

Metropolitan Planning Commission



Staff Reports

June 23, 2022



Metro Planning Commission Meeting of 6/23/22

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



SEE NEXT PAGE



NO SKETCH



Metro Planning Commission Meeting of 6/23/22

Item #1	Text Amendment 2021Z-018TX-001
Project Name	Distance Requirements for Bars/Nightclubs
Council Bill No.	BL2021-922
Council District	Countywide
School District	Countywide
Requested by	Councilmember Brandon Taylor

Deferrals This item was heard and deferred at the November 18, 2021, December 9, 2021, and January 13, 2022, and March 24, 2022 Planning Commission meetings. The public hearing was held and closed at the November meeting.

Staff Reviewer	Lewis
Staff Recommendation	<i>Defer to the July 28, 2022, Planning Commission meeting.</i>

APPLICANT REQUEST

Amend the Zoning Code to include distance requirements for bar/nightclub uses.

STAFF RECOMMENDATION

Staff recommends deferral to the July 28, 2022, Planning Commission meeting.



Metro Planning Commission Meeting of 6/23/22

Item #2	Specific Plan 2021SP-063-001
Project Name	Charlotte View West
Council District	35 – Rosenberg
School District	09 – Tylor
Requested by	Dale & Associates, applicant; Robert B. Beck, ET UX, owner.

Deferrals	This item was deferred at the May 12, 2022, May 26, 2022, and June 9, 2022, Planning Commission meetings. No public hearing was held.
------------------	---

Staff Reviewer	Elliott
Staff Recommendation	<i>Defer to the July 28, 2022, Planning Commission meeting.</i>

APPLICANT REQUEST

Preliminary SP to permit 57 multi-family units.

Zone Change

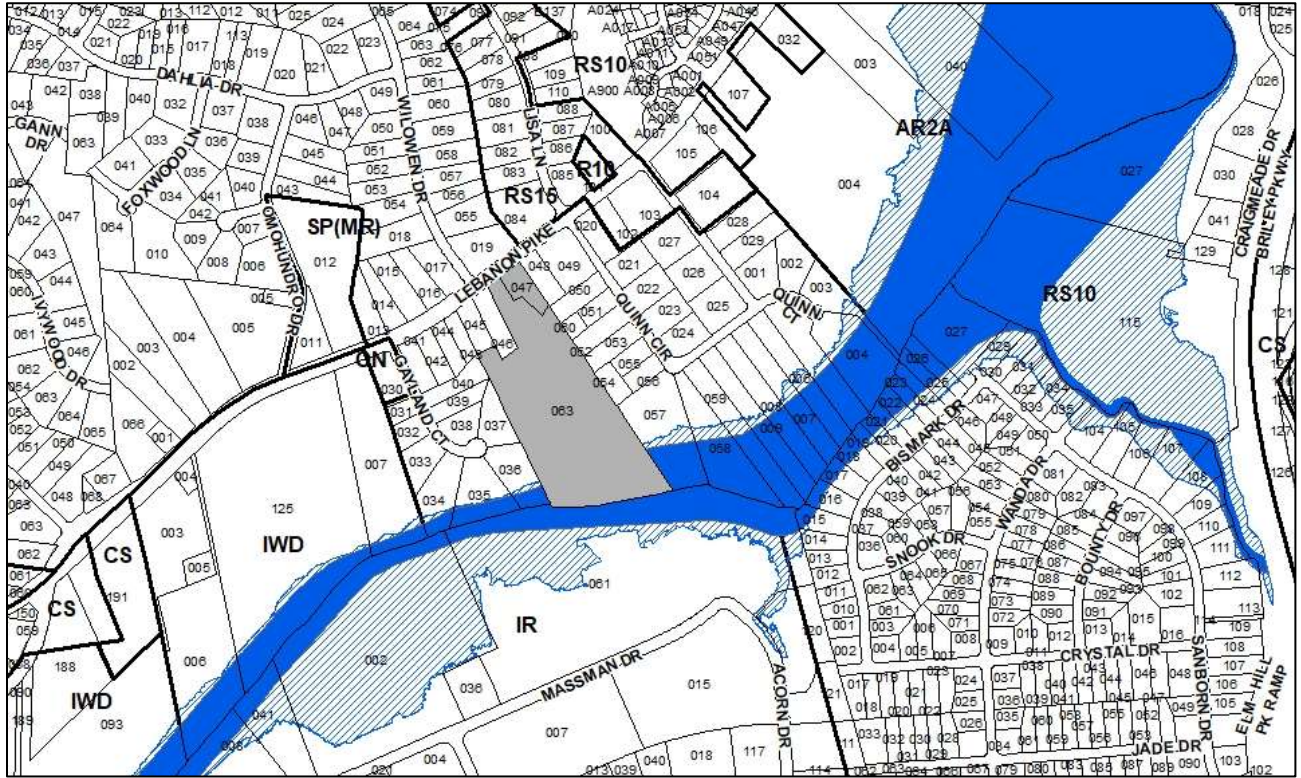
A request to rezone from One and Two-Family Residential (R40) to Specific Plan (SP) zoning for property located at Charlotte Pike (unnumbered), at the corner of Charlotte Pike and Old Charlotte Pike, (1 acre), to permit 57 multi-family residential units.

STAFF RECOMMENDATION

Staff recommends deferral to the July 28, 2022, Planning Commission meeting at the request of the applicant.



Metro Planning Commission Meeting of 6/23/22



2022SP-023-001

AUTUMN GLEN

Map 095-09, Parcel(s) 047, 063

14, Donelson – Hermitage – Old Hickory

15 (Jeff Syracuse)



Metro Planning Commission Meeting of 6/23/22

Item #3	Specific Plan 2022SP-023-001
Project Name	Autumn Glen
Council District	15 – Syracuse
School District	04 – Little
Requested by	Dale & Associates, applicant; Tennestate Enterprises, Inc., owners.
Deferrals	This item was deferred from the April 28, 2022, May 12, 2022, May 26, 2022, and June 9, 2022 Planning Commission meetings. No public hearing was held.
Staff Reviewer	Harrison
Staff Recommendation	<i>Defer to the July 28, 2022, Planning Commission meeting.</i>

APPLICANT REQUEST

Preliminary SP to permit a mixed-use development.

