliott

A request to revise the preliminary plan for a portion of the Metro Airport Center Planned Unit Development Overlay District for property located at 840 Royal Parkway, approximately 1,000 feet east of Airport Center Drive (4.54 acres), zoned CS, to permit a hotel, requested by Ragan Smith Associates, applicant; Pinnacle Nashville Airport, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Revise preliminary plan for a portion of a Planned Unit Development.

Revise Preliminary PUD

A request to revise the preliminary plan for a portion of the Metro Airport Center Planned Unit Development (PUD) Overlay District for property located at 840 Royal Parkway, approximately 1,000 feet east of Airport Center Drive (4.54 acres), zoned Commercial Service (CS), to permit a hotel.

Existing Zoning

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

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

APPROVED PLAN

The most recent approval on subject portion of the PUD was at the June 25, 2010, MPC meeting for a revision to the preliminary PUD plan to permit a 4-story 48,036 square foot office building that is surrounded by surface parking.

REQUEST DETAILS

This is a request to revise the preliminary PUD for a section of the Metro Airport Center PUD. The application proposes to modify the proposed land use and site plan for the subject site. The application does not propose to modify the approved square footage of non-residential development and the layout retains all access points previously approved. The application does not require concurrence by the Metro Council and the Planning Commission is the final reviewing authority for this application.

SITE

The site is currently vacant, located at the end of a cul-de-sac, and is surrounded by a mixture of nonresidential land uses that are also within this same PUD. McCrory Creek traverses the rear of the site and resultingly there exist floodplain and floodway.

PLAN DETAILS

The plan proposes to modify the approved land use for the site and the site plan to adjust the layout for this approximately 4.54 section of the Metro Airport Center PUD. The plan proposes a 6-story 83,400 square foot hotel use that is served by surface parking.

ANALYSIS

Section 17.40.120.G. permits the Planning Commission to approve "minor modifications" under certain conditions.

G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous Zoning Code and remaining a part of the official zoning map upon the enactment of this title.

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning

commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:

- a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
- b. The boundary of the planned unit development overlay district is not expanded;
- c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
- d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
- e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
- f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
- g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
- h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
- i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
- m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

The proposed plan does not meet any of the criteria above for requiring concurrence by the Metropolitan Council. The application proposes a land use and site plan layout that is consistent with the concept of the council approved plan and staff recommends approval with conditions.

FIRE MARSHAL RECOMMENDATION

Approve

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

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

Approved as a preliminary PUD 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. The required capacity fees must also be paid prior to Final Site Plan/SP approval, (see Permit #'s T2022018808 and T2022018813).

PUBLIC WORKS 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. Provide easement agreement with adjacent parcel for South stub through drive. A private hauler will be required for waste/recycle dumpster pickup.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Applicant will continue to coordinate with NDOT on developing an updated TIS.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Building height shall comply with the CS zoning requirements.
2. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
5. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.

Approve with conditions. (6-0-1)

Resolution No. RS2022-143

"BE IT RESOLVED by The Metropolitan Planning Commission that 46-83P-004 is approved with conditions. (6-0-1)

CONDITIONS

1. Building height shall comply with the CS zoning requirements.
2. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
5. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.

H: OTHER BUSINESS

19. Recommend new zoning fees (Exhibit A) and adopt new subdivision fees and community plan fees (Exhibit B)

Resolution No. RS2022-144

"BE IT RESOLVED by The Metropolitan Planning Commission that the Recommend new zoning fees (Exhibit A) and adopt new subdivision fees and community plan fees (Exhibit B) is **approved. (7-0)**

20. Certification of Bonus Height Compliance for Modera McGavock

Resolution No. RS2022-145

"BE IT RESOLVED by The Metropolitan Planning Commission that the Bonus Height Certification for Modera McGavock is **approved. (7-0)**

21. Historic Zoning Commission Report
22. Board of Parks and Recreation Report

23. Executive Committee Report
24. Accept the Director's Report and Approve Administrative Items

Resolution No. RS2022-146

“BE IT RESOLVED by The Metropolitan Planning Commission that the director’s report is **approved**.
(7-0)”

25. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

May 26, 2022

MPC Meeting

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

J: ADJOURNMENT

The meeting adjourned at 4:15 p.m.