



METROPOLITAN PLANNING COMMISSION

DRAFT AGENDA

May 26, 2022
4:00 pm Regular Meeting

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

MISSION STATEMENT

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

Commissioners Present:

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

Staff Present:

Lucy Kempf, Executive Director
Bob Leeman, Deputy Director
Dianna Tomlin, Planner III
Amelia Lewis, Planner II
Alex Dickerson, Legal

Commissioners Absent:

Edward Henley

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 noon on 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.

If you intend to speak during a meeting, you will be asked to fill out a short "Request to Speak" form.

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

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

C: APPROVAL OF MAY 12, 2022 MINUTES

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

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Swope spoke in favor of Item 16.

E: ITEMS FOR DEFERRAL / WITHDRAWAL 1a, 1b, 2, 3, 4, 5, 6a, 6b, 7, 8, 9, 10, 11

Ms. Lewis stated Ms. Blackshear has recused herself on Items 1a, 1b, 3, 6a, 6b, 8 and 11.

Vice Chair Farr joined the meeting.

Ms. Farr moved and Ms. Johnson seconded the motion to approve the Deferred and Withdrawn Items. (8-0)

F: CONSENT AGENDA ITEMS 19, 20, 24

Ms. Lewis stated Ms. Blackshear has recused herself from Item 12.

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

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

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

G: ITEMS TO BE CONSIDERED

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. (See associated case #2022SP-013-001).

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

The Metropolitan Planning Commission deferred 2022CP-008-001 to the June 9, 2022, Planning Commission meeting. (7-0-1)

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 June 9, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-013-001 to the June 9, 2022, Planning Commission meeting. (7-0-1)

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 June 9, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-063-001 to the June 9, 2022, Planning Commission meeting. (8-0)

3. 2021SP-091-001
PIN HOOK RIDGE

Council District 33 (Antoinette Lee)
Staff Reviewer: Abbie Rickoff

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

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

The Metropolitan Planning Commission deferred 2021SP-091-001 to the July 28, 2022, Planning Commission meeting. (7-0-1)

4. 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 June 9, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-023-001 to the June 9, 2022, Planning Commission meeting. (8-0)

5. 2022SP-033-001

SHORE VIEW SP

Council District 14 (Kevin Rhoten)

Staff Reviewer: Seth Harrison

A request to rezone from R10 to SP zoning for property located at Bell Road (unnumbered), at the intersection of Old Hickory Blvd and Bell Road, (4.42 acres), to permit all uses allowed in RM40, requested by Dale & Associates, applicant; Lichtenberg Corporation of Delaware, owner.

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

The Metropolitan Planning Commission deferred 2022SP-033-001 to the June 9, 2022, Planning Commission meeting. (8-0)

6a. 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 June 9, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-033-001 to the June 9, 2022, Planning Commission meeting. (7-0-1)

6b. 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 June 9, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 84-85P-005 to the June 9, 2022, Planning Commission meeting. (7-0-1)

7. 2022S-073-001

KNIGHTS CORNER

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Seth Harrison

A request for concept plan approval to create nine lots on Ewing Drive (unnumbered), approximately 60 feet west of Knight Drive, zoned RS7.5 (2.54 acres), requested by Dale & Associates, applicant; Swift Family Revocable Trust, owner.

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2022S-073-001 defer indefinitely. (8-0)

8. 2022S-079-001

WILLIAMSON HOMESTEAD

Council District 12 (Erin Evans)

Staff Reviewer: Logan Elliott

A request for concept plan approval to create 85 lots on property located at 1053 Tulip Grove Rd, approximately 52 feet south of Rachael's Rdg, zoned RS15 (37.83 acres), requested by CSDG applicant; Robert H & Claudine D Williamson, owners.

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

The Metropolitan Planning Commission deferred 2022S-079-001 to the June 9, 2022, Planning Commission meeting. (7-0-1)

9. 2007SP-048-001

ZION HILL AMENDMENT

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Seth Harrison

A request to amend a Specific Plan on property located at 2433 Buena Vista Pike, approximately 721 feet west of East Ln, zoned SP (5.01 acres), to permit 75 multi-family units, requested by RJX Partners, LLC, applicant; RJX Partners, LLC, owners

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

The Metropolitan Planning Commission deferred 2007SP-048-001 to the July 28, 2022, Planning Commission meeting. (8-0)

10. 2022SP-026-001 (formerly 2022Z-013PR-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 RD, (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 July 28, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-026-001 to the July 28, 2022, Planning Commission meeting. (8-0)

11. 2022SP-030-001

930 MCFERRIN

Council District 05 (Sean Parker)

Staff Reviewer: Logan Elliott

A request to rezone from RS5 to SP zoning on property located at 930 McFerrin Ave and 907 W Eastland Ave, approximately 175 feet east of Seymour Avenue, (2.42 acres), to permit a mixed-use development, requested by Alfred Benesch & Company, applicant; Core Holdings LLC, owner.

