



METROPOLITAN PLANNING COMMISSION

REVISED AGENDA

June 09, 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
Lillian Blackshear
Edward Henley
Mina Johnson
Jim Lawson
Brian Tibbs
Councilmember Brett Withers

Staff Present:

Lucy Kempf, Executive Director
Lisa Milligan, Planning Manager II
Amelia Lewis, Planner II
Logan Elliott, Planner I
Jason Swaggart, Planner II
Alex Dickerson, Legal

Commissioners Absent:

Jessica Farr, Vice Chair
Jeff Haynes

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 4:01 p.m.

B: ADOPTION OF AGENDA

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

C: APPROVAL OF MAY 26, 2022 MINUTES

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

D: RECOGNITION OF COUNCILMEMBERS

Councilmember VanReece spoke in favor of Item 14.

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

Ms. Lewis stated Ms. Blackshear recused herself from Items 2a, 2b, 4, 7a, 7b and 9.

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 Johnson seconded the motion to approve the Deferred and Withdrawn Items.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

F: CONSENT AGENDA ITEMS 17, 18, 19, 23

Ms. Lewis stated Ms. Blackshear recused herself from Items 10a, 10b and 14.

Mr. Henley moved and Mr. Lawson 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

1. 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 23, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-063-001 to the June 23, 2022, Planning Commission meeting. (7-0)

2a. 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 23, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-016-001 to the June 23, 2022, Planning Commission meeting. (6-0-1)

2b. 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 23, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 84-85P-005 to the June 23, 2022, Planning Commission meeting. (6-0-1)

3. 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 23, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-023-001 to the June 23, 2022, Planning Commission meeting. (7-0)

4. 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 23, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-030-001 to the June 23, 2022, Planning Commission meeting. (6-0-1)

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 23, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-033-001 to the June 23, 2022, Planning Commission meeting. (7-0)

6. 2022SP-040-001

2635 GALLATIN AVE DOG DAYCARE

Council District 05 (Sean Parker)

Staff Reviewer: Logan Elliott

A request to rezone from MUL-A to SP zoning for property located at 2635 Gallatin Avenue at the corner of Carolyn Avenue and Gallatin Pike (0.13 acres), and within the Gallatin Pike Urban Design Overlay, to permit all uses of MUL-A plus Kennel and to adjust the standards required for a Kennel, requested by Paws Up Capital, applicant; McQuest Properties, LLC, owner.

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

The Metropolitan Planning Commission deferred 2022SP-040-001 to the June 23, 2022, Planning Commission meeting. (7-0)

7a. 2022HLI-001-001

518 RUSSELL STREET HISTORIC INTERIOR OVERLAY

Council District 06 (Brett Withers)

Staff Reviewer: Abbie Rickoff

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

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

The Metropolitan Planning Commission deferred 2022HLI-001-001 to the July 28, 2022, Planning Commission meeting. (6-0-1)

7b. 2022NL-001-001

TULIP STREET CHURCH NEIGHBORHOOD LANDMARK OVERLAY

Council District 06 (Brett Withers)

Staff Reviewer: Abbie Rickoff

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

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

The Metropolitan Planning Commission deferred 2022NL-001-001 to the July 28, 2022, Planning Commission meeting. (6-0-1)

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 Indefinitely.

The Metropolitan Planning Commission deferred 2022Z-054PR-001 indefinitely. (7-0)

9. 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 Rachaels Rdg, zoned RS15 (37.83 acres), requested by CSDG applicant; Robert H & Claudine D Williamson, owners.

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

The Metropolitan Planning Commission deferred 2022S-079-001 to the June 23, 2022, Planning Commission meeting. (6-0-1)

10a. 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: Approve.

APPLICANT REQUEST

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

MAJOR PLAN AMENDMENT

A request to amend the North Nashville Community Plan by changing from District Industrial (D IN) to Urban Mixed-Use Neighborhood (T4 MU) policy for properties located at 2nd Avenue North (unnumbered) and 1st Avenue North (unnumbered), at the corner of 1st Avenue North and 2nd Avenue North (1.71 acres), zoned Industrial Restrictive (IR).

NORTH NASHVILLE COMMUNITY PLAN

Current Policy

District Industrial (D IN) policy is intended to maintain, enhance, and create districts that are dominated by one or more industrial activities, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. Open space areas are also found as an amenity for workers and/or patrons of industrial activities and for transition and buffering to adjacent development. In general, residential activities are not found in D IN areas.

Open Space (OS) policy is intended to preserve and enhance existing open space in the T2 Rural, T3 Suburban, T4 Urban, T5 Center, and T6 Downtown Transect areas. OS areas accommodate active and passive open space land uses and serve areas that range in size from local to regional and vary in character by

Transect. Land uses range from passive greenways to active tennis courts and water play features. In this instance, OS policy recognizes the greenway.

Requested Policy (Note: Open Space (OS) policy to remain.)

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

BACKGROUND

The community plan amendment was requested in conjunction with Case No. 2022SP-013-001, a request to rezone from Industrial Restrictive (IR) to Specific Plan (SP) 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 a multifamily development.

The community plan amendment area (site) is in the Germantown neighborhood approximately 0.2 miles west of the Cumberland River. The rezoning area is larger than the plan amendment area and currently contains a property that has Urban Mixed Use Neighborhood (T4 MU) policy. 1.44 acres A portion of the rezoning site is in D IN policy with OS policy applied to the Magdeburg Greenway which passes through the site, guiding cyclists and pedestrians to an entry point for accessing the Cumberland River Greenway. D IN does not support residential activities. As such, the applicant has requested amending the current D IN policy for these properties to T4 MU policy which would support residential uses and align with their property to the south.

COMMUNITY PARTICIPATION

On March 3, 2022, Community Plans staff conducted a virtual community meeting to discuss the applicant's request for a community plan amendment. Notices were mailed to 270 property owners within a 1,300 feet buffer of the community plan amendment area. The community meeting was held through WebEx with meeting details made available to the public via the Metro Nashville Planning Department's webpage. Approximately 10 people attended, including the applicant team and Community Plans staff. The applicant team discussed their request to amend the community plan. Only one question was asked by an attendee, specifically wanting to know if the proposed development would prohibit access to the Cumberland River Greenway. The applicant reassured that greenway access would still be allowed. The meeting recording was subsequently uploaded to Metro Nashville's YouTube channel to be viewed by those who were unable to attend the live meeting and to date has received 33 views. In addition, the applicant met with the Historic Germantown Neighborhood Development Committee on August 20, 2021, and February 21, 2022.

ANALYSIS OF URBAN MIXED USE NEIGHBORHOOD COMMUNITY POLICY

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

NashvilleNext Growth and Preservation Concept Map

The Growth & Preservation Concept Map (Concept Map) is a county-wide vision and tool to shape improvements in quality of life so that new development and redevelopment align with community values. The Concept Map shows the community plan amendment area in a location designated as "Transition & Infill" for most of the site, and "Center" for a slight portion of the site as well as the adjacent area to the south. Transition & Infill areas tend to have higher-density housing most appropriate along and around prominent corridors and centers to provide a harmonious connection to surrounding neighborhoods. Transition & Infill areas contribute to a more diverse housing stock, which can be built at a lower cost, without disturbing the character of the core of these neighborhoods. Center areas have close ties to their surrounding neighborhood through serving as places where the community comes together for basic needs, shopping, work, schools, or festivals.

Community Character Policy

The community plan amendment area is in the North Nashville Community Plan and is in the Historic Germantown Neighborhood. North Nashville is primarily urban residential in character with walkable neighborhoods along with centers and corridors with a mix of uses.

The study area currently contains two policies, District Industrial (D IN) and Open Space (OS) which applies to the greenway (and remains in place). Having the entire rezoning site in T4 MU policy would allow integration of the site into the fabric of the current urban mixed-use neighborhood, seeing that much of the neighborhood area south of the site is already in T4 MU policy. This change would allow introduction of a residential option to complement other existing housing choices seen throughout the Germantown Neighborhood area. In addition, users of the site would be within walking distance of Morgan Park and the Magdeburg Greenway to take advantage of green spaces for enjoying outdoor recreational activities.

Transportation and Connectivity

Urban Mixed Use Neighborhood (T4 MU) areas have high levels of connectivity and complete street networks with sidewalks, bikeways, and existing or planned transit. In the Germantown Neighborhood the street network is arranged in a grid pattern. Vehicle accessibility is accomplished by using local streets, collector-avenues, and arterial-boulevards, providing users with multiple directions of travel. Access to residential and mixed-use buildings is provided from alleys and side streets. Sidewalks and crosswalks are provided at intersections, across parking lots, and at vehicular access points. Pedestrian and bicycle connectivity is of high importance as it allows opportunities to walk and cycle to various points of interest.