Zone Change

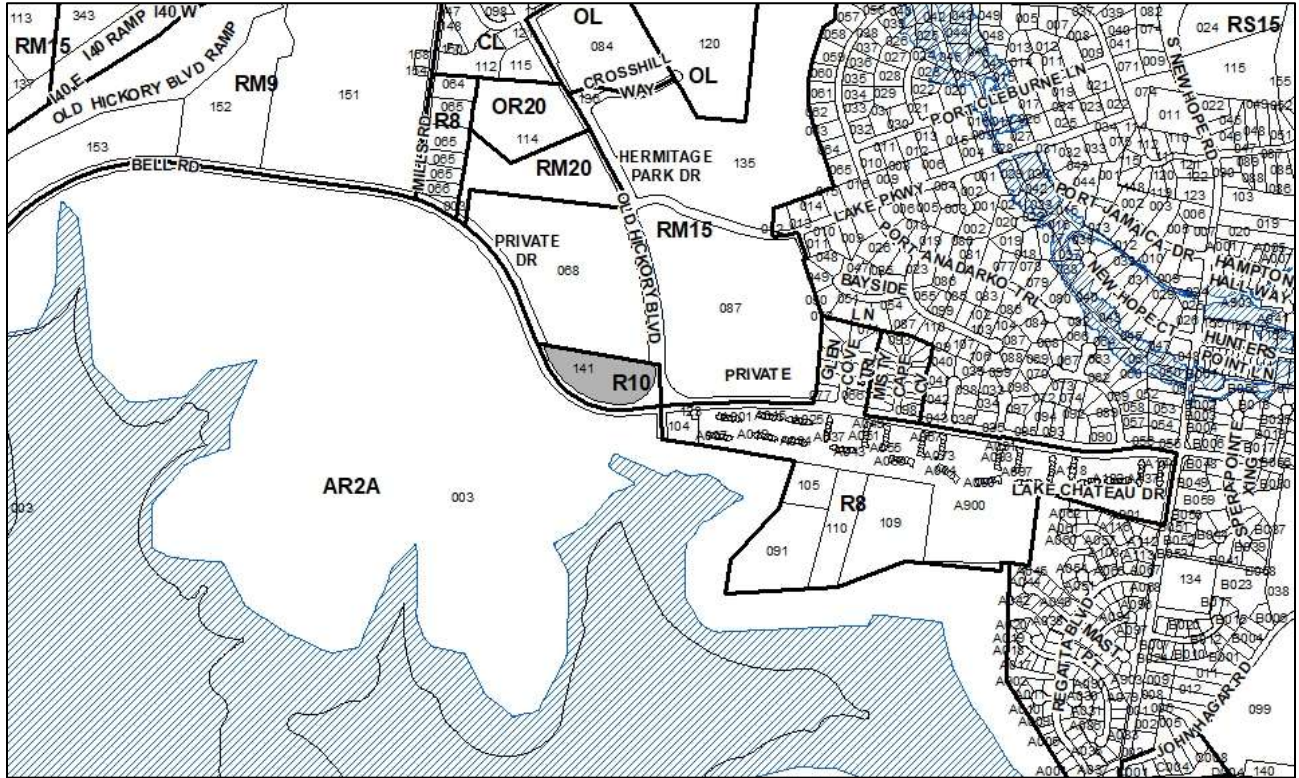
A request to rezone from Single-family Residential (RS10) to Specific Plan (SP) zoning for properties located at 2001 Lebanon Pike and Lebanon Pike (unnumbered), approximately 300 feet southwest of Quinn Circle, (12.67 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the July 28, 2022, Planning Commission meeting.



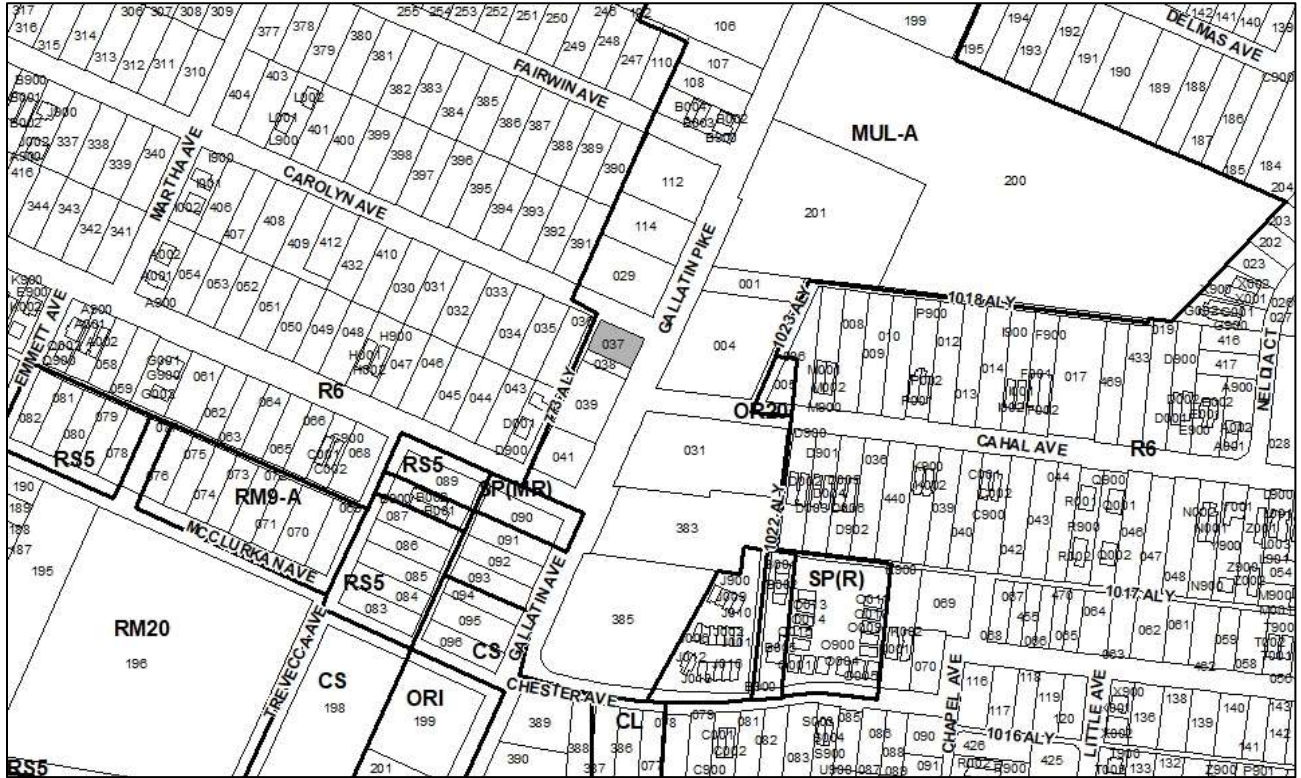
Metro Planning Commission Meeting of 6/23/22



2022SP-033-001
SHORE VIEW SP
Map 097, Parcel(s) 141
14, Donelson – Hermitage – Old Hickory
14 (Kevin Rhoten)



Metro Planning Commission Meeting of 6/23/22



2022SP-040-001
2635 GALLATIN AVE DOG DAYCARE
Map 072-13, Parcel(s) 037
05, East Nashville
05 (Sean Parker)



Metro Planning Commission Meeting of 6/23/22

Item #5	Specific Plan 2022SP-040-001
Project Name	2635 Gallatin Ave Dog Daycare
Council District	05 - Parker
School District	5 – Buggs
Requested by	Paws Up Capital, applicant; McQuest Properties, LLC, owner.
Deferrals	This item was deferred at the June 9, 2022, Planning Commission meeting. No public hearing was held.
Staff Reviewer	Elliott
Staff Recommendation	<i>Defer to the July 28, 2022, Planning Commission meeting.</i>

APPLICANT REQUEST

Rezone from MUL-A to Specific Plan to permit a mixed-use development.