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

The Metropolitan Planning Commission deferred 2022SP-030-001 to the June 9, 2022, Planning Commission meeting. (7-0-1)

12. 2022DTC-026-001

PASEO TOWER 2

Council District 19 (Freddie O'Connell)

Staff Reviewer: Jared Islas

A request for an overall height modification request for property located at 8th Ave S (unnumbered) and 701 7th Ave S, at the current terminus of 7th Ave S, zoned DTC (0.85 acres), to permit a mixed-use development, requested by Earl Swensson Associates, applicant; MTP-Paseo Phase II Leasehold, LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Modification of overall height standards of the DTC, Gulch South Subdistrict, to allow thirty stories of building height where ten stories is permitted by right.

DTC Overall Height Modification

A request for a modification of overall building height on property located at 0 8th Avenue South and 701 7th Avenue South, zoned DTC (0.85 acres), and within the Gulch South Subdistrict of the DTC.

Existing Zoning

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

PROJECT OVERVIEW

The project proposes a 30-story hotel/condo building consisting of 112 residential condo units, 180 hotel keys, 4,500 square feet of retail space, and 393 parking spaces across five underground levels.

Paseo Tower 2 is located northeast of the intersection of 8th Avenue South and Division Street, directly behind the Historic Voorhees Building. This proposal comes on the same site as an OHM approved by MPC and considered by the DTC DRC in March of 2021 – Voorhees Tower 2. The new proposal, Paseo Tower 2, builds and expands on the previous plan.

The broader Paseo South Gulch project proposes a pedestrian-oriented, campus-like setting that includes two renovated historic structures and several new mixed-use towers. The towers are at various stages in the review process:

- Paseo Tower 1 – a 16-story residential tower approved by-right in February of 2022; modifications were approved by the DTC DRC in March of 2021.
- Paseo Tower 2 – a 30-story hotel/condo tower seeking an OHM as part of this application.
- Paseo Tower 3 – a 30-story residential tower that will be seeking an OHM later.
- Paseo Tower 4 – a 22-story office tower that is joined to Tower 3 at the podium.

PLAN DETAILS

Paseo Tower 2's only frontage is on a portion of 7th Avenue South, a tertiary street per the DTC, that currently terminates at the CSX railroad lines adjacent to the property. Due to this, the eastern façade is generally thought of as the back of the building. Tower 2's only vehicular entrance is off Fogg Street, which was abandoned in 2019, and is now a private drive. The building's primary pedestrian entrances are on Fogg Street (the lobbies for the hotel and residential condos) and the pedestrian-only passage between the Historic Voorhees Building and Tower 2 (a restaurant and a vestibule for public garage elevators). Service and loading are proposed to occur from an access point on 7th Avenue South. Ride-share and hotel drop-off will occur along Fogg Street.

Most of Tower 2's southern façade will directly abut the podium of Paseo Towers 3 and 4. The southwestern corner of Tower 2 will abut a new pocket park associated with Paseo Towers 3 and 4.

OVERALL HEIGHT MODIFICATION PROCESS

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

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

OVERALL HEIGHT MODIFICATION ANALYSIS

Bonus Height Program

A Determination Letter, signed by the Executive Director of the Planning Department, is attached to this staff report, and states the development has made reasonable efforts to use all appropriate bonuses available in the Bonus Height Program. The Historic Building Preservation bonus has been used to add Historic Landmark Overlays to the Historic Antiques Mall and the Historic Voorhees Building and transfer unused entitlements to Paseo Tower 2. Additional bonuses being utilized include Underground Parking, Public Parking, and Pervious Surfaces.

Community Meeting

The applicant held a community meeting on Tuesday, May 3 at 5:30 P.M. and sent notices to property owners within 300 feet. After a short presentation from the applicant, a discussion between the two attendees and the applicant team touched on several topics including traffic lights, and other mobility improvements, as well as the broader Paseo South Gulch project. The two attendees were supportive of the concept and design of Tower 2.

Downtown Code Design Review Committee Meeting

The Downtown Code Design Review Committee (DTC DRC) convened on May 5, 2022. The Committee discussed the proposed connection between 7th Avenue and Fogg Street, and the pedestrian conditions this would result in. They agreed with staff's recommendation that full sidewalk and green zone requirements should be met on 7th Avenue South, and further expressed desire for additional street trees on Fogg Street – the development's private drive. The Committee voted (with none opposed) to approve the concept design and proposed DTC modifications, and to recommend approval of the proposed Overall Height Modification.

Exceptional Design

The architecture of Tower 2 presents alternating modules of glass and metal on the upper levels create a visually dynamic texture in the skyline. Meanwhile, the masonry podium grounds the building at a similar pedestrian scale to that of the Historic Voorhees building and provides a contemporary interpretation of its industrial character in the form of materials, façade articulation and division.