The site is bordered on its sides by 2nd Avenue North, classified as a local street by the Major & Collector Street Plan. Users of the site will have vehicular access through entrances located on 2nd Avenue North and Van Buren Street. 5th Avenue North (due west) and Garfield Street (due northwest), both classified as collector-avenues, are located approximately 0.2 miles from the site. All these roadways, through additional connectivity with local streets, provide access to the west to Rosa L. Parks Boulevard and to the south to Jefferson Street, both arterial-boulevards and two prominent corridors in Nashville.

Sidewalks and bikeways are provided in many areas of the Germantown Neighborhood but are currently lacking at this site. The development will provide sidewalks. Pedestrians and cyclists will be able to access the site from the Magdeburg Greenway or the Cumberland River Greenway. The Magdeburg Greenway, passing through the middle of the site, provides a path for individuals participating in outdoor recreational activities such as walking and cycling. Planning and Greenways have worked with the applicant to complement and further activate the greenway. This greenway connects to the Cumberland River Greenway, an approximately 12-mile greenway system connecting Downtown Nashville to numerous parts of North Nashville.

Public transit stops are conveniently located throughout the neighborhood to accommodate users. Local public transit service is provided by the WeGo Route 9. This route runs north/south with several bus stops along 3rd Avenue North. The closest bus stop, located 0.1 miles away, is an approximate three-minute walk from the site. In addition, this bus route provides additional connections for accessing Downtown Nashville, East Nashville, the Metro Center/North Rhodes Park neighborhood, and points of interest further west into North Nashville.

Relationship to Surrounding Policies

Most of the Germantown Neighborhood, south of the site, is in T4 MU policy with numerous recent completed developments and new developments being constructed. Because of the existing and ongoing nature of Metro water infrastructure operations on District Impact (D I) policy land and crude oil services on D IN policy land, it is not reasonable to conclude that land use on these properties will change anytime in the foreseeable future. However, approximately 1.47 acres of the crude oil services property is in T4 MU policy, and it can be reasonably viewed that the remaining portion, in D IN policy, may be a candidate for a future policy change.

Analysis Summary

Amending the current policy from D IN to T4 MU is appropriate at this time based on the following:

- The plan amendment area, identified on the NashvilleNext Growth & Preservation Concept Map as located in Transition & Infill and Center areas, is suitable for extending the policy to allow for a multifamily development that complements the existing character of the Germantown Neighborhood.
- The Germantown Neighborhood area around the site is primarily T4 MU policy.
- Changing to T4 MU policy aligns with the level of transition and infill occurring with residential and mixed-use developments taking place throughout the surrounding urban neighborhood area.
- The site will provide users access, via the Magdeburg Greenway, to green and open spaces such as Morgan Park and the Cumberland River Greenway.
- The Germantown Neighborhood has high levels of connectivity and mobility options for users of the site.
- The site has good nearby street connectivity that provides access, through arterials and local streets, to prominent corridors, including Rosa L. Parks Boulevard and Jefferson Street.
- Nearby local public transit service provides access to various employment and entertainment destinations.
- Redevelopment of the site will result in sidewalks being constructed, adding to the overall sidewalk network.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (6-0-1)

Resolution No. RS2022-157

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022CP-008-001 is approved. (6-0-1)

10b. 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: Approve with conditions and disapprove without all conditions if the associated plan amendment is approved. If the associated plan amendment is not approved, staff recommends disapproval.

APPLICANT REQUEST

Preliminary SP to permit 303 multi-family units.

Zone Change

A request to rezone from Industrial Restrictive (IR) to Specific Plan (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 a 303 unit multi-family development.

Existing Zoning

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

Proposed Zoning

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

NORTH NASHVILLE COMMUNITY PLAN

Existing Policy

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

containing compatible industrial and non-industrial uses. Uses that support the main activity and contribute to the vitality of the D IN are also found.

Proposed Policy

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

SITE CONTEXT AND PLAN DETAILS

The 2.99 acre site is located on the northeast corner of Van Buren Street and 2nd Avenue North, both local roads, consisting of several parcels. Currently, the majority of the site is vacant with only one lot being utilized as a small warehouse. The surrounding area consists of IR, IG, and SP zoning, with a range of uses. Neighboring uses include a NES substation, brewery, fuel refinery, and water treatment plant. The overall area also includes a number of multi-family residential developments, a storage facility, and some commercial.

The proposed site plan includes 2 main residential structures, consisting of a total of 303 units, structured parking, and improvements for the existing greenway through the site.

The residential structure located along Van Buren Street is proposed to be up to 7 stories in 100 feet. It will be oriented toward Van Buren Street, 2nd Avenue North, and both greenways to the north and east. Along Van Buren Street, the building has a central depression, starting with 5 stories along the road, transitioning to 7 stories. Along the greenway, this section of the building proposes unit and lobby area fronting the greenway with parallel sidewalks. This portion of the building also includes a setback between levels at 5 stories along the greenway to 7 stories. On the east side of the structure, a dog park/run is proposed alongside the greenway.

The second residential structure on site wraps the parking garage. This building is also proposed to be up to 7 stories in 100 feet. It will be oriented toward 2nd Avenue North and the greenway to the south. Along 2nd Avenue North, a similar stepback in height is proposed with 5 stories transitioning to 7 stories. This portion of the building also proposes frontages along the greenway, but will be entirely residential with no accompanying lobby.

The parking for the site is comprised of primarily the parking garage with some on-street parking along Van Buren Street, totaling 420 stalls of parking available. The parking garage will be 7 stories in height, wrapped by the residential building along 2nd Avenue North and the greenway to the south. Access for the parking garage is limited to only 2nd Avenue North. There are two portions exposed, one facing 2nd avenue where a proposed green accent wall has been provided, and the portion along the greenway to the east, which includes materials similar to the primary residential structures. Included with the parking garage, is an aerial encroachment over the greenway, in the form of a pedestrian bridge. This bridge will connect the parking garage with the residential building located along Van Buren Street, allowing residents to cross without adding additional foot traffic along the greenway.

In terms of pedestrian improvements, the site is required to build 5 foot sidewalks along Van Buren Street and 2nd Avenue North, but has provided 8 foot sidewalks constructed of pavers, similar in design to sidewalks throughout the Germantown neighborhood. Improvements are proposed to the greenway through the site as well. Currently the greenway is about 12 feet wide with no landscaping present and very little pedestrian design in place. The proposed changes include a slight realignment, increasing the greenway to 14 feet, and include heavy landscaping where possible although there are some limitations due to site constrains.

ANALYSIS

The site lies within two policies T4 MU and D IN, but there is a proposed policy amendment for the whole site to be within T4 MU. T4 MU is intended to provide increased levels of multi-modal connection, high intensity development, and an urban form being the most important to design. The proposed SP exceeds the general height guidance of T4 MU, which allows up to 5 stories, but allows for increases in heights under specific criteria. This includes proximity to other policy areas and the role of transitioning between policies, planned height of surrounding buildings and the impact on adjacent historic structures, contributions that the building makes to the overall fabric of the mixed use neighborhood, relationship of the height of the building to the width of the street and sidewalk, prominence of the intersection, and additional other requirements to be met.

The applicant has provided in detail numerous cases for this proposal including increasing sidewalk widths, widening the greenway, proximity to developments in the area allowing heights up to 15-stories, general upgrades to the existing site due to the existence of chain link fencing and vacant lots, irregular shaped lot with numerous easements, proximity to transit corridors, and the terminus of two arterial boulevards, 2nd Avenue North and Van Buren Street.

The provided elevations, site improvements, and surrounding area provide this site with unique characteristics that support additional height. Based on the pedestrian improvements, elevations, high intensity development, and surrounding area, the proposed development would be consistent with the goals of T4 MU.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Greenway fire access may be grass paver system. Grass paver section must provide a minimum unobstructed width of 26 feet for 200 feet. Pavers must be capable of supporting an imposed loading of 75,000lb. Delineation of the grass paver surface from non-drivable surfaces shall be provided. Signage indicating fire apparatus access point shall be provided.

METRO PARKS RECOMMENDATION

Approve with conditions

- The easement agreement will be amended to add the additional easement area to specifically permit an overhead structure approved by Parks and extended operating hours.
- Parks staff shall approve initial designs and any material future changes to greenway trail design, landscaping plans, lighting, site furniture, signage, and any fencing in the easement area.
- Property owner shall be responsible for perpetual maintenance of the greenway and easement area.