Preliminary SP

A request to rezone from Mixed-Use Limited-Alternative (MUL-A) to Specific Plan (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.

STAFF RECOMMENDATION

Staff recommends deferral to the July 28, 2022, Planning Commission meeting at the request of the meeting.



Metro Planning Commission Meeting of 6/23/22



2021S-180-001

RESUB OF LOT 91 T.M. NALL'S SUBDIVISION

Map 091-09, Parcel(s) 189

07, West Nashville

20 (Mary Carolyn Roberts)



Metro Planning Commission Meeting of 6/23/22

Item #6	Final Plat 2021S-180-001
Project Name	Resub Lot 91 T.M. Nall's Subdivision
Council District	20 – Roberts
School District	09 – Tylor
Requested by	Delle Land Surveying, applicant; Monica N. Slater & Melissa L. Haney & ET AL., owner.
Staff Reviewer	Lewis
Staff Recommendation	<i>Defer to the July 28, 2022, Planning Commission meeting.</i>

APPLICANT REQUEST

Request for final plat approval to create two lots.

Final Plat

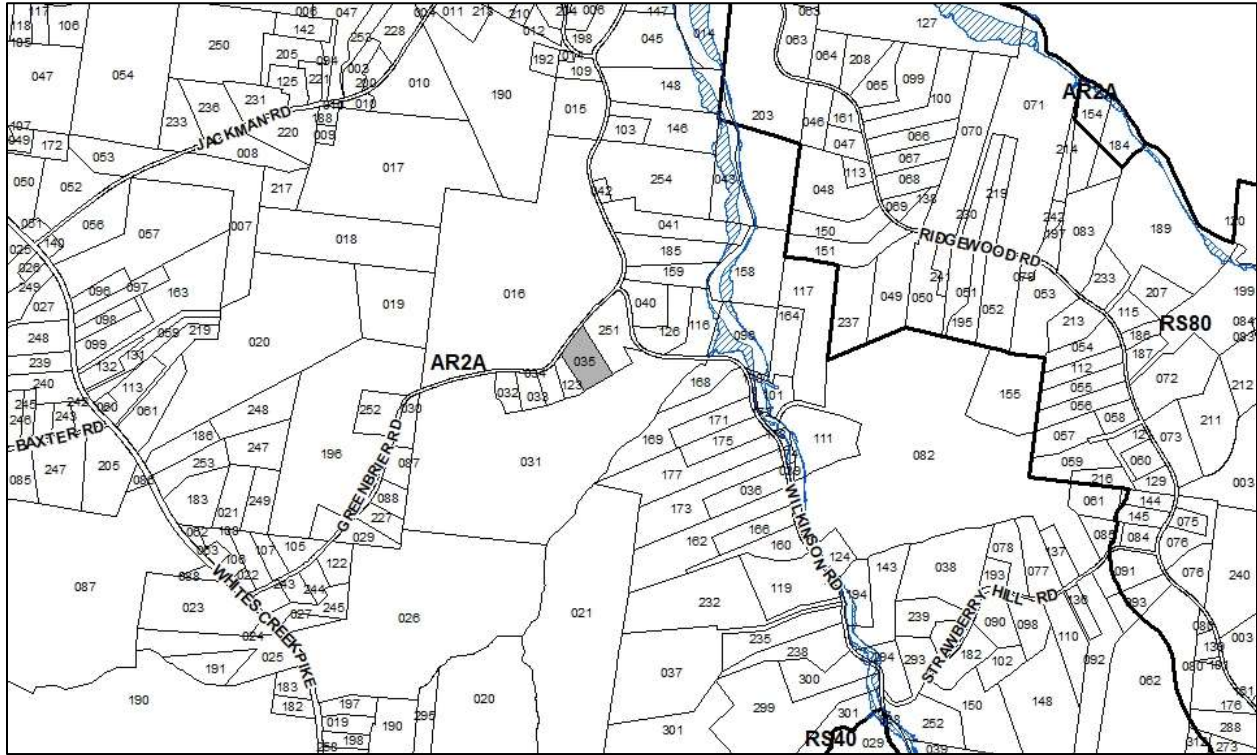
A request for final plat approval to create two lots on property located at 5915 Maxon Avenue, approximately 330 feet east of Stevenson Street, zoned One and Two-Family Residential (R8) (1.03 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the July 28, 2022, Planning Commission meeting.



Metro Planning Commission Meeting of 6/23/22



2022S-133-001

RONNIE LEE BUCK JR. LOT

Map 009, Parcel 035

01, Joelton

01 (Jonathan Hall)



Metro Planning Commission Meeting of 6/23/22

Item #7	Concept Plan 2022S-133-001
Project Name	Ronnie Lee Buck Jr. Lot
Council District	01 – Hall
School District	01 – Gentry
Requested by	Anthony T. Bellinger, applicant; Buck, Ronnie Lee Jr., owner.
Staff Reviewer	Swaggart
Staff Recommendation	<i>Defer indefinitely.</i>

APPLICANT REQUEST

Final plat to create one lot.