The preservation and renovation of the Antiques Mall and Voorhees Building as Historic Landmarks brings new purpose to these buildings. Furthermore, the inclusion of them as part of the broader Paseo South Gulch project, contributes to the Gulch neighborhood's character that blends old and new together.

A series of connected pedestrian-only outdoor areas and passages have been proposed throughout the Paseo South Gulch project site. Together, along with the sidewalks on Fogg Street, 8th Avenue South, and 7th Avenue South, a cohesive atmosphere has been created. Pedestrians can use these passages to access various retail and lobby entries that front them. Spaces for outdoor dining, street trees and other landscaping throughout contribute to a vibrant and active streetscape.

The Paseo Tower 2 site is also set to include a new connection between Fogg Street (private) and 7th Avenue South, which will improve connectivity by linking two dead-end streets. The specific details of this street connection and design are key to the functionality of the overall site. Additionally, a HAWK signal and crosswalk, to be installed across 8th Avenue South, will further connect the Paseo South Gulch project site to the rest of the Gulch neighborhood, and provide a necessary pedestrian crossing of 8th Avenue.

Tower 2 includes several key attributes that positively impact the surrounding neighborhood. First, by including entirely underground parking, the project uses all its proposed building height for active uses. And finally, the applicant has agreed to a deed restriction to prohibit the conversion of their residential condo units to short term rental (STR), which guarantees the new housing units remain in perpetuity.

Supplemental Policy Considerations

This property is located within the Division Street Supplemental Policy area within the Downtown Community Plan. This supplemental policy that was put in place after the construction of the Division Street Viaduct reads as follows:

Properties along the Division Street Extension may be considered for high-rise building height (20 stories and taller) in exchange for public benefits provided by the development, including, but not limited to, affordable and workforce housing, the Downtown Code's Bonus Height Program, modification processes, or rezoning to a Specific Plan. Building design should also result in a unique architecture that seeks to improve the public realm and city skyline.

Paseo Tower 2 has maximized the DTC Bonus Height Program available to the site, and results in unique architecture that adds to the city skyline. The proposed building height of 30 stories falls within the range that the supplemental policy deems acceptable for this site.

STAFF RECOMMENDATION

The project aligns with the goals and objectives of the Downtown Code. Staff recommends approval of the overall height modification with the following conditions and deferral without all conditions:

1. All bonus height actions identified in this application, including those that require a deed or restrictive covenant, must be approved prior to building permit approval.
2. The applicant shall coordinate with NDOT on any proposed traffic improvements that result from the project TIS.
3. If implementation of final TIS recommendations has a substantial effect on the building or site design, revisions to these plans shall be reviewed by the DTC DRC.
4. All overhead lines along the site's frontages shall be buried.
5. The proposed residential condo units shall not be converted to a short-term rental use, memorialized by a deed restriction or covenant, as reviewed by Metro Legal.
6. The applicant will continue to work with NDOT and Planning Staff to refine the connection between Fogg Street (a private drive) and 7th Avenue South (public ROW), and the related MCSP and ROW requirements on 7th Avenue, to ensure a safe and easily navigable experience for pedestrians, and vehicles, including in the location where Tower 2 extends over the streetscape. Additionally, Fogg Street, the development's private drive, should be designed with the same rigor as it would be if it were to be a public street. This includes wide, ADA accessible sidewalks, and landscape buffers.
7. Prior to Final Site Plan review, the applicant will provide elevations and sections that explain the relationship between the south-facing façade of the Tower 2 and the abutting north-facing façade of Towers 3 and 4 to ensure that the condition does not have a negative impact on the proposed pocket park.

Approve with conditions. (7-0-1)

Resolution No. RS2022-147

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022DTC-026-001 is approved with conditions. (7-0-1)

Conditions

1. All bonus height actions identified in this application, including those that require a deed or restrictive covenant, must be approved prior to building permit approval.
2. The applicant shall coordinate with NDOT on any proposed traffic improvements that result from the project TIS.
3. If implementation of final TIS recommendations has a substantial effect on the building or site design, revisions to these plans shall be reviewed by the DTC DRC.
4. All overhead lines along the site's frontages shall be buried.
5. The proposed residential condo units shall not be converted to a short-term rental use, memorialized by a deed restriction or covenant, as reviewed by Metro Legal.
6. The applicant will continue to work with NDOT and Planning Staff to refine the connection between Fogg Street (a private drive) and 7th Avenue South (public ROW), and the related MCSP and ROW requirements on 7th Avenue, to ensure a safe and easily navigable experience for pedestrians, and vehicles, including in the location where Tower 2 extends over the streetscape. Additionally, Fogg Street, the development's private drive, should be designed with the same rigor as it would be if it were to be a public street. This includes wide, ADA accessible sidewalks, and landscape buffers.
7. Prior to Final Site Plan review, the applicant will provide elevations and sections that explain the relationship between the south-facing façade of the Tower 2 and the abutting north-facing façade of Towers 3 and 4 to ensure that the condition does not have a negative impact on the proposed pocket park.