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT.
- Final design and improvements may vary based on actual field conditions.
- In general, callout roadway sections, ramps, sidewalks, curb & gutter, etc. along ROW's per NDOT detail ST- standards. Dimension ROW's for clarity.
- Show any internal stop control and ADA ramps where applicable.
- Add Note: A private hauler will be required for all waste/recycle disposal.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Parking for development shall be per metro code.
- On 2nd Ave N, the lane widths shall be consistent for both travel lanes.
- Based on the findings of the TIS, the following improvements were identified.
- The developer shall install a RRFB for the Crosswalk at the intersection of 3rd Ave N and the Greenway Crossing.
- Another enhanced crossing shall be installed at the intersection of 2nd Ave N and the Greenway Crossing, coordinate further with NDOT.
- At Final SP, submit a full signal warrant analysis for the intersection of 3rd Ave & Van Buren. Coordinate with NDOT before submittal.
- At Final SP, submit a survey of the available ROW along the Northwest quadrant at the intersection of 3rd Ave & Van Buren, to extend the sidewalk and close the gap between the Greenway and this intersection.

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)	2.99	0.60 F	78,147 SF	169	13	15

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)	2.99	-	303 U	1,650	101	128

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1,481	+88	+113

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed SP-R district: 6 Elementary 6 Middle 3 High

The proposed SP is anticipated to generate 15 additional students beyond what is generated under the current IR zoning. Students would attend Jones Elementary, John Early Middle School, and Pearl-Cohn High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

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

CONDITIONS

1. Permitted uses shall be limited to a maximum of 303 multi-family residential units. Short term rental property owner-occupied and short term rental property not owner-occupied shall be prohibited
2. With the final site plan, submit elevations consistent with the architectural standards included with the Preliminary SP.

3. The parking garage shall be lined with an appropriate façade at the discretion of Staff, to be submitted with the final site plan.
4. Conditions related to the greenway:
 - a. Prior to final site plan approval, the amended greenway easement shall be approved by Greenways and Open Space Commission, Parks Board, and Metro Council.
 - b. Any existing mature trees, in quality health, non-invasive, and not impeding on greenway widening and realignment, lining the greenway shall be preserved at Park’s Staff discretion.
 - c. Only one pedestrian connection, per building fronting the greenway, shall be permitted to connect to the greenway. No pedestrian connection shall be from units directly.
5. Should the amended greenway easement fail to receive approval, changes to the plan will be required including but not limited to removal of the proposed aerial encroachment.
6. Prior to final site plan approval, a mandatory referral for the aerial encroachment over the greenway must be approved.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. 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.
9. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
10. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
11. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM100-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
12. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
13. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Approve with conditions and disapprove without all conditions. (6-0-1)

Resolution No. RS2022-158

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-013-001 is approved with conditions and disapproved without all conditions. (6-0-1)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 303 multi-family residential units. Short term rental property owner-occupied and short term rental property not owner-occupied shall be prohibited
2. With the final site plan, submit elevations consistent with the architectural standards included with the Preliminary SP.
3. The parking garage shall be lined with an appropriate façade at the discretion of Staff, to be submitted with the final site plan.
4. Conditions related to the greenway:
 - a. Prior to final site plan approval, the amended greenway easement shall be approved by Greenways and Open Space Commission, Parks Board, and Metro Council.
 - b. Any existing mature trees, in quality health, non-invasive, and not impeding on greenway widening and realignment, lining the greenway shall be preserved at Park’s Staff discretion.
 - c. Only one pedestrian connection, per building fronting the greenway, shall be permitted to connect to the greenway. No pedestrian connection shall be from units directly.
5. Should the amended greenway easement fail to receive approval, changes to the plan will be required including but not limited to removal of the proposed aerial encroachment.
6. Prior to final site plan approval, a mandatory referral for the aerial encroachment over the greenway must be approved.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. 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.
9. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.

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

11. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM100-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

12. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

13. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

11. 2022SP-037-001

2121 CRESTMOOR ROAD

Council District 25 (Russ Pulley)

Staff Reviewer: Dustin Shane

A request to rezone from OR20 to SP zoning on property located at 2121 Crestmoor Drive, approximately 34 feet south of Hoods Hill Road (1.15 acres), to permit a mixed-use development, requested by Smith Gee Studio, applicant; 2207 Crestmoor Road Partners, 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 Office/Residential (OR20) to Specific Plan (SP) zoning on property located at 2121 Crestmoor Drive, approximately 34 feet south of Hoods Hill Road (1.15 acres), to permit a mixed-use development.

Existing Zoning

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. OR20 would permit a maximum of 23 units.

Proposed Zoning

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

SITE CONTEXT AND PLAN DETAILS

The site is located on the north side of Crestmoor Drive, approximately 337 feet west of the intersection with Hillsboro Pike. The site consists of one parcel that currently contains a 23,994-square foot office building and its appurtenant parking lot, built in 1971. The site slopes up to the north with no landscape buffering (a wooden privacy fence runs along the rear property line). Surrounding uses include a medical office to the east and an office building to the west both zoned OR20, a church and a single-family home to the north zoned RS40, and a museum, offices, and a strip shopping center across Crestmoor Drive to the south zoned SCR.

Site Plan

The SP is intended to create a mixed-use development. All uses allowed by the MUG-A zoning district are permitted. The plan limits residential units to 99 multi-family and commercial square footage to 40,000. The SP includes a site plan as well as bulk standards, architectural renderings, and parking and preliminary landscaping. Street trees are included along Crestmoor 40-feet on center. A note indicates that all standards of Chapter 17.24 of the Zoning Code will be met for landscaping at the Final SP.

The plan has only one phase and consists of a mixed-use building of six stories measuring 85 feet high. At the street the building will rise to only five stories within 75 feet, with the added height set back 10 feet from the build-to line. In the rear where the building abuts a single-family parcel a transition zone has been established that sets back floors five and six 45 feet from the rear and side property lines. The bulk of the massing is oriented toward the street (under current zoning, the height control plane would push this massing toward the center of the site, so this represents an improvement in design over a straight-zoned project). FAR and building square footage are tied to building height caps, setbacks, residential unit maximums, and non-residential maximums. The facades will be generously glazed (50% for the ground floor commercial and 20% for the residential areas). Much of the rear portion of the site is patio

and outdoor dining space for residents, screened by a landscape buffer yard that will be compliant with Code planted across the rear property line. A bioretention pond shares space with the buffer. A pedestrian access to Hoods Hill Road will be gated and allow access for residents only.

A commercial space will be located on the first floor, along with a lobby and trash and loading areas. Structured parking begins on this level behind the active streetfront uses and also occupies part of the second floor. A note indicates that automobile and bicycle parking will be provided per the UZO requirements of the Zoning Code, but NDOT conditions of approval require the project to be parked per Code. Grading plans show the parking underground at the rear of the site due to slope. Grade changes to the north also prevent the height of the building from exceeding that of the Methodist Church on the adjacent parcel. The building will be set back 20 feet from the rear property line. The ingress/egress is planned for the western corner and will also provide loading/unloading and trash access. Streetscape improvements are in line with the MCSP for Crestmoor Drive, a collector avenue, and include a 2-foot bike buffer, a 7-foot protected bikeway, 8 feet of parallel parking interspersed with 8-foot landscape bulb-outs for street trees, and a 9-foot sidewalk. The parallel parking will be removed on the corrected plan set per NDOT conditions of approval. Part of these improvements will be included in an 10-foot-wide ROW dedication to be made with a final plat.

GREEN HILLS - MIDTOWN COMMUNITY PLAN

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

ANALYSIS

According to the CCM, the policy intent of the D OC district is to “maintain, enhance, and create Districts where office use is predominant and may be supplemented with complementary uses. The development and redevelopment of such Districts occur in a manner that is complementary of the varying character of surrounding communities as characterized by their development patterns, building form, land use, and associated public realm.” Office use is predominant in such areas but may include many complementary uses, such as residential within mixed-use buildings. These uses should be in locations that allow external access by the general public and internal access by employees and visitors.

Conversations with Community Plans revealed a vision for this policy that has evolved in light of current social and market realities. With the rise in work-from-home and teleconferencing, workplace-focused policies need flexibility to adequately meet the needs of office users throughout the county. The proportion of mixed-use projects in D OC areas will increase as both offices and homes become more adaptable to new practices. In this case, numerous office uses are present in this established D OC policy area already. New development of this type could help revitalize the older office uses along Crestmoor Drive. It would also help provide a transition between these office uses and the nearby T5 Center policy to the south and the residences to the north.