Final Plat

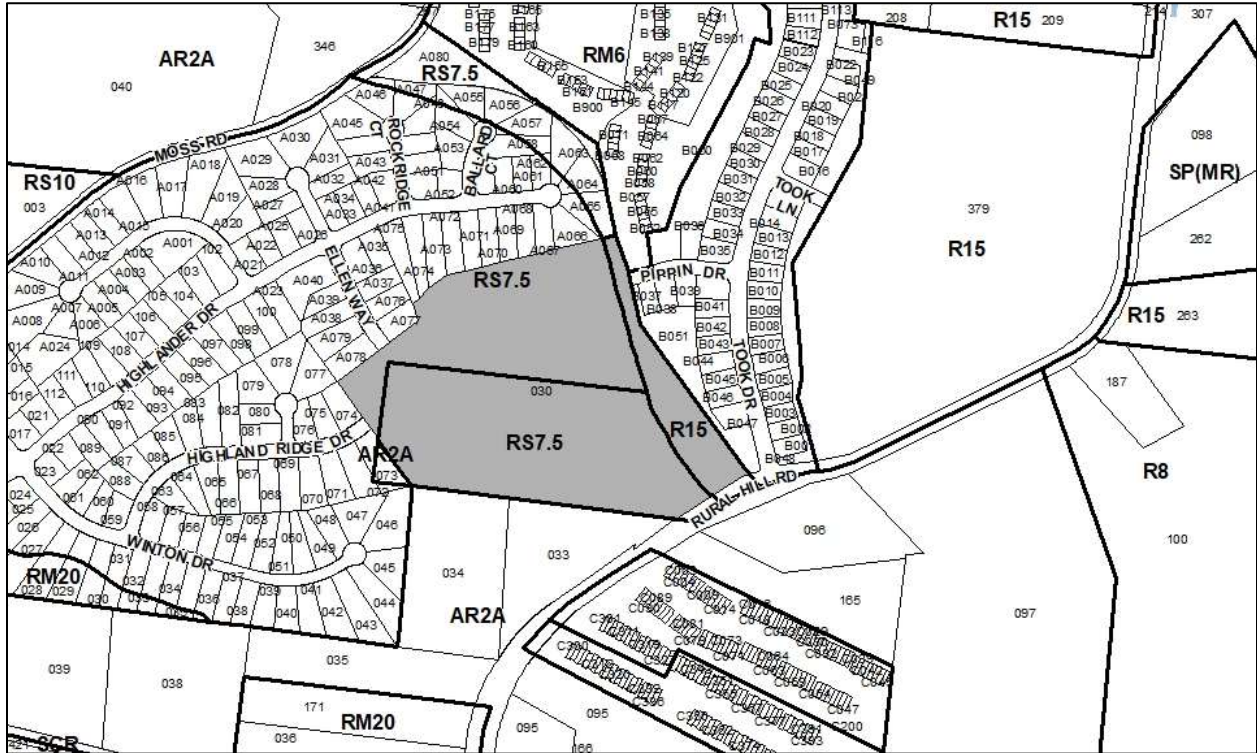
A request for final plat approval to create one lot on property located 7950 Greenbrier Road, approximately 542 feet east of Wilkinson Road, zoned Agricultural/Residential (AR2a) (2.1 acres).

STAFF RECOMMENDATION

Staff recommends indefinite deferral.



Metro Planning Commission Meeting of 6/23/22



2022S-137-001
BELLETERRA
Map 163, Parcel(s) 030
13, Antioch – Priest Lake
28 (Tanaka Vercher)



Metro Planning Commission Meeting of 6/23/22

Item #8	Concept Plan 2022S-137-001
Project Name	Belleterra
Council District	28 – Vercher
School District	06 – Bush
Requested by	Dale and Associates, applicant; M&D Development LLC, owners.
Staff Reviewer	Harrison
Staff Recommendation	<i>Defer to the July 28, 2022, Planning Commission meeting.</i>

APPLICANT REQUEST

Concept plan approval to create 79 lots.

Concept Plan

A request for concept plan approval to create 79 cluster lots and open space on property located at Rural Hill Rd. (unnumbered), approximately 35 feet east of Highland Ridge Dr., zoned One and Two-Family Residential (R15) and Single-Family Residential (RS7.5), and located with a PUD (25.22 acres)

STAFF RECOMMENDATION

Staff recommends deferral to the July 28, 2022, Planning Commission.



NO SKETCH



Metro Planning Commission Meeting of 6/23/22

Item #9	Text Amendment 2022Z-008TX-001
Project Name	Minimum Depth for Residential Garages
Council Bill No.	BL2022-1271
Council District	Countywide
School District	Countywide
Requested by	Councilmember Joy Styles
Staff Reviewer	Shane
Staff Recommendation	<i>Approve with a substitute.</i>

APPLICANT REQUEST

Amend the Zoning Code to establish a minimum depth for residential garages.

PROPOSED AMENDMENTS TO TITLE 17

The bill as filed would amend Section 17.20.030 of the Zoning Code to require all residential garages to have an interior clear floor area with a minimum depth of 23 feet and all side-by-side two-car garages to also have a minimum width of 20 feet.

These proposed changes of the bill as filed are shown below:

Section 1. That 17.20.030 of the Metropolitan Code is hereby amended by creating a new subsection I as follows:

I. Residential Garages. For single-family and two-family residential uses, all garages shall have an interior clear floor area with a minimum depth of 23 feet as measured from the vehicular entry of the garage to the opposite parallel wall. Side-by-side two car garages shall have an interior clear floor area with a minimum width of 20 feet and a minimum depth of 23 feet.

BACKGROUND

The Zoning Code currently has no standards regulating the depth and width of garages. Orientation of garages is regulated by the design guidelines of the Contextual Overlay District (Section 17.36.470D), but sizing requirements are not handled there or elsewhere in the ordinance. In consequence, garages are sometimes not sufficiently deep or wide enough to accommodate larger vehicles.

ANALYSIS

The bill as filed and the substitute bill provide minimum dimensional requirements for residential garages. Currently some larger vehicles are not easily accommodated by the standard garage size (generally 20 feet deep for most garages with a width of 20 feet for two-car garages). The proposed text amendment standardizes residential garage size by providing a minimum depth for all garages and a minimum width for two-car garages. The amendments propose a minimum depth of 23 feet measured from the vehicular entry of the garage to the opposite parallel wall for all garages and a minimum width of 20 feet for side-by-side two-car garages in addition to the minimum depth requirement. Many new residential developments are meeting part of their required on-site parking spaces with attached garages. The standardization of garage



Metro Planning Commission Meeting of 6/23/22

size across Metropolitan Nashville and Davidson County will ensure that these garages are providing a minimum reasonable level of vehicle storage capability. This will ensure that new homeowners and residents with larger vehicles are not left with unworkable parking situations. For these reasons, planning staff recommends approval of the proposed text amendment with a substitute to relocate the proposed regulations to a different section of the Code where there are currently dimensional requirements.

ZONING ADMINISTRATOR RECOMMENDATION

No exception taken.

FISCAL IMPACT RECOMMENDATION

The Codes Department anticipates the proposed amendment to be revenue neutral.

STAFF RECOMMENDATION

Staff recommends approval of the proposed change to Title 17 with a substitute.

SUBSTITUTE ORDINANCE NO. BL2022-1271

An ordinance amending Section ~~17.20.030~~–17.20.060 of the Metropolitan Code, Zoning Regulations to establish a minimum depth for residential garages (Proposal No. 2022Z-008TX-001).