13. 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, (1.28 acres), to permit a mixed use development, requested by Mary McGowan, applicant; US Bank National Association, owner.

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

APPLICANT REQUEST

Rezoning from MUI-A to SP to permit a mixed use development.

Specific Plan

A request to rezone from Mixed Use Intensive-Alternative (MUI-A) to Specific Plan (SP) zoning for property located at 1711 Broadway, approximately 145 feet west of 17th Avenue South, (1.28 acres), to permit a mixed use development.

Existing Zoning

Mixed Use Intensive-Alternative (MUI-A) is intended for a 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.

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 commercial uses.

GREEN HILLS – MIDTOWN COMMUNITY PLAN

T5 Center Mixed Use Neighborhood (T5 MU) is intended to maintain, enhance, and create high-intensity urban mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses. T5 MU areas are intended to be among the most intense areas in Davidson County. T5 MU areas include some of Nashville's major employment centers such as Midtown that represent several sectors of the economy including health care, finance, retail, the music industry, and lodging. T5 MU areas also include locations that are planned to evolve to a similar form and function.

MUSIC ROW VISION PLAN

The Music Row Vision Plan identifies the significance of and pressures facing Music Row. It contains a broad range of recommendations and action steps to pursue. The overarching theme of the Vision Plan is to ensure that Music Row continues to be a vital hub of music business and innovation and a unique creative cluster within Nashville. It is a planning document, but also a call to action for the public and private sectors, neighbors, and developers, and all those who support and strengthen the Row. The purpose of the Music Row Vision Plan is to guide and inform the preparation and consideration of implementation tools and development proposals. The subject site is located in the Music Row Core character area of the Vision Plan, which is intended to focus on Class A office buildings that cater to music-related businesses.

The site is within Subdistrict 1B, which supports mixed-use with active retail, bars, and restaurants; office; live music venues; hotels; residential. In large building footprints, multiple public facing uses are encouraged to maximize activity, including activity on the weekends and evenings.

SITE CONTEXT AND PLAN DETAILS

The site is approximately 1.28 acres and has frontage onto both Broadway and Division Street and is located between 17th Ave S and 19th Ave S. Broadway is classified as an Arterial Boulevard and Division Street is a Collector Avenue in the Major and Collector Street Plan. The site currently contains a one story bank with a drive-thru and surrounded by surface parking. The area surrounding the site is a mixture of high-intensity mixed use development.

Site Plan

The plan proposes a 20-story podium style mixed-use tower that covers the majority of the site. The ground level of the tower proposes to engage Broadway with a one-story retail space. Setback from this retail space is the podium portion of the building that rises to a total of 4 stories and the tower portion of the building rises to 20-stories. The ground level of Division Street is activated with both the lobby for the residential tower and a retail tenant space. The façade of Division Street is lined with residential units, providing a building façade that is flush with the ground floor entrance and activated with habitable space. The building rises to 20-stories adjacent to Division Street. On the rooftop of the building is an amenity deck with a swimming pool. Also provided in the amenity space are two recording studios, a podcast studio, and a rehearsal room that can be rented by the public. The plans also include design standards for the building. The materials for all facades of the building, including the structured parking, are required to be high quality and the architecture of the structured parking is required to be integrated with the residential portion of the tower.

The plan proposes to improve both Broadway and Division Street to the Major and Collector Street Plan planned conditions. The site is accessed via a two-way private drive on the north-eastern edge of the property that connects to both Broadway and Division Street. The structured parking has two access points; the one to the south accesses the private resident parking and the one to the north accesses the parking for the non-residential uses as well as a drive-thru use.

ANALYSIS

The proposed specific plan is consistent with the Music Row Vision Plan and the T5 MU policy. The plan is consistent with the intent of the 1B subdistrict of the Music Row North character area by providing retail uses on the ground floor with a large-scale residential use. Staff supports 20-stories of building height as the plan includes a commitment to a music use that is available to the public. The building addresses both public street frontages with active uses and the architecture of the building. The plans include architectural elevations demonstrating vertical integration of the podium portion of the building with the habitable portion of the building. The architectural material standard on the plans will also ensure a high-quality urban design. Staff finds the proposed Specific Plan to be consistent with the applicable policy guidance.

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**

- All projects in or draining to the combined sewer are required to have a CSEP Pre-Application meeting with Courtney Larson prior to Final SP Approval.
- 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. (Per Capacity Study Permit # 2022020142)

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. Add note: A private hauler is required for site waste/recycle disposal. There are to be no vertical obstructions in new public sidewalks. Provide 24 ft. width for both drive accesses.