The proposed plan meets many of the other goals of the D OC policy, such as buildings regularly spaced with shallow setbacks determined by the surrounding urban transect, parking below and interior to the structure, formal landscaping, and an urban streetscape with high levels of connectivity and access to transit. Height in the policy is contextual, with surrounding policies being the final determination. In this case, the proposed height acts as a transition between an intense T5 Center policy area and a T3 NM policy area of single-family homes.

Staff recommends approval with conditions and disapproval without all conditions. The proposed SP allows an appropriately intense mixed-use building with design standards that are intended to provide for development that is urban in nature with employment elements consistent with the D OC land use policy and the surrounding T5 Center commercial and T3 NM residential contexts. The proposal will provide more opportunities to meet the living, working, and shopping needs of the surrounding community in a walkable and sustainable way.

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

- (Stormwater Only).

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 any roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Provide waste management plan, dumpster locations. Comply w/ NDOT traffic comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Prior to Final SP submittal, coordinate with NDOT on rescoping the TIS with the updated densities of 40,000 square feet of commercial and a maximum residential units of 99. The TIS will be submitted at Final SP and any recommendation/improvement identified by NDOT or in the TIS, will be a requirement and a condition of approval.
- Development shall park per metro code.
- There shall be no on-street parking on Crestmoor.
- Ensure the MCSP is being met along Crestmoor.
- Additional comments following the review of TIS.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (221)	0.58	20 D	12 U	64	4	6

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.57	0.80 F	19,863 SF	221	45	25

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (221)	1.15	-	99 U	538	34	44

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)	1.15	-	20,000 SF	755	19	77

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	1.15	-	20,000 SF	2,244	198	195

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+3,252	+202	+285

METRO SCHOOL BOARD REPORT

Projected student generation existing OR20 districts: 1 Elementary 0 Middle 0 High

Projected student generation proposed SP-MU district: 3 Elementary 1 Middle 1 High

The proposed SP-MU zoning district is expected to generate 4 more students than what is typically generated under the existing OR20 zoning district. Students would attend Julia Green Elementary School, J.T. Moore Middle School, and Hillsboro High School. Julia Green Elementary School and Hillsboro High School have been identified as having additional capacity while J.T. Moore Middle School has been identified as being over capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 99 multi-family residential units and all uses permitted by the MUG-A zoning district except for the following uses shall be prohibited: short term rental property-owner occupied and short term rental property-not owner occupied. Square footage of permitted uses is limited as per the plan.
2. On the corrected plan set, add note: "A Type D bufferyard, if smaller than 30 feet wide, must include an 8-foot-tall masonry wall and 4 canopy, 3 understory, and 15 shrubs per 100 linear feet. Buffer yards will be compliant with Code across the rear of the site."
3. On the corrected plan set, replace all architectural standards on Page 11 with the following:
 - 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.
 - e. raised foundation of 18"- 36" is required for all residential structures
4. 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.
5. 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.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

Resolution No. RS2022-159

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-037-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 99 multi-family residential units and all uses permitted by the MUG-A zoning district except for the following uses shall be prohibited: short term rental property-owner occupied and short term rental property-not owner occupied. Square footage of permitted uses is limited as per the plan.
2. On the corrected plan set, add note: "A Type D bufferyard, if smaller than 30 feet wide, must include an 8-foot-tall masonry wall and 4 canopy, 3 understory, and 15 shrubs per 100 linear feet. Buffer yards will be compliant with Code across the rear of the site."
3. On the corrected plan set, replace all architectural standards on Page 11 with the following:
 - 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.
- e. raised foundation of 18" - 36" is required for all residential structures
- 4. 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.
- 5. 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.
- 6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
- 7. Comply with all conditions and requirements of Metro reviewing agencies.
- 8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
- 9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
- 10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

12. 2022Z-032PR-001

Council District 01 (Jonathan Hall)
 Staff Reviewer: Logan Elliott

A request to rezone from RS15 to R15 zoning for 4023 Meadow Rd, approximately 175 feet south of Cedar Dr (0.39 acres), requested by Elite Nashville Development, LLC, applicant; Hayat & Filiz Bozkurt, owners.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Zone change from RS15 to R15.

Zone Change

A request to rezone from Single-Family Residential (RS15) to One and Two-Family Residential (R15) zoning for 4023 Meadow Rd, approximately 175 feet south of Cedar Dr (0.39 acres).

Existing Zoning

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *RS15 would permit a maximum of 1 unit.*

Proposed Zoning

One and Two-Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots. *R15 would permit a maximum of 1 duplex lot for a total of 2 units.*

BORDEAUX - WHITES CREEK - HAYNES TRINITY NASHVILLE COMMUNITY PLAN

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

SITE

The application includes a single parcel comprising approximately 0.39 acres or approximately 16,500 square feet and is located on the west side of Meadow Road in the Bordeaux area. Meadow Road is a local street and the property is one block to the west of Clarksville Pike, an Arterial Boulevard in the Major and Collector Street Plan. The

site currently contains a single-family residence that draws access from Meadow Road with the remainder of the street having a similar pattern.

ANALYSIS

Staff does not find the requested zoning district to be appropriate in this location at this time. The T3 NE policy indicates that existing character should be considered when reviewing infill proposals and staff finds this area to have a suburban development pattern that does not support additional density at this time. The site is interior to this street block and to this neighborhood and is not located near a center or corridor as identified in NashvilleNext. Additionally, the site is on the edge of the T3 NE policy and is adjacent to Neighborhood Maintenance policy which intends to preserve the traditional suburban character.

The MPC recently considered a rezoning application, 2020Z-138PR-001, at the January 21, 2021, MPC meeting, for two properties nearby to this site: one on the same side of Meadow Road to the south and the other on the eastern side of Meadow Road. Staff supported the request on the eastern side of Meadow Road due to several factors, including the mixed-use policy and zoning that is applied to the abutting properties that front onto Clarksville Pike and the site's proximity to a center and corridor as identified in NashvilleNext. Staff did not support the request for the property on the western side of Meadow Road because the property is located interior to the neighborhood and away from the corridor, where it may not be appropriate to increase residential intensity, given the parcel's mid-block location and its adjacency to a lower intensity policy area (T3 NM). The MPC accepted staff's recommendation with a 7-1 vote.

FIRE RECOMMENDATION
Approve

Maximum Uses in Existing Zoning District: **RS15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.39	2.904 D	1 U	15	5	1

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

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)	0.39	2.904 D	2 U	28	7	2

*Based on two-family lots

Traffic changes between maximum: **RS15 and R15**

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 RS15 district: 0 Elementary 0 Middle 0 High
 Projected student generation proposed R15 district: 0 Elementary 0 Middle 0 High

The proposed R15 zoning not expected to generate any additional students than the existing RS15 zoning. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends disapproval.

Mr. Elliott presented the staff recommendation to disapprove.

There was nobody in attendance who spoke in favor of or in opposition to this application.

Chairman Adkins closed the public hearing.

Mr. Tibbs stated since no one was there to speak, he had no comment and supported staff recommendation.

Ms. Blackshear stated she agreed with Mr. Tibbs and staff analysis.

Mr. Adkins asked if there were any other Commissioners who would like to speak on this Item. No one responded in the affirmative.

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

Resolution No. RS2022-160

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-032PR-001 is disapproved. (7-0)

13. 2022Z-037PR-001

Council District 01 (Jonathan Hall)

Staff Reviewer: Logan Elliott

A request to rezone from RS15 to R15 zoning for 3826 Fairview Drive, approximately 175 feet west of Timothy Dr (0.36 acres), requested by Elite Nashville Development, LLC, applicant; JW Capital Inc, owner.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Zone change from RS15 to R15.

Zone Change

A request to rezone from Single-Family Residential (RS15) to One and Two-Family Residential (R15) zoning for 3826 Fairview Drive, approximately 175 feet west of Timothy Dr (0.36 acres).

Existing Zoning

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *RS15 would permit a maximum of 1 unit.*

Proposed Zoning

One and Two-Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots. *R15 would permit a maximum of 1 duplex lot for a total of 2 units.*

BORDEAUX - WHITES CREEK - HAYNES TRINITY NASHVILLE 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.

SITE

The application includes a single parcel comprising approximately 0.36 acres or approximately 15,400 square feet and is located on the north side of Fairview Road in the Bordeaux area. Fairview Road is a local street and the property is approximately 2,000 feet west of Clarksville Pike, an Arterial Boulevard in the Major and Collector Street Plan. The site is currently vacant and is surrounded primarily by single-family with some two-family land uses.

ANALYSIS

Staff does not find the requested zoning district to be consistent with the intent of the Suburban Neighborhood Maintenance policy to retain the existing character of the neighborhood, in terms of development pattern and building form. The site is interior to this street block and to this neighborhood and is not located near a center or corridor as identified in NashvilleNext. Staff finds the existing zoning to be appropriate considering the policy and the context of the site.