BE IT ENACTED BY THE METROPOLITAN COUNCIL OF NASHVILLE & DAVIDSON COUNTY:

Section 1. That ~~17.20.030~~-17.20.060 of the Metropolitan Code is hereby amended by ~~creating a new subsection I as follows deleting subsection D and replacing it with the following:~~

~~I. Residential Garages. For single family and two family residential uses, all garages shall have an interior clear floor area with a minimum depth of 23 feet as measured from the vehicular entry of the garage to the opposite parallel wall. Side by side two car garages shall have an interior clear floor area with a minimum width of 20 feet and a minimum depth of 23 feet.~~

D. Residential Parking. Required parking spaces for a single-family or two-family dwelling unit shall be a minimum of eight feet wide and twenty feet long. Required parking spaces may be placed end to end. If provided, all garages shall have an interior clear floor area with a minimum depth of 23 feet as measured from the vehicular entry of the garage to the opposite parallel wall. Side-by-side two car garages shall have an interior clear floor area with a minimum width of 20 feet and a minimum depth of 23 feet. Garage doors opening toward a public street shall be a minimum of twenty feet from the property line. Within the urban zoning overlay district, no off-street parking area or loading area shall be located within any required street setback area, unless it is located on a driveway in accordance with Section 17.20.060G.

Section 2. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.



Metro Planning Commission Meeting of 6/23/22

Section 3. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.



NO SKETCH



Metro Planning Commission Meeting of 6/23/22

Item No.#10	Text Amendment 2022Z-009TX-001
Project Name	Contextual Setback Amendment
Council Bill No.	BL2022-1270
Council District	Countywide
School District	Countywide
Requested by	Councilmember Russ Pulley
Staff Reviewer	Lewis
Staff Recommendation	<i>Approve.</i>

APPLICANT REQUEST

Amend the Zoning Code to modify the standards related to contextual street setbacks.

PROPOSED AMENDMENTS TO TITLE 17

The proposed text amendment would modify Section 17.12.030, Street Setbacks regarding the limit to contextual setbacks.

Section 1. That Section 17.12.030 of the Metropolitan Code of Laws is hereby amended by deleting subsection C.3 and replacing it with the following section below. The text shown in strike through to be removed.

C. Street Setbacks

3. In residential areas with an established development pattern, the minimum required street setbacks for the R and R-A, RS and RS-A and MHP districts shall be the average setback, ~~up to a maximum of three times the standard setback provided in Table 17.12.030A,~~ of the four nearest single-family or two-family houses on the same block face that are oriented to the same street and that follow the established development pattern. When there are less than four single-family or two-family houses on the same block face that are oriented to the same street and that follow the established development pattern, then the minimum required street setback shall be the average setback of all single-family or two-family houses on the same block face that are oriented to the same street and that follow the established development pattern. When there are no other single-family or two-family houses on the same block face, oriented to the same street and that follow the established development pattern, then the value provided in Table 17.12.030A shall determine the setback. In the MUN and MUL districts, the average street setback of existing structures along the same block face may be applied to new construction on that block, if determined appropriate by the zoning administrator to maintain or reinforce an established form of character of development.

BACKGROUND

A 2014 text amendment, BL2014-725, increased the standard from two times the setback in the table to three times the setback as a maximum for the contextual setback not to exceed.

ANALYSIS

Section 17.12.030 of the Metro Code outlines the minimum requirements for street setbacks. The minimum setback for one and two-family structures from an adjacent street is outlined in Table



Metro Planning Commission Meeting of 6/23/22

17.12.030.A., according to the zoning of the property and the classification of the street. However, when there is an established development pattern along the street, a contextual setback standard is used, according to Section 17.12.030.C.3. In the R, R-A, RS, RS-A, and Mobile Home Park (MHP) zoning districts, the contextual setback is determined by calculating the average setback of the four nearest single-family or two-family houses on the same block face oriented to the same street and follow the established development pattern.

In the current code, the contextual street setback requirement shall not be greater than three times the street setbacks provided in Table 17.12.030.A. For example, a property in the RS30 (Single Family Residential) zoning district along a local street would have a setback of 30 feet, unless there was an existing development pattern on the street, in which case the contextual setback would be calculated by taking the average of the surrounding setbacks along the street. If the contextual setback were to exceed 90 feet, or three times the 30 feet as required by Table 17.12.030.A., the minimum of 90 feet for the street setback would be required.

The proposed amendment would remove the requirement that the contextual street setback shall not exceed three times the setbacks in Table 17.12.030.A. Instead, for setbacks in R, R-A, RS, RS-A, and MHP zoning districts, along streets with an established development pattern, the contextual setback would apply.

In the instance where an individual is requesting an alternative building setback from the code due to existing hardships or unique property characteristics, variances to the code may be permitted by the Board of Zoning Appeals. As the proposed text amendment would keep the provision for contextual setbacks in established neighborhood, while still offering an opportunity for a variance in unique conditions, staff recommends approval of the requested text amendment.

ZONING ADMINISTRATOR RECOMMENDATION

No exception taken.

FISCAL IMPACT RECOMMENDATION

The Metro Codes Department will implement this section of the Zoning Code at the time of permit review as is their current practice. The Codes Department anticipates the proposed amendment to be revenue neutral.