TRAFFIC AND PARKING RECOMMENDATION**Approve with conditions**

- Coordinate with WeGo on bus stop improvements in the area.
- Ensure final designs follow the codes and requirements of all metro agencies.

Maximum Uses in Existing Zoning District: MUI-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)	0.64	5 F	139 U	756	47	61

Maximum Uses in Existing Zoning District: MUI-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.32	5 F	69,696 SF	2,631	66	265

Maximum Uses in Existing Zoning District: MUI-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.32	5 F	69,696 SF	7,818	696	681

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 10+ (222)	1.28	-	396 U	1,772	124	143

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.28	-	6,500 SF	245	6	25

Traffic changes between maximum: **MUI-A and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-9,188	-676	-839

METRO SCHOOL BOARD REPORT

Projected student generation existing MUI-A district: 1 Elementary 0 Middle 0 High

Projected student generation proposed SP-MU district: 5 Elementary 3 Middle 3 High

The proposed SP zoning is expected to generate 10 more students than the existing MUI-A zoning. Students would attend Eakin Elementary School, West End Middle School, and Hillsboro High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

- Permitted uses shall be limited to a maximum of 396 multi-family residential units and 6,500 square feet of non-residential use on the ground floor as permitted by the MUI-A zoning district. Short term rental properties- owner occupied and short-term rental properties- not-owner occupied shall be prohibited.
- The final site plan shall provide the music uses identified on these plans or the building height supported by Planning Staff will be reduced, consistent with the Music Row Vision Plan.
- Comply with all conditions and requirements of Metro reviewing agencies.
- The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
- If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application.
- The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
- A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
- Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

Resolution No. RS2022-148

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-027-001 is approved with conditions and disapproved without all conditions. (8-0)

CONDITIONS

- Permitted uses shall be limited to a maximum of 396 multi-family residential units and 6,500 square feet of non-residential use on the ground floor as permitted by the MUI-A zoning district. Short term rental properties- owner occupied and short-term rental properties- not-owner occupied shall be prohibited.
- The final site plan shall provide the music uses identified on these plans or the building height supported by Planning Staff will be reduced, consistent with the Music Row Vision Plan.
- Comply with all conditions and requirements of Metro reviewing agencies.

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

14. 2022SP-042-001 (formerly 2021Z-114PR-001)
 CRUTCHER CORNER SP
 Council District 06 (Brett Withers)
 Staff Reviewer: Dustin Shane

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

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

APPLICANT REQUEST
Preliminary SP to permit uses of MUG-A-NS

Zone Change

A request to rezone from Commercial Service (CS) and Industrial Restrictive (IR) zoning to Specific Plan (SP) zoning for property located at 501 and 515 Crutcher Street, at the northeast corner of Crutcher Street and South 5th Street (6.82 acres), to permit uses of MUG-A-NS.

Existing Zoning

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

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

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.

EAST NASHVILLE COMMUNITY PLAN

T5 Center Mixed Use Neighborhood (T5 MU) is intended to maintain, enhance, and create high-intensity urban mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses. T5 MU areas are intended to be among the most intense areas in Davidson County. T5 MU areas include some of Nashville's major employment centers such as Midtown that represent several sectors of the economy including health care, finance, retail, the music industry, and lodging. T5 MU areas also include locations that are planned to evolve to a similar form and function.

SITE CONTEXT AND PLAN DETAILS

The application consists of two parcels (Map 093-08, Parcels 016 and 091) totaling 6.82 acres in size located at the northeastern corner of the intersection of Crutcher Street and South 5th Street. Parcel 016 contains a small warehouse and a storage silo, and the structure on Parcel 091 houses heavy manufacturing. Surrounding uses include light manufacturing, MDHA housing, multi-family apartments, and a parking lot. MUL-A zoning exists across the street from the subject property at the northwest corner of Crutcher Street and South Fifth Street.

The application proposes to rezone the property from CS and IR to SP (only a small portion of Parcel 091 is zoned CS). The proposed SP is regulatory. The application was originally filed as a straight rezoning to MUG-A. A rezoning

to MUG-A on this site would make it more difficult to ensure that certain planning goals for the area are met, such as securing adequate right-of-way along South Fifth Street and ensuring that materials and height are appropriate for the surrounding context. Additionally, the community has expressed that short term rental properties are not a desired use in this location. In order to provide additional regulations beyond those in a rezoning, the request was revised to a regulatory SP. The standards of the regulatory SP include the dedication of an extra foot of ROW along South Fifth Street, the inclusion of architectural standards, and the limitation of building height to six stories across the site rather than five stories at build-to and seven stories after stepback (which the MUG-A-NS zoning district allows). STRP are also prohibited. Architectural standards are included in the SP along with a condition that ground floors avoid the appearance of blank walls, and structured parking is required to be screened with liner buildings or a high degree of finish which imitates such buildings.