FIRE RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Ignore

Maximum Uses in Existing Zoning District: **RS15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.36	2.904 D	1 U	15	5	1

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

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)	0.36	2.904 D	2 U	28	7	2

*Based on two-family lots

Traffic changes between maximum: **RS15 and R15**

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 RS15 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed R15 district: 0 Elementary 0 Middle 0 High

The proposed R15 zoning not expected to generate any additional students than the existing RS15 zoning. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends disapproval.

Mr. Elliott presented the staff recommendation to disapprove.

There was nobody in attendance who spoke in favor of or in opposition to this application.

Chairman Adkins closed the public hearing.

Mr. Henley stated since there was no one present to speak on behalf or in opposition, he had no further comments.

Mr. Adkins asked if there were any other Commissioners who would like to speak on this Item. No one responded in the affirmative.

Mr. Henley moved and Mr. Lawson seconded the motion to disapprove. (7-0)

Resolution No. RS2022-161

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-037-001 is disapproved. (7-0)

14. 2022Z-059PR-001

Council District 08 (Nancy VanReece)

Staff Reviewer: Dustin Shane

A request to rezone from R10 to OR20 zoning on a portion of property located at 3441 Dickerson Pike, at the corner of Skyline Memorial Court and Skyline Ridge Drive (2.04 acres), requested by Ragan Smith, applicant; HTI Memorial Hospital Corporation, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from R10 to OR20.

Zone Change

A request to rezone from One and Two Family (R10) to Office/Residential (OR20) zoning on a portion of property located at 3441 Dickerson Pike, at the corner of Skyline Memorial Court and Skyline Drive (2.04 acres).

Existing 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 9 lots with 2 duplex lots for a total of 11 units. Metro Codes provides final determinations on duplex eligibility.*

Proposed Zoning

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

MADISON COMMUNITY PLAN

T3 Suburban Community Center (T3 CC) is intended to enhance and create suburban community centers that serve suburban communities generally within a 10 to 20 minute drive. They are pedestrian friendly areas, generally located at prominent intersections that contain mixed use, commercial and institutional land uses, with transitional residential land uses in mixed use buildings or serving as a transition to adjoining Community Character Policies. T3 CC areas are served by highly connected street networks, sidewalks and existing or planned mass transit leading to surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

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

ANALYSIS

The application consists of a 2.04-acre portion of a parcel (Map 050, Parcel 079) located at the corner of Skyline Ridge Drive and Skyline Memorial Court. The property currently contains brushy forest and a newly constructed sidewalk, along with a sign for Skyline Medical Center.

Surrounding uses include a vacant forested parcel to the west zoned R10; the rest of Parcel 079 to the south (which contains Skyline Medical Center), zoned CS; to the east across Skyline Memorial Court is a Metro-owned solar panel farm, zoned OR20; and to the north across Skyline Ridge Drive is a multi-family development under construction zoned SP. The property is in a Transition area bordering a Tier Three Center according to the NashvilleNext Concept Map.

The application proposes to rezone the property from R10 to OR20. The requested OR20 zoning is supported by the T3 CC policy. T3 CC policy is intended to create pedestrian-friendly, mixed use areas generally located at prominent intersections that consist of mixed use, commercial, office, residential, and institutional land uses. The CCM lists OR20 as an appropriate zoning under T3 CC policy. Some of the stated goals of the policy include consistent use of lighting and formal landscaping, along with highly connected street and sidewalk networks with mass transit connections. A potential institutional use at this location would exhibit these design features, and the existing sidewalks and adjacent transit corridor (Route 79, Skyline) would provide the necessary connectivity. The context is also supportive of the rezoning since the large Skyline Medical Center institutional use is on the same property and OR20 zoning exists directly across Skyline Memorial Court to the east. For these reasons, staff recommends approval of the rezoning.

FIRE RECOMMENDATION
Approve

Maximum Uses in Existing Zoning District: **R10**

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)	0.04	4.356 D	0 U	0	0	0

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	0.02	20 D	1 U	4	0	0

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.02	0.80 F	697 SF	9	27	1

Traffic changes between maximum: **R10 and OR20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+13	+27	+1

METRO SCHOOL BOARD REPORT

Projected student generation existing R10 districts: 1 Elementary 1 Middle 1 High

Projected student generation proposed OR20 district: 7 Elementary 4 Middle 4 High

The proposed OR20 zoning is expected to generate 12 more students than the existing R10 zoning district. The additional students would attend Chadwell Elementary School, Jere Baxter Middle School, and Maplewood 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. (6-0-1)

Resolution No. RS2022-162

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-059PR-001 is approved. (6-0-1)

15. 2022S-076-001

MAGNOLIA EAST

Council District 14 (Kevin Rhoten)

Staff Reviewer: Jason Swaggart

A request for concept plan approval to create 18 cluster lots on property located at 3739 Hoggett Ford Road, approximately 190 feet east of Hermitage Point Dr, zoned RS15 and (7.81 acres), requested by Gresham Smith, applicant; Beazer Homes, LLC, owner.

Staff Recommendation: Approve with conditions including a variance from Section 3-8 of the Subdivision Regulations.

APPLICANT REQUEST

Concept plan approval to create 18 cluster lots.

Concept Plan

A request for concept plan approval to create 18 cluster lots on property located at 3739 Hoggett Ford Road, approximately 190 feet east of Hermitage Point Dr, zoned Single-Family Residential (RS15), (7.81 acres).

PRIOR ACTION

At the April 14, 2022, Planning Commission meeting, this item was deferred. The Commission deferred the item so that the applicant could have more discussion with neighbors that expressed concerns at the meeting pertaining to traffic and stormwater. Staff has confirmed that the application has had at least one additional community meeting following the deferral. Staff has confirmed with the reviewer from Metro Water Services (Stormwater) that the concept plan meets the stormwater requirements. Furthermore, detailed work is done at the final site plan phase. Any future construction will be required to meet all Stormwater Regulations.

Two other issues brought up at the meeting were erosion issues in the adjacent Magnolia Farms and possible soil issues. According to the applicant erosion issues should be corrected in the month of June. The applicant indicated that the erosion issues are not soil related. It is also important to note that Metro records do not identify any problem soils on the site or within the general area.

SITE DATA AND CONTEXT

Location: The site is located on the north side of Hoggett Ford Road, just west of Hermitage Point Drive. Greenwood Drive stubs into the site from the east. Dodson Chapel Pike is approximately a quarter mile to the east.

Street Type: The site has frontage onto Hoggett Ford Road which is classified as a local. Direct access to Hoggett Ford Road is not proposed.

Approximate Acreage: The proposed area for subdivision is approximately 7.81 acres or 340,203 square feet.

Parcel/Site History: This site is comprised of one parcel. The parcel was created in 2019.

Zoning History: The parcel is zoned RS15. Prior to RS15, it was zoned R15.

Existing land use and configuration: The site consists vacant residential land.

Surrounding land use/zoning:

North: Residential/Single-Family Residential (RS15)
South: Residential/Multi-Family Residential (RM9)/UDO
East: Residential/Single-Family Residential (RS15)
West: Residential/Single-Family Residential (SP)

Zoning: Single-Family Residential (RS15)

Min. lot size: 15,000 square feet

Max. height: 3 stories

Min. front setback: 20'

Min. rear setback: 20'

Min. side setback: 10'

Maximum Building Coverage: 0.35

PROPOSAL DETAILS

This proposal is for subdivision development under existing zoning entitlements. No rezoning is proposed with this application. This proposal utilizes the by-right Cluster Lot Option standards of Section 17.12.090 of the Metro Zoning Code.

Number of lots: 18 single-family lots.

Lot sizes: Lot sizes range from 0.17 acres (7,560 square feet) to 0.18 acres (7,628 square feet).

Access: Access is proposed from Greenwood Drive and Pierside Drive. Both roads are stubbed to the subject site and are intended to be extended with the redevelopment of the subject site.

CLUSTER LOT OPTION

Plan Requirements (Section 17.12.090.A)

The concept plan establishes that clustering is proposed and displays the layout of all lots and common areas. This cluster lot proposal includes only single-family lots. The concept plan delineates the alternative lot sizes to be employed and describes the land areas required to satisfy open space requirements.

Minimum Area Required to be Eligible (Section 17.12.090.B)

The minimum area within the cluster lot subdivision shall be no less than ten times the minimum lot area for the base zoning district. The site is zoned RS15. RS15 requires a minimum 15,000 sq. ft. lot size. The site contains approximately 340,203 sq. ft. and exceeds the minimum area requirement to be eligible to utilize the cluster lot option.