STAFF RECOMMENDATION

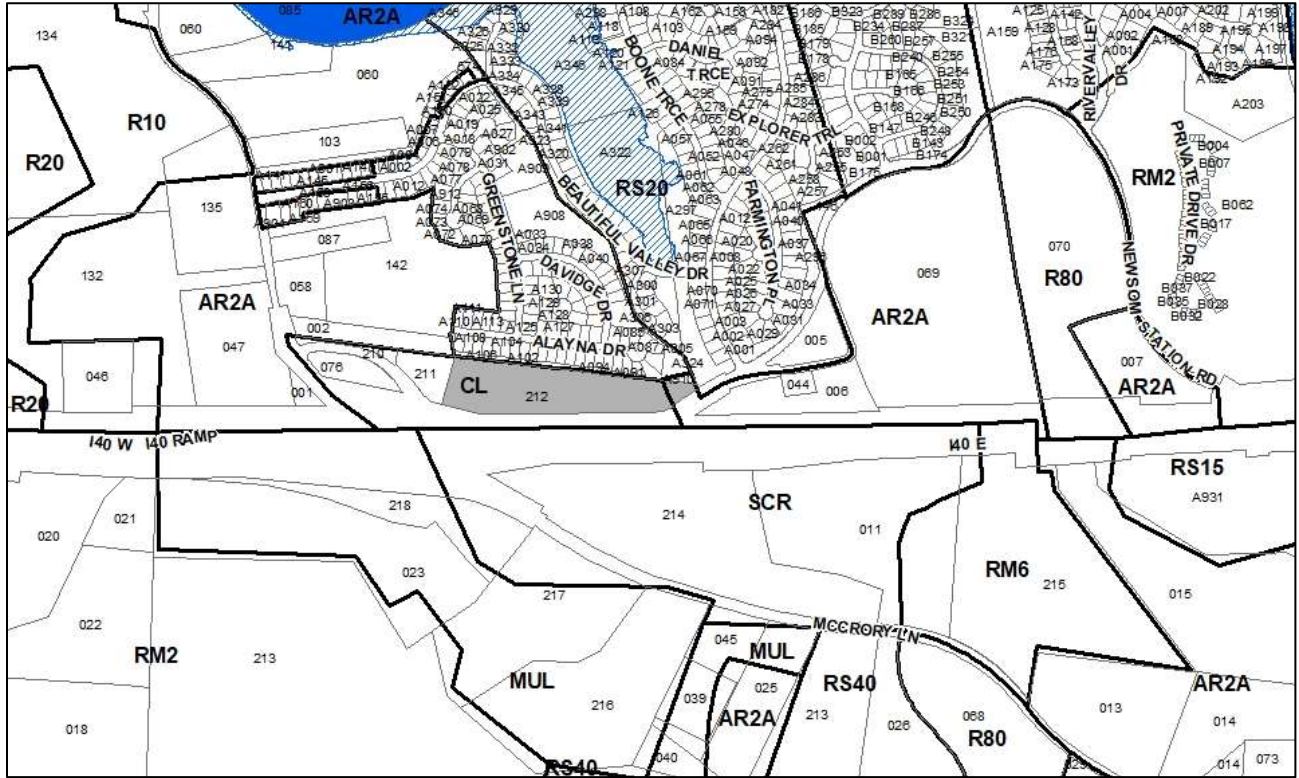
Staff recommends approval.



SEE NEXT PAGE



Metro Planning Commission Meeting of 6/23/22



2022SP-016-001
NEWSOM PLACE
Map 140, Parcel(s) 212
06, Bellevue
35 (Dave Rosenberg)



Metro Planning Commission Meeting of 6/23/22

Item #11a	Specific Plan 2022SP-016-001
Project Name	Newsom Place
Associated Case	84-85P-005
Council District	35 - Rosenberg
School District	09 – Tylor
Requested by	Dale & Associates, applicant; Branstetter Legacy Partners, LLC, owner.

Deferrals This item was deferred at the March 24, 2022, April 14, 2022, May 12, 2022, May 26, 2022, and June 9, 2022, Planning Commission meetings. No public hearing was held.

Staff Reviewer Elliott
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 Agricultural/Residential (AR2a) and Commercial Limited (CL) to Specific Plan (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.

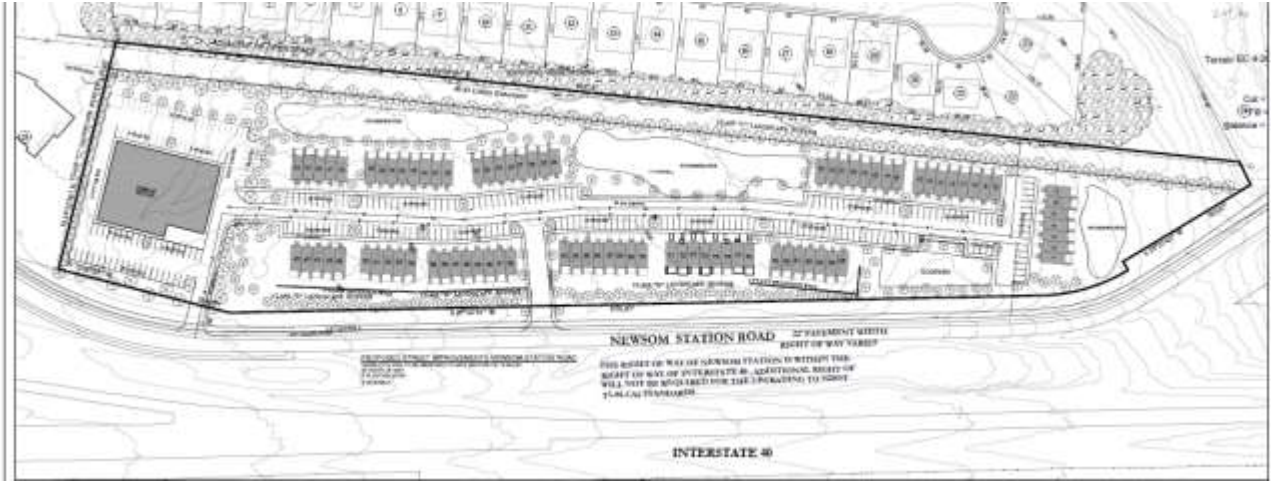
Existing Zoning
Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural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

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

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



Metro Planning Commission Meeting of 6/23/22



Proposed Site Plan





Metro Planning Commission Meeting of 6/23/22

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 non-residential uses.

BELLEVUE 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 they have already been disturbed. The Conservation policy here reflects stream features and steep slopes.

EXISTING PUD ENTITLEMENTS

The subject site is within the Biltmore PUD (84-85P) and was approved to permit a commercial strip-center with surface parking in front of the buildings. The remainder of the PUD is primarily south of I-40 and permits a variety of residential and non-residential uses. The associated case 84-85P-005 proposes to cancel the portion of the PUD applied to the subject property.

SITE CONTEXT AND PLAN DETAILS

The site is approximately 10.51 acres and has frontage onto Newsom Station Road which is classified as a Collector Avenue in the Major and Collector Street Plan. The site is currently vacant with some environmental features on the site including steep slopes and stream features. The site has a 40' wide utility easement spanning the entire rear property boundary. The area surrounding the site is primarily residential land use with some non-residential land uses nearby on Newsom Station Road.

Site Plan

The plan proposes a two-phase mixed-use development. The first phase includes 85 multi-family units in the form of attached townhomes that draw access from a private drive with surface parking for the units. The plan includes landscape buffers along the rear property line adjacent to the existing residential units that front onto Alayna Drive and the plan also includes a landscape buffer along Newsom Station Road to buffer the rear of the units along with retaining walls from the public right-of-way. The townhouses provide pedestrian connections to a private sidewalk network. Also included with the townhomes is a dog park amenity feature.



Metro Planning Commission Meeting of 6/23/22

The second phase of the development includes a 18,000 square foot retail building with surface parking in front of the building and behind it. This building is proposed to be buffered from the adjacent site with a landscape buffer. In total, two access points are proposed onto Newsom Station Road.