ANALYSIS

The property is within the T5 Center Mixed-Use Neighborhood (T5 MU) policy area. T5 MU policy is intended to create high-intensity urban, mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses, including major employment and vertical mixed use development. The CCM lists MUG-A as an appropriate zoning district under T5 MU policy. One of the stated goals of the policy is to create high-density residential, institutional, high-density commercial, and office land uses. An MUG-A-NS-based regulatory SP would support this intent to a greater degree than the existing IR and CS zoning districts. The rezoning request is further supported by the proximity of the site to the East Bank, which is undergoing a major community planning effort that will likely spur similar redevelopment across the area. Allowing a more intense mix of uses at this location supports the existing policy guidance and future planning efforts aimed at creating an intense, urban mixed-use district in this part of Nashville’s core. For these reasons, staff recommends approval of the rezoning.

Maximum Uses in Existing Zoning District: IR

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	5.62	0.6 F	146,884 SF	278	25	28

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.80	0.6 F	20,909 SF	789	19	79

Maximum Uses in Proposed Zoning District: MUG-A-NS-based 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)	3.42	3.0 F	447 U	2,434	149	187

Maximum Uses in Proposed Zoning District: MUG-A-NS-based SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.70	3.0 F	222,156 SF	8,386	208	846

Maximum Uses in Proposed Zoning District: MUG-A-NS-based SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	1.70	3.0 F	222,156 SF	24,921	2,209	2,171

Traffic changes between maximum: IR/CS and MUG-A-NS-based SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+34,674	+2,522	+3,097

METRO SCHOOL BOARD REPORT

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

Given the mix of uses permitted by the SP 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 Warner Elementary School, Stratford STEM Campus Middle School, and Stratford 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 uses permitted within MUG-A-NS zoning. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. The ground floor shall feature architectural articulation such as glazing, stoops, steps, and similar elements to prevent blank walls.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. The Final SP plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

Resolution No. RS2022-149

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-042-001 is approved with conditions and disapproved without all conditions. (8-0)

CONDITIONS

1. Permitted uses shall be limited to uses permitted within MUG-A-NS zoning. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. The ground floor shall feature architectural articulation such as glazing, stoops, steps, and similar elements to prevent blank walls.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. The Final SP plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses

not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

15. 2022Z-051PR-001

Council District 01 (Jonathan Hall)

Staff Reviewer: Jason Swaggart

A request to rezone from CL to MUN-A-NS zoning for property located at 3517 Old Clarksville Pike, approximately 474 feet west of Whites Creek Pike (1.1 acres), requested by Dharmesh Patel, applicant; Joelton Investments LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from CL to MUN-A-NS.

Zone Change

A request to rezone from Commercial Limited (CL) to Mixed Use Neighborhood-Alternative-No Short-Term Rentals (MUN-A-NS) zoning for property located at 3517 Old Clarksville Pike, approximately 474 feet west of Whites Creek Pike (1.1 acres).

Existing Zoning

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

Proposed Zoning

Mixed Use Neighborhood-Alternative-No Short-Term Rentals (MUN-A-NS) 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. Short term rentals are prohibited.

JOELTON COMMUNITY PLAN

T2 Rural Neighborhood Center (T2 NC) is intended to maintain, enhance, and create rural neighborhood centers that fit in with rural character and provide consumer goods and services for surrounding rural communities. T2 NC areas are small-scale pedestrian friendly areas generally located at intersections. They contain commercial, mixed use, residential, and institutional uses.

SITE AND CONTEXT

The 1.1 acre site is located on the south side of Old Clarksville Pike approximately 550 feet west of Whites Creek Pike. The site is developed and includes one building with various commercial uses. The property abutting the western property line is zoned R40 and is occupied with a single-family home. The property along the southern property boundary is zoned AR2a and is occupied with a single-family home. The property abutting the eastern property line is zoned CL and includes various commercial uses.

ANALYSIS

The proposed MUN-A-NS is a zoning district supported by the T2 NC land use policy. Given the sites location, adjacent uses and development standards for MUN-A-NS, MUN-A-NS is appropriate at this location.

FIRE MARSHAL RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.10	0.60 F	28,750 SF	1,085	27	110

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	0.54	1.0 F	24 U	129	8	11

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.28	1.0 F	12,197 SF	460	11	46

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.28	1.0 F	12,197 SF	1,368	122	119

Traffic changes between maximum: **CL and MUL-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+872	+114	+66

METRO SCHOOL BOARD REPORT

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

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0)

Resolution No. RS2022-150

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-051PR-001 is approved. (8-0)

16. 2022Z-057PR-001

Council District 04 (Robert Swope)

Staff Reviewer: Amelia Lewis

A request to rezone from AR2A to CS zoning for property located at 6663 Nolensville RD, approximately 375 feet northwest of Concord Hills Dr. (3 acres), requested by Progent Commercial, applicant; Ahmad, Ahmad Y. & Amin, Awaz H., owners.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Zone change from AR2a to CS.