Maximum Lot Yield (Section 17.12.090.E)

The Cluster Lot Option includes specific standards for calculation of maximum lot yield within a cluster lot subdivision that ensure that the maximum number of lots does not exceed what is permitted by the existing base zoning. The Zoning Code specifies that the lot yield shall be based on the gross acreage of the site, minus 15 percent of areas reserved for streets, and then division of the remaining 85 percent of the gross area by the minimum lot size of the base zoning district.

The gross area of this site is approximately 10.63 acres or 340,203 sq. ft. The minimum lot size of the existing zoning district, RS15, is 15,000 sq. ft.

$$\begin{aligned} &340,203 \text{ sq. ft.} \times 0.15 = 51,030 \text{ sq. ft. (15\% of the gross site area reserved for streets)} \\ 340,203 \text{ sq. ft.} - 51,030 \text{ sq. ft.} &= 289,173 \text{ sq. ft. (85\% of the gross area remaining to yield lots)} \\ 289,173 \text{ sq. ft.} / 15,000 \text{ sq. ft.} &= 19 \text{ lots} \end{aligned}$$

Open Space Requirements (Section 17.12.090.D)

A minimum of 15 percent of the gross land area of each phase is required to be provided as open space in a cluster lot subdivision. The proposed concept plan includes only one phase. The total open space provided is approximately 2.95 acres or 27% of the site. The proposed open space exceeds the minimum requirement.

Alternative Lot Sizes (Section 17.12.090.C)

Lots within a cluster lot subdivision may be reduced in area the equivalent of two smaller base zone districts. The subject site is zoned RS15 and a reduction of two base zone districts would be down to the RS7.5 zone district. The RS7.5 zoning district requires a minimum lot size of 7,500 sq. ft. The smallest lot proposed in this subdivision exceeds the minimum 7,500 sq. ft. lot size requirement.

Perimeter lots oriented to an existing street are required to be at least ninety percent of the minimum lot size of the actual zoning of the property. This application does not include any perimeter lots oriented to an existing street.

Minimum lot size for perimeter lots not oriented to an existing street depend on the abutting residential zoning district. Lots may be reduced in size the equivalent of one zoning district (RS15 to RS10) with the installation of a standard B landscape buffer yard located within common open space or reduced the equivalent of two zoning districts (RS15 to RS7.5) with the installation of a standard C landscape buffer yard located within common open space. As proposed, all lots abutting a residential zoning district either meet the minimum lot size requirement or include a standard C landscape buffer.

The bulk standards of the zoning district which most closely resembles the alternative lot sizes chosen for any given phase of the development shall be employed for that phase of the subdivision. As proposed, this concept plan meets this requirement. Bulk standards will be applied with individual building permits.

Landscape Buffer Yard Requirements (Article IV)

When incompatible zoning districts abut, the Zoning Code requires landscape buffer yards between the incompatible districts. The zoning districts abutting the northern and eastern property lines are zoned RS15. The adjacent lots to the north and the east are similar in size to the proposed lots; therefore, a buffer is technically not required on those sides. The plan provides a buffer yard along the eastern property line and is intended to protect existing vegetation including mature stands of trees. Open space is proposed between existing lots to the north and a buffer yard is not required. The property to the west is zoned SP and a buffer yard is not required.

Hillside Development Standards (Section 17.28.030)

In general, lots created under the cluster lot option shall be clustered on those portions of the site that have natural slopes of less than 20% grade. Areas with natural slopes that are 25% or greater shall be placed outside of building envelopes and preserved to the greatest extent possible. The Planning Commission may authorize lots with natural slopes 25% or greater subject to the concept plan demonstrating that the lots can meet the critical lot standards. These standards generally require building envelopes to be outside of the areas with 25% or steeper slopes. It is

important to note that the Subdivision Regulations also includes hillside development standards. There are no lots proposed with natural slopes of 25% or greater.

Floodplain/Floodway Development Standards (Section 17.28.40)

In general, new development should stay outside or have limited encroachment into areas designated as floodplain or floodway. This site is not located within floodplain or floodway.

Recreational Facilities (Section 17.12.090.G)

This section establishes the requirements for recreational facilities in subdivisions utilizing the cluster lot option. Recreational facilities are required for cluster lot subdivisions that contain 25 or more residential units. One facility is required for cluster lot subdivisions with 25 to 99 units. An additional facility is required for every 100 units in excess of 99. Recreational facilities can include, but are not limited to playgrounds, swimming pools, ball fields, gazebos, picnic areas and walking trails. The plan does not call for any recreational facilities. In this case, the plan would permit up to 18 units; therefore, no facilities are required.

APPLICABLE SUBDIVISION REGULATIONS

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

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

3-1 General Requirements

This subdivision is required to meet on standards of Chapter 3. Staff finds that all standards are met.

3-2 Monument Requirements

Does not apply to concept plans. Monuments will be set after final plat approval.

3-3 Suitability of the Land

Staff finds that the land is suitable for development consistent with this section.

3-4 Lot Requirements

All proposed lots comply with the minimum lot size of the zoning code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of the RS15 zoning district and cluster lot requirements at the time of building permit.

3-5 Infill Subdivisions

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

Not applicable. No lots are proposed on an existing street.

3-6 Blocks

All proposed block lengths meet the distance requirements as established in the subdivision regulations.

3-7 Improvements

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

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

Sidewalks are required in association with new streets. The proposed subdivision includes new public streets. As proposed a sidewalk is provided on only one side of the new street and will require that the Commission approve a variance from the sidewalk requirements (see details under the variance summary).

3-9 Requirements for Streets

All streets as shown on the concept plan meet the minimum requirements for a public street.

3-10 Requirements for Dedication, Reservations, or Improvements

Right-of-way and easements for this project will be dedicated with final plat.

3-11 Inspections During Construction

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

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

Public Works will require the review and approval of streets with the submittal of the final site plan. Street names for new streets will be reserved at that time.

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

Not applicable to this case. The concept plan does not propose any new private streets.

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

Metro Water Services has reviewed this proposed concept plan for water and has recommended approval.

3-16 Sewerage Facilities

Metro Water Services has reviewed this proposed concept plan for sewer and has recommended approval with conditions.

3-17 Underground Utilities

Utilities are required to be located underground whenever a new street is proposed. The concept plan notes all new utilities will be placed underground as required.

Subdivision Variances or Exceptions Requested: Yes. This request requires a variance from Section 3-8, Requirements for Sidewalks and Related Pedestrian and Bicycle Facilities. Section 3-8 requires that sidewalks be constructed on both sides of a new public street. As proposed, the plan includes a sidewalk on only one side of the new street.

Section 1-11, Variances, permits the Planning Commission to grant variances to the Subdivision Regulations when it finds that extraordinary hardships or practical difficulties may result from strict compliance with the regulations. While the regulations grant the Commission the authority to grant variances, the regulations state that "such variance shall not have the effect of nullifying the intent and purpose of the Subdivision Regulations." In order to grant a variance, the Commission must find that:

1. The granting of the variance shall not be detrimental to the public safety, health, or welfare or injurious to other property or improvements in the neighborhood in which the property is located.
2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.
3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out.
4. The variance shall not in any manner vary from the provisions of the adopted General Plan, including its constituent elements, the Major Street Plan, or the Zoning Code for Metropolitan Nashville and Davidson County (Zoning Code).

Variance Analysis

The intent of having a sidewalk on only one side of the proposed new street is to shrink the development footprint to preserve existing vegetation including large mature trees that run along the eastern property line adjacent to Hermitage Point. As proposed, staff finds that the variance from the sidewalk requirements meets the standards of Section 1-11.

PLANNING STAFF COMMENTS

With the approval of the necessary variance, the proposed subdivision meets the standards of the Subdivision Regulations and Zoning Code. Future development will be required to meet the standards of the Metro Zoning Code regarding setbacks, etc. Staff recommends approval with conditions as the proposed subdivision meets the requirements of the Zoning Code and Subdivision Regulations.

FROM OTHER REVIEWING AGENCIES

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.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final construction plans and road grades shall comply with the design regulations established by the Department of Public Works. Slopes along roadways shall not exceed 3:1.

TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

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

CONDITIONS

1. Comply with all conditions and requirements of Metro agencies.
2. The final site plan shall adequately demonstrate that the existing vegetation along the eastern property line is preserved consistent with the intent of the variance to allow for sidewalk on only one side of the proposed street. If it is determined that the existing vegetation is not adequately protected, then a sidewalk may be required on both sides of the proposed street.
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.

STAFF RECOMMENDATION

Staff recommends approval with conditions including a variance from Section 3-8 of the Subdivision Regulations.