The plan proposes to improve Newsom Station Road to the Major and Collector Street Plan planned conditions. Additionally, NDOT is conditioning that the sidewalk on Newsom Station Road be extended along the roadway until it intersects with Settlers Way.

ANALYSIS

The proposed specific plan is consistent with the intent of the T3 CC policy by providing mixed-use developments that include commercial services that can serve the surrounding community. The buildings are designed with an appropriate suburban pattern and the site plan is consistent with the intent to provide a highly connected network of sidewalks. The plan includes appropriate landscape buffers, consistent with the policy guidance. Staff finds the proposed Specific Plan to be consistent with the applicable policy guidance and appropriate given the context of the surrounding area.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Not applicable

- Harpeth Valley Water and Sewer Utility District.

HARPETH VALLEY WATER AND SEWER UTILITY DISTRICT

- A Letter of Availability, dated June 3, 2022, has been provided from the Harpeth Valley Water and Sewer Utility District confirming the availability of both water and wastewater service to this property.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, on final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Dimension ROW pavement widths for clarity. Call out (hatch any ROW



Metro Planning Commission Meeting of 6/23/22

dedications). Show waste management plan for site. Add Note: A private hauler will be required for waste/recycle disposal.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Development shall park per metro code.
- At Final, submit a stamped sight distance exhibit per AASHTO requirements for SSD & ISD at both access points.
- The applicant has submitted a Form C TIS waiver to NDOT for preliminary SP approval, with the condition that the applicant will construct a sidewalk connection from the eastern edge of the property to the intersection of Settlers Way and Newsome Station Rd (Boone Trace Subdivision), or an improvement/contribution determined by NDOT. Metro's current cost of construction for sidewalks is approximately \$186/linear foot and the distance to the Settlers Way intersection is roughly 330 ft, based on our measurements, totaling roughly \$61,400. However, there is an existing box culvert that would need to be crossed on Newsome Station Rd for this sidewalk connection to happen, which may not be accounted for in the estimate. If NDOT determines that the connection cannot be made at the time of Final SP/Building Permits, then an improvement/contribution of equal value will be presented.

Maximum Uses in Existing Zoning District: CL

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	10.51	0.6 F	274,689 SF	10,370	258	1,046

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)	10.51	-	85 U	462	30	38

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	10.51	-	18,000 SF	680	16	69

Traffic changes between maximum: CL and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-9,228	-212	-939



Metro Planning Commission Meeting of 6/23/22

METRO SCHOOL BOARD REPORT

Projected student generation existing CL and AR2a district: 0 Elementary 0 Middle 0 High
Projected student generation proposed SP-MU district: 3 Elementary 2 Middle 2 High

The proposed SP zoning is expected to generate 7 more students than the existing CL and AR2a zoning. Students would attend Gower Elementary School, H.G. Hill Middle School, and Hillwood High School. Gower Elementary School and Hillwood High School are identified as having additional capacity. H.G. Hill Middle School is identified as being over capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

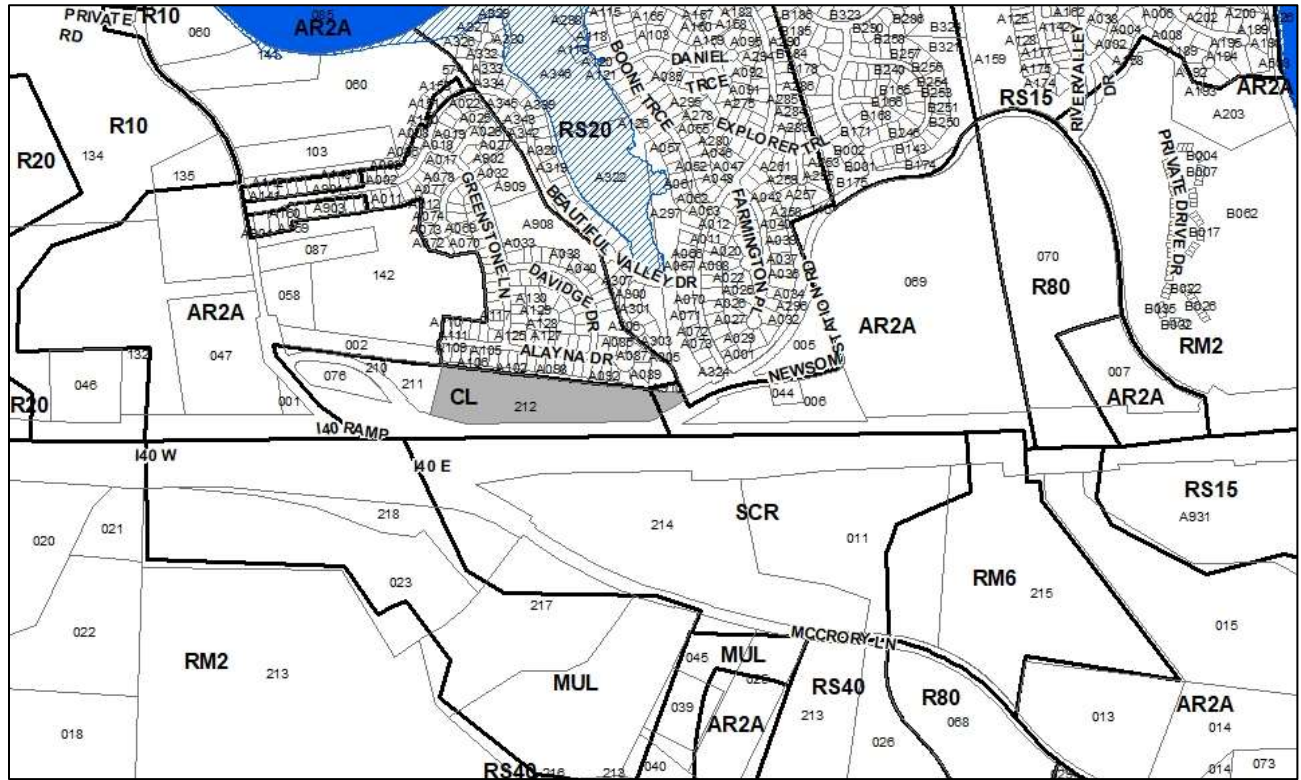
1. Permitted uses shall be limited to a maximum of 85 multi-family residential units and 18,000 square feet of non-residential use as permitted by the MUN zoning district. Short term rental properties- owner occupied and not-owner occupied, Alternative Financial Services, Automobile Parking, Bar or Nightclub, Beer and Cigarette Market, Distributive Business/Wholesale, and Warehouse shall be prohibited across the entirety of the site.
2. The proposed landscape buffer along Newsom Station Road shall be a Type C landscape buffer per the Metro Zoning Code.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RM40-A zoning district as of the date of the applicable request or application.
6. The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



SEE NEXT PAGE



Metro Planning Commission Meeting of 6/23/22



84-85P-005
BILTMORE PUD (CANCELATION)
Map 140, Parcel(s) 212
06, Bellevue
35 (Rosenberg)



Metro Planning Commission Meeting of 6/23/22

Project #11b	Planned Unit Development 84-85P-005
Project Name	Biltmore PUD (Cancelation)
Associated Case	2022SP-016-001
Council District	35 – Rosenberg
School District	09 - Tylor
Requested by	Dale & Associates, applicant; Branstetter Legacy Partners, LLC, owner.
Staff Reviewer	Elliott
Staff Recommendation	<i>Approve subject to the approval of the associated zone change and disapprove if the associated zone change is not approved.</i>

APPLICANT REQUEST

Cancel PUD.

PUD Cancelation

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 Agricultural/Residential (AR2a) and Commercial Limited (CL).

Existing Zoning

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

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

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

BELLEVUE 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,



Metro Planning Commission Meeting of 6/23/22

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 they have already been disturbed. The Conservation policy here reflects stream features and steep slopes.

ANALYSIS

The preliminary PUD plan was approved in 1985 for a commercial strip center type development on this site. The cancellation of the PUD would permit the development of the site consistent with the associated case, 2022SP-016-001.

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve

TRAFFIC & PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve

STAFF RECOMMENDATION

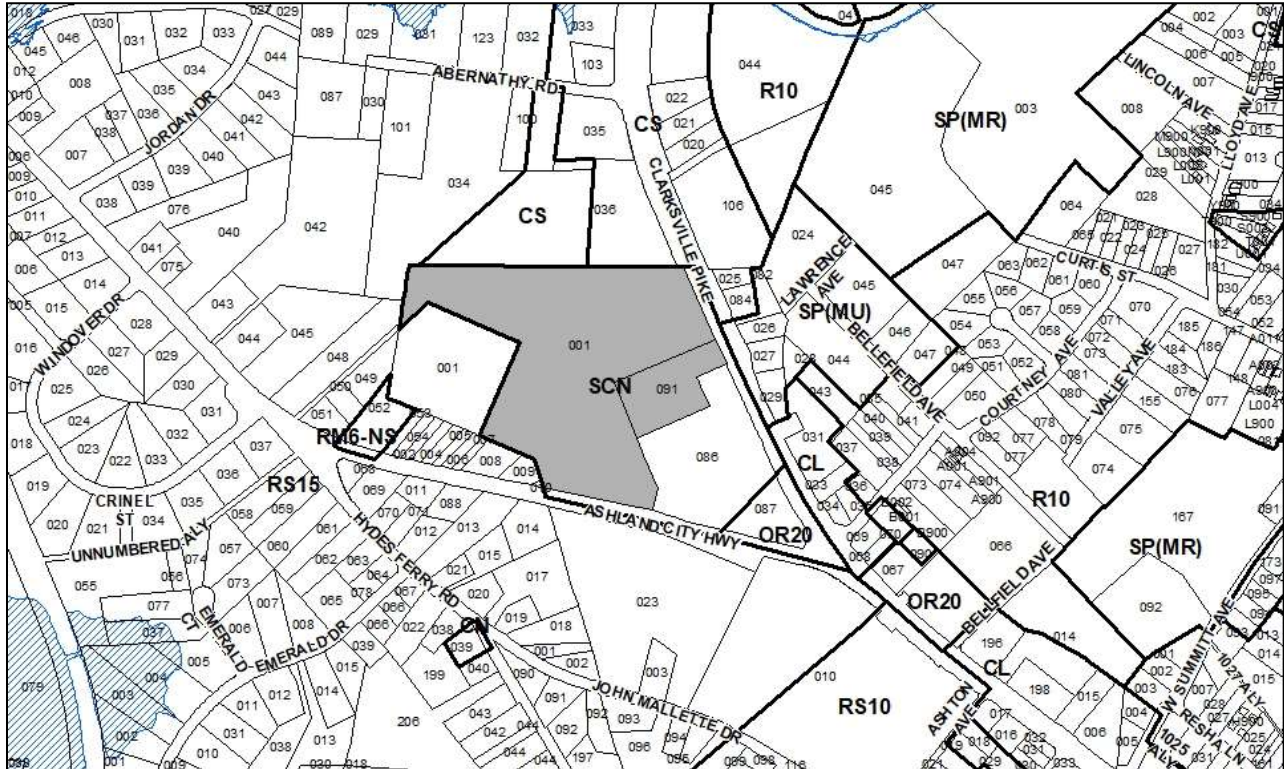
Staff recommends approval subject to the approval of the associated zone change and disapproval if the associated zone change is not approved.



SEE NEXT PAGE



Metro Planning Commission Meeting of 6/23/22



2022SP-028-001

ASHLAND AND CLARKSVILLE PIKE

Map 069-12 Parcel(s) 001, 091

03, Bordeaux-Whites Creek-Haynes Trinity

02 (Kyonzté Toombs)



Metro Planning Commission Meeting of 6/23/22

Item #12a	Specific Plan 2022SP-028-001
Project Name	Ashland and Clarksville Pike
Associated Cases	35-87P-001 & 99-76P-001
Council District	2 – Toombs
School District	1 – Gentry
Requested by	Smith Gee Studio, applicant; Eugene Carroll Wheeler and Eugene Joseph Wheeler, owners.
Staff Reviewer	Rickoff
Staff Recommendation	<i>Approve with conditions and disapprove without all conditions.</i>

APPLICANT REQUEST

Preliminary SP to permit a mixed use development.

Zone Change

A request to rezone from Shopping Center Neighborhood (SCN) to Specific Plan (SP) zoning for properties located at Ashland City Highway (unnumbered) and Clarksville Pike (unnumbered), approximately 800 feet south of Abernathy Road, located within the Planned Unit Development Overlay and Corridor Design Overlay districts, to permit a mixed-use development (20.65 acres).

Existing Zoning

Shopping Center Neighborhood (SCN) is intended for a limited range of retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of Title 17. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. *This site is located within two non-residential PUDs (35-87P-001 & portion of 99-76P-001). Permitted uses are limited to approved uses of the PUDs.*

Corridor Design Overlay (CDO) provides appropriate design standards for commercial, office, and mixed use development along corridors necessary to provide incremental improvements to the esthetics of Nashville’s commercial district and corridors. Application of this overlay district shall be limited to areas requiring transitional standards.