Zone Change

A request to rezone from Agricultural/Residential (AR2A) to Commercial Services (CS) zoning for property located at 6663 Nolensville RD, approximately 375 feet northwest of Concord Hills Dr. (3 acres).

Existing Zoning

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

Proposed Zoning

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

SOUTHEAST COMMUNITY PLAN

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

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

SITE AND CONTEXT

The site is three acres located on the south side of Nolensville Pike, north of the intersection of Concord Road and Nolensville Pike. The property has frontage on Nolensville Pike and the rear property line abuts an existing stream. The adjacent properties on the south side of Nolensville Pike and west of the subject site are zoned AR2a and Single-Family Residential (RS30) and consist of primarily single-family residential uses and some vacant properties. The properties on the north side of Nolensville Pike and to the south at the intersection of Nolensville Pike and Concord Road are zoned Shopping Center Community (SCC) and Commercial Limited (CL) and have been developed with non-residential land uses. North and northeast of the subject site the properties are zoned with various residential districts and developed with primarily single-family residential uses and some multi-family residential uses.

ANALYSIS

The requested zoning district, Commercial Services (CS), would permit a wide range of non-residential uses on the site. The CS zoning district is inconsistent with the existing policies on the site.

The primary policy on the site, over two acres at the rear of the site is Conservation (CO). The CO policy recognizes the presences of floodplain, floodway and associated buffers. There is an existing stream at the rear of the site which has adjacent buffers to avoid disruption of the natural water way. The rest of the site is in the 500 year floodplain as identified by FEMA. Nearly two-thirds of the three acre site is encumbered by these features. The front portion of the property, along Nolensville, is within an area of Suburban Neighborhood Evolving (T3 NE) policy. The intent of this policy is to provide residential development at low to medium levels of intensity. Non-residential uses are not supported by NE policy.

Prior to NashvilleNext, the policy on this site was Community Center (CC) and Natural Conservation Overlay (NCO). The NCO was reflective of the same environmental features on the site as the CO Policy identifies today. The CC policy would have supported a range of commercial uses which is why some properties to the south and on the north side of Nolensville Pike were approved to have non-residential zoning districts. Prior to and during NashvilleNext, the residents expressed an interest in not having both sides of the corridor be developed with non-residential uses. Coupled with the environmental features and a policy that would likely be less impactful, the T3 NE and CO policies were applied to this side of the corridor, including the subject site.

The T3 NE policy provides specific guidance for the balance of conservation and evolving policies. According to the policy, “in general, the more environmentally sensitive the site is, the lower the acceptable density or intensity of development is” and the development on a site should consider the development footprint, location of said building footprint, and potential impacts to environmental features. The application submitted with the request indicated that the proposed use would be an appliance repair and sales business in the existing structure. Rezoning to a district that permits a wider range of uses and increases the development potential, whether it is residential or non-residential, is inappropriate given the environmental constraints on the site.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

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)	3.00	0.50 D	2 U	28	7	2

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	3.00	0.60 F	78,408	2,960	74	298

Traffic changes between maximum: **AR2A and CS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+2,932	+67	+296

METRO SCHOOL BOARD REPORT

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

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

The proposed CS zoning district is not expected to generate any additional students than what is typically generated under the existing AR2a zoning district. Students would attend Shayne Elementary School, Oliver Middle School, and Overton High School. All three schools have been identified as not having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends disapproval

Ms. Lewis presented the staff recommendation to disapprove.

Brian Taylor, Progent Commercial, stated he was representing the land owner, Mr. Ahmad, in the land rezoning request. He spoke in favor of the application.

Mr. Adkins closed the Public Hearing

Ms. Farr said this was a little tricky and it was clearly not compatible with policy. She stated conservation issues raised concerns and she was inclined to support staff recommendation, but she understood the applicant's perspective.

Mr. Tibbs said he was on the fence but leaning more towards staying with policy. He stated he did not see a strong enough case to go against staff recommendation.

Ms. Blackshear stated that if policy was in place, that dictated one thing, as she did not think that they, as a body, can approve an item, a zone change, that conflicted with the policy.

Ms. Johnson said they had to follow rules and procedures and cannot recommend a zone change against non-conformance of the general plan. She stated she was in support of staff recommendation to disapprove the zone change.

Councilmember Withers stated it was difficult for the Planning Commission to make a recommendation that was counter to the residential only policy. He said the request for this parcel does not meet policy.

Mr. Haynes said he had no comments.

Mr. Lawson said he had no comments.