CONDITIONS

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

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2022S-076-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations (with variance), Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Chairman Adkins said that before they started, this was in a little different position than the last two Items. He explained the public hearing has already occurred and asked for Mr. Dickerson to advise where they were on this Item.

Ms. Blackshear has recused herself from this Item and left the meeting.

Mr. Dickerson said the public hearing has already been opened and closed and this was past the public hearing stage and on to discussion stage.

Mr. Adkins reiterated that they were there for discussion for this Item.

Ms. Johnson said that at the last public hearing, there was some comment about a connection between Hoggett Ford Road and Central Pike, but the proposal stated the southern portion is a cul-de-sac. She asked for staff to comment.

Mr. Swaggart stated there is a stream that runs across the property on that southern section so it would be difficult to make the connection to Hoggett Ford.

Ms. Johnson remembered a comment regarding an emergency gate at the northern portion of Pierside Drive. She asked about the condition of that street connection.

Ms. Milligan advised that since the last meeting, they have continued to have conversations with NDOT and the Fire Department as it related to overall network and connectivity within the area. She said there are currently two stub streets into the property; one at the north, Pierside Drive, and one coming in from the east, Greenwood Drive. Greenwood Drive is part of Hermitage Pointe neighborhood, which was built a couple years back. There were currently two stub streets that were intended to connect. She further explained, the plan, as proposed, does connect to both of those streets, which would be something staff would require. The subdivision regulations point them to have interconnectivity (inaudible) and to have the possibility of a fire gate at one of those connections.

Ms. Kempf clarified that staff recommendation was to leave both open as a street because the Commission approved subdivisions with a stub street for that purpose. (Inaudible)

Ms. Johnson (inaudible). Ms. Johnson asked if Greenwood Drive was connected to the subdivision to the east or was it not connected.

Ms. Milligan stated that was the gate they have had discussions with NDOT. When Hermitage Pointe was approved, there was a crash gate installed at the eastern portion of Greenwood Drive and came to the conclusion that perhaps that should not have happened. She explained it was only connected, Hermitage Pointe, to the road to the south. It was not connected to the neighborhood to the east.

Ms. Johnson stated she was having a hard time with this because this particular parcel was currently rather land locked, so without (inaudible). During construction, nearby neighbors are asking trucks not to come through Hermitage Pointe, but was realistically impossible because you cannot cross the stream, nor fly by, to bring the construction materials. She thought, as a planning point of view, it was a right thing to do is to connect Greenwood and Pierside because that will give enough street connection; but at the same token, you have an isolated established community neighborhood, especially the subdivision to the north. Ms. Johnson said it will eventually invite 250 neighbors coming through their local street to get to Central Pike and is concerned because it is not a commercial street, but a local street. She reiterated that the street connection between Greenwood and Pierside makes sense but at the same time, was sending additional 250 neighbors to the local street is a good policy?

Mr. Lawson asked if this was a preliminary plan, a design plan, for an application.

Ms. Milligan answered that this was a concept plan for subdivision.

Mr. Lawson asked when they went to talk to traffic and parking with this particular application, and they approved it...(inaudible).

Ms. Kempf asked what were the criteria they looked at?

Ms. Milligan stated a traffic study was not required for 18 units, so there would not have been a traffic study. They would have reviewed it to make sure it meets the standards regarding road cross sections, appropriate intersections; those technical standards for street construction.

Mr. Lawson said as he looked at this entire project, as it was presented to Planning Commission as a concept, a lot of things change when you do concept planning. He said this one was tough and wrestled with it, but thought the staff was right in recommending approval.

Councilmember Withers said only one connection really limits accessibility to the neighborhood and was surprised to see the crash gate. He stated one of the things that struck him was if they were going to have additional car traffic through an area, it should be going through an area where sidewalk infrastructure was present to protect the pedestrians, rather than to the north where there was not. He thought it would be more appropriate to have a crash gate to help divert traffic from Pierside, in consideration of pedestrian safety standpoint, than the alternative.

Mr. Henley said he drove through the neighborhood and thought about it from fire standpoint and how would fire look at this with one entry point and numerous homes. He approached the crash gate and thought 'hmmm', but what came to mind was he entered through Chapel Road and, for whatever reason, if there was an obstruction, you've got 100 plus homes that you have a challenge getting to, so he understood it then. Mr. Henley stated there was a pretty decent amount of traffic and if you give a cut through, people will use a cut through, and there was a good opportunity for some traffic calming but there is a process (inaudible). He would like to see it move forward with a crash gate and would like to see if there are other solutions or deterrents for having people to be able to transition through that neighborhood.

Mr. Tibbs asked if all the subdivision requirements have been met. He said he was leaning toward going with staff recommendation.

Mr. Swaggart answered that everything met subdivision and zoning requirements.

Mr. Adkins advised that sometimes legal questions come up and they want to make sure they are doing the right things and asked Mr. Dickerson to give a legal update and explain some procedural issues.

Mr. Dickerson stated in order for the Commissioners who were not present during the last hearing to vote on this one, they have to watch the last video. So, they will have to defer one meeting, and the Commissioners will watch the video and then will be eligible to vote at the next meeting.

Mr. Adkins further explained that they just found out that procedurally they do not have enough votes to pass it.

Mr. Lawson moved and Mr. Henley seconded the motion to defer to the June 23, 2022 Planning Commission meeting. (6-0)

Resolution No. RS2022-163

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-076-001 is deferred to the June 23, 2022 Planning Commission meeting (6-0)

16. 2022S-123-001

MOSS VIEW HEIGHTS

Council District 28 (Tanaka Vercher)

Staff Reviewer: Jason Swaggart

A request for concept plan approval to create 43 cluster lots on property located at Moss Rd (unnumbered), approximately 63 feet south of Elmer Marshall Dr., zoned RS7.5 (9.43 acres), requested by Dale & Associates, applicant; VMA Real Estate, LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Concept plan approval to create 43 cluster lots.

Concept Plan

A request for concept plan approval to create 43 cluster lots on property located at Moss Rd (unnumbered), approximately 63 feet south of Elmer Marshall Dr., zoned Single-Family Residential (RS7.5) (9.43 acres).

SITE DATA AND CONTEXT

Location: The site is located on the north side of Moss Road approximately a quarter mile east of Una Antioch Pike.

Street Type: The site has frontage along Moss Road. Moss Road is classified as a local street.

Approximate Acreage: The proposed area for subdivision is approximately 9.43 acres or 410,770 square feet.

Parcel/Site History: This site is comprised of Lots 10, 11 and 12 of Shields Antioch Lands subdivision, . The subdivision was recorded in 1889. The lots are currently combined into one parcel.

Zoning History: The parcel was zoned RS7.5 in 1998. Prior to RS7.5, it was zoned AR2a.

Existing land use and configuration: The site consists vacant residential land.

Surrounding land use/zoning:

North: Vacant/Agricultural and Residential (AR2a)

South: Vacant/Agricultural and Residential (AR2a)

East: Vacant/Single-Family Residential (RS10)

West: Single Family and vacant/Agricultural and Residential (AR2a) and Single-Family Residential (RS7.5)

Zoning: Single-Family Residential (RS7.5)

Min. lot size: 7,500 square feet

Max. height: 3 stories

Min. front setback: 20'

Min. rear setback: 20'

Min. side setback: 5'

Maximum Building Coverage: 0.45

PROPOSAL DETAILS

This proposal is for subdivision development under existing zoning entitlements. No rezoning is proposed with this application. This proposal utilizes the by-right Cluster Lot Option standards of Section 17.12.090 of the Metro Zoning Code.

Number of lots: 43 single-family lots.

Lot sizes: Lot sizes range from 3,750 square feet to 9,000 square feet.

Access: Access is proposed from one point on Moss Road. The plan provides for future roadway connections to the north, east and west. These connections would be made with the development of adjacent parcels. The plan prohibits direct access to Moss Road for any lots that front Moss Road (lots 1-6 and 42-43). Access for these lots is from a rear alley.

CLUSTER LOT OPTION

Plan Requirements (Section 17.12.090.A)

The concept plan establishes that clustering is proposed and displays the layout of all lots and common areas. This cluster lot proposal includes only single-family lots. The concept plan delineates the alternative lot sizes to be employed and describes the land areas required to satisfy open space requirements.

Minimum Area Required to be Eligible (Section 17.12.090.B)

The minimum area within the cluster lot subdivision shall be no less than ten times the minimum lot area for the base zoning district. The site is zoned RS7.5. RS7.5 requires a minimum 7,500 sq. ft. lot size. The site contains approximately 9.43 acres or 410,770 square feet and exceeds the minimum area requirement to be eligible to utilize the cluster lot option.