Mr. Lawson moved and Ms. Johnson seconded the motion to approve staff recommendation to disapprove. (8-0)

Resolution No. RS2022-151

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-057PR-001 is disapproved. (8-0)

17. 2022Z-058PR-001

Council District 07 (Emily Benedict)

Staff Reviewer: Dustin Shane

A request to rezone from CS to RM20-A zoning for property located at 846 E Meade Ave , at the northwest corner of Emmitt Avenue and East Meade Avenue (0.4 acres), requested by Premiere Home Health Inc., applicant and owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from CS to RM20-A.

Zone Change

A request to rezone from Commercial Services (CS) to Multi-Family Residential (RM20-A) zoning for property located at 846 East Meade Avenue, at the northwest corner of Emmitt Avenue and East Meade Avenue (0.4 acres).

Existing Zoning

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

Proposed Zoning

Multi-Family Residential (RM20-Alternative) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM20-A would permit a maximum of 8 units based on acreage alone.*

MADISON COMMUNITY PLAN

T4 Urban Community Center (T4 CC) is intended to maintain, enhance and create urban community centers that contain commercial, mixed use, and institutional land uses, with residential land uses in mixed use buildings or serving as a transition to adjoining Community Character Policies. T4 Urban Community Centers serve urban communities generally within a 5 minute drive or a 5 to 10 minute walk. T4 CC areas are pedestrian friendly areas, generally located at intersections of prominent urban streets. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

ANALYSIS

The application consists of one parcel (Map 051-04, Parcel 141) totaling 0.4 acres in size and located approximately 197 feet southeast of Gallatin Pike at the intersection of Emmitt Avenue and East Meade Avenue. The property contains a Tudor-style single-family home with several additions that has been converted into an office building with parking in the rear and two entrances onto Emmitt Avenue. Surrounding uses include a convenience market with fuel pumps to the north zoned CS, one- and two-family homes to the northeast and across East Meade Avenue to the southeast zoned CS and RS7.5 respectively, and a hotel, single-family home, and office building zoned OR20 to the southwest across Emmitt Avenue. The property is on the edge of a Tier One Center according to the NashvilleNext Concept Map.

The application proposes to rezone the property from CS to RM20-A. The requested RM20-A zoning is supported by the T4 CC policy. T4 CC policy is intended to create intense mixed use areas generally located at intersections of prominent urban streets, with residential uses serving as a transition to adjoining policy areas. The CCM lists RM20–A, which would permit up to 8 units on the site, as an appropriate zoning under T4 CC policy. One of the stated goals of the policy is to create neighborhoods that feature regularly spaced buildings built to the back edge of the sidewalk with minimal spacing between buildings. RM20–A would support this intent to a greater degree than conventional CS zoning. The context is also supportive of the rezoning since zoning of similar intensity exists directly across Emmitt Avenue (OR20), and more intense commercial uses can be found directly to the west fronting Gallatin Pike.

While T4 CC is usually intended for mixed use applications, the property is on the edge of the policy area. The CCM lists residential-only developments as appropriate when creating transitions between T4 CC and other policies. Finally, allowing more density at this location within close proximity to a major arterial (Gallatin Pike) will channel density toward centers and multi-modal corridors in accordance with the guidance of the General Plan. For these reasons, staff recommends approval of the rezoning.

FIRE RECOMMENDATION
Approve with conditions

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

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.40	0.60 F	10,454 SF	395	10	40

Maximum Uses in Proposed Zoning District: **RM20-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)	0.40	20 D	8 U	42	3	4

Traffic changes between maximum: **CS and RM20-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-353	-7	-36

METRO SCHOOL BOARD REPORT

Projected student generation existing CS districts: 0 Elementary 0 Middle 0 High
 Projected student generation proposed RM20-A district: 1 Elementary 1 Middle 1 High

The proposed RM20-A zoning is expected to generate 3 more students than the existing CS zoning district. The additional students would attend Stratton Elementary School, Madison 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. (8-0)

Resolution No. RS2022-152

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-058PR-001 is approved. (8-0)

H: OTHER BUSINESS

18. Election of Officers
Chair - Greg Adkins
Vice Chair - Jessica Farr
Historic Zoning Commission Representative- Mina Johnson
Parks Board Representative - Jeff Haynes
Executive Committee Representative – Brian Tibbs

Resolution No. RS2022-153

“BE IT RESOLVED by The Metropolitan Planning Commission that the Election of Officers is **approved.**
(8-0)

19. Demonbruen Hill SP Modification

Resolution No. RS2022-154

“BE IT RESOLVED by The Metropolitan Planning Commission that the Demonbruen Hill SP Modification is **approved.** **(8-0)**

20. New Employment Contract for Kaycee Ensign.

Resolution No. RS2022-155

“BE IT RESOLVED by The Metropolitan Planning Commission that the New Employment Contract for Kaycee Ensign is **approved.** **(8-0)**

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. RS2022-156

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

25. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

June 9, 2022

MPC Meeting

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

June 23, 2022

MPC Meeting

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

J: ADJOURNMENT

The meeting adjourned at 4:49 p.m.