Maximum Lot Yield (Section 17.12.090.E)

The Cluster Lot Option includes specific standards for calculation of maximum lot yield within a cluster lot subdivision that ensure that the maximum number of lots does not exceed what is permitted by the existing base zoning. The Zoning Code specifies that the lot yield shall be based on the gross acreage of the site, minus 15 percent of areas reserved for streets, and then division of the remaining 85 percent of the gross area by the minimum lot size of the base zoning district.

The gross area of this site is approximately 9.43 acres or 410,770 square feet. The minimum lot size of the existing zoning district, RS7.5, is 7,500 sq. ft.

410,770 sq. ft. x 0.15 = 61,615 sq. ft. (15% of the gross site area reserved for streets)

410,770 sq. ft. – 61,615 sq. ft. sq. ft. = 349,155 sq. ft. (85% of the gross area remaining to yield lots)

349,155 sq. ft. / 7,500 sq. ft. = 46 lots

Open Space Requirements (Section 17.12.090.D)

A minimum of 15 percent of the gross land area of each phase is required to be provided as open space in a cluster lot subdivision. A minimum of 1.41 acres of open space is required. The proposed concept plan includes only one phase. The total open space provided is approximately 1.75 acres or 18% of the site. The proposed open space exceeds the minimum requirement.

Alternative Lot Sizes (Section 17.12.090.C)

Lots within a cluster lot subdivision may be reduced in area the equivalent of two smaller base zone districts. The subject site is zoned RS7.5 and a reduction of two base zone districts would be down to the RS3.75 zone district. The RS3.75 zoning district requires a minimum lot size of 3,750 sq. ft. The smallest lot proposed in this subdivision is 3,750 sq. ft.

Perimeter lots oriented to an existing street are required to be at least ninety percent of the minimum lot size of the actual zoning of the property. Lots 1-6 and lots 42 and 43 are oriented to Moss Road and must be at least 6,750 sq. ft. All eight lots are 6,750 s. ft. and larger.

Minimum lot size for perimeter lots not oriented to an existing street depend on the abutting residential zoning district. Lots may be reduced in size the equivalent of one zoning district (RS7.5 to RS5) with the installation of a standard B landscape buffer yard located within common open space or reduced the equivalent of two zoning districts (RS7.5 to RS3.75) with the installation of a standard C landscape buffer yard located within common open space. As proposed, all lots abutting a residential zoning district either meet the minimum lot size requirement or include a standard C landscape buffer.

The bulk standards of the zoning district which most closely resembles the alternative lot sizes chosen for any given phase of the development shall be employed for that phase of the subdivision. As proposed, this concept plan meets this requirement. Bulk standards will be applied with individual building permits.

Landscape Buffer Yard Requirements (Article IV)

Buffer yard requirements are dictated by the Cluster Lot option (Section 17.12.090)

Hillside Development Standards (Section 17.28.030)

In general, lots created under the cluster lot option shall be clustered on those portions of the site that have natural slopes of less than 20% grade. Areas with natural slopes that are 25% or greater shall be placed outside of building envelopes and preserved to the greatest extent possible. The Planning Commission may authorize lots with natural slopes 25% or greater subject to the concept plan demonstrating that the lots can meet the critical lot standards. These standards generally require building envelopes to be outside of the areas with 25% or steeper slopes. It is important to note that the Subdivision Regulations also includes hillside development standards. There are no lots proposed with natural slopes of 25% or greater.

Floodplain/Floodway Development Standards (Section 17.28.40)

In general, new development should stay outside or have limited encroachment into areas designated as floodplain or floodway. This site is not located within floodplain or floodway.

Recreational Facilities (Section 17.12.090.G)

This section establishes the requirements for recreational facilities in subdivisions utilizing the cluster lot option. Recreational facilities are required for cluster lot subdivisions that contain 25 or more residential units. One facility is required for cluster lot subdivisions with 25 to 99 units. An additional facility is required for every 100 units in excess of 99. Recreational facilities can include, but are not limited to playgrounds, swimming pools, ball fields, gazebos, picnic areas and walking trails. The plan includes one recreational facility that is located along a proposed public road.

APPLICABLE SUBDIVISION REGULATIONS

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

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

3-1 General Requirements

This subdivision is required to meet on standards of Chapter 3. Staff finds that all standards are met.

3-2 Monument Requirements

Does not apply to concept plans. Monuments will be set after final plat approval.

3-3 Suitability of the Land

Staff finds that the land is suitable for development consistent with this section.

3-4 Lot Requirements

All proposed lots comply with the minimum lot size of the zoning code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of the RS7.5 zoning district and cluster lot requirements at the time of building permit.

3-5 Infill Subdivisions

In order to ensure compatibility with the General Plan, the Commission has adopted specific regulations applicable to infill subdivisions, defined as residential lots resulting from a proposed subdivision within the R, R-A, RS, and RS-A zoning districts on an existing street. If a proposed infill subdivision meets all of the adopted applicable regulations, then the subdivision is found to be harmonious and compatible with the goals of the General Plan. Lots proposed along Moss Road are consistent with Zoning Code and Subdivision Regulations for subdivisions in evolving policy areas.

3-6 Blocks

All proposed block lengths meet the distance requirements as established in the subdivision regulations.

3-7 Improvements

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

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

Sidewalks are required in association with new streets. The proposed subdivision includes new public streets. As proposed sidewalks are included on both sides of proposed streets and along Moss Road.

3-9 Requirements for Streets

All streets as shown on the concept plan meet the minimum requirements for a public street.

3-10 Requirements for Dedication, Reservations, or Improvements

Right-of-way and easements for this project will be dedicated with final plat.

3-11 Inspections During Construction

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

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

Public Works will require the review and approval of streets with the submittal of the final site plan. Street names for new streets will be reserved at that time.

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

Not applicable to this case. The concept plan does not propose any new private streets.

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

Metro Water Services has reviewed this proposed concept plan for water and has recommended approval.

3-16 Sewerage Facilities

Metro Water Services has reviewed this proposed concept plan for sewer and has recommended approval with conditions.

3-17 Underground Utilities

Utilities are required to be located underground whenever a new street is proposed. The concept plan notes all new utilities will be placed underground as required.

PLANNING STAFF COMMENTS

Staff finds that the proposed 43 cluster lot subdivision meets all applicable Zoning Code and Subdivision Regulations requirements and recommends approval with conditions.

FROM OTHER REVIEWING AGENCIES

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.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Alley access is required for lots where applicable.
- Lots 29-32 are required to share driveways.

TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

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

CONDITIONS

1. Access for lots adjacent to an alley shall be from only the alley.
2. Comply with all conditions and requirements of Metro agencies.
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.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2022S-123-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions. (7-0)

Resolution No. RS2022-164

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-123-001 is approved with conditions. (7-0)

CONDITIONS

1. Access for lots adjacent to an alley shall be from only the alley.
2. Comply with all conditions and requirements of Metro agencies.
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.

H: OTHER BUSINESS

17. Employee Contract Renewal for Lisa Milligan

Resolution No. RS2022-165

"BE IT RESOLVED by The Metropolitan Planning Commission that the Employment Contract Renewal for Lisa Milligan is **approved. (7-0)**

- 18. Accept \$30,000 from the Nashville Area Chamber of Commerce to The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Planning Commission, to provide supplemental funding for a music venue study.

Resolution No. RS2022-166

“BE IT RESOLVED by The Metropolitan Planning Commission that the accept \$30,000 from the Nashville Are Chamber of Chamber of Commerce to The Metropolitan Government of Nashville and Davidson County acting by and through the Metropolitan Nashville Planning Commission to provide supplemental funding for a music venue study is **approved. (7-0)**

- 19. Accept \$10,000 from the Nashville Convention & Visitors Corp to The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Planning Commission, to provide supplemental funding for a music venue study.

Resolution No. RS2022-167

“BE IT RESOLVED by The Metropolitan Planning Commission that the accept \$10,000 from the Nashville Convention & Visitors Corp to The Metropolitan Government of Nashville and Davidson County acting by and through the Metropolitan Nashville Planning Commission to provide supplemental funding for a music venue study is **approved. (7-0)**

- 20. Historic Zoning Commission Report
- 21. Board of Parks and Recreation Report
- 22. Executive Committee Report
- 23. Accept the Director's Report

Resolution No. RS2022-168

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

- 24. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

June 23, 2022
MPC Meeting
4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

July 28, 2022
MPC Meeting
4 pm, 2500 Bransford Avenue, Metro Nashville Public Schools Administration Building

J: ADJOURNMENT

The meeting adjourned at 4:55 p.m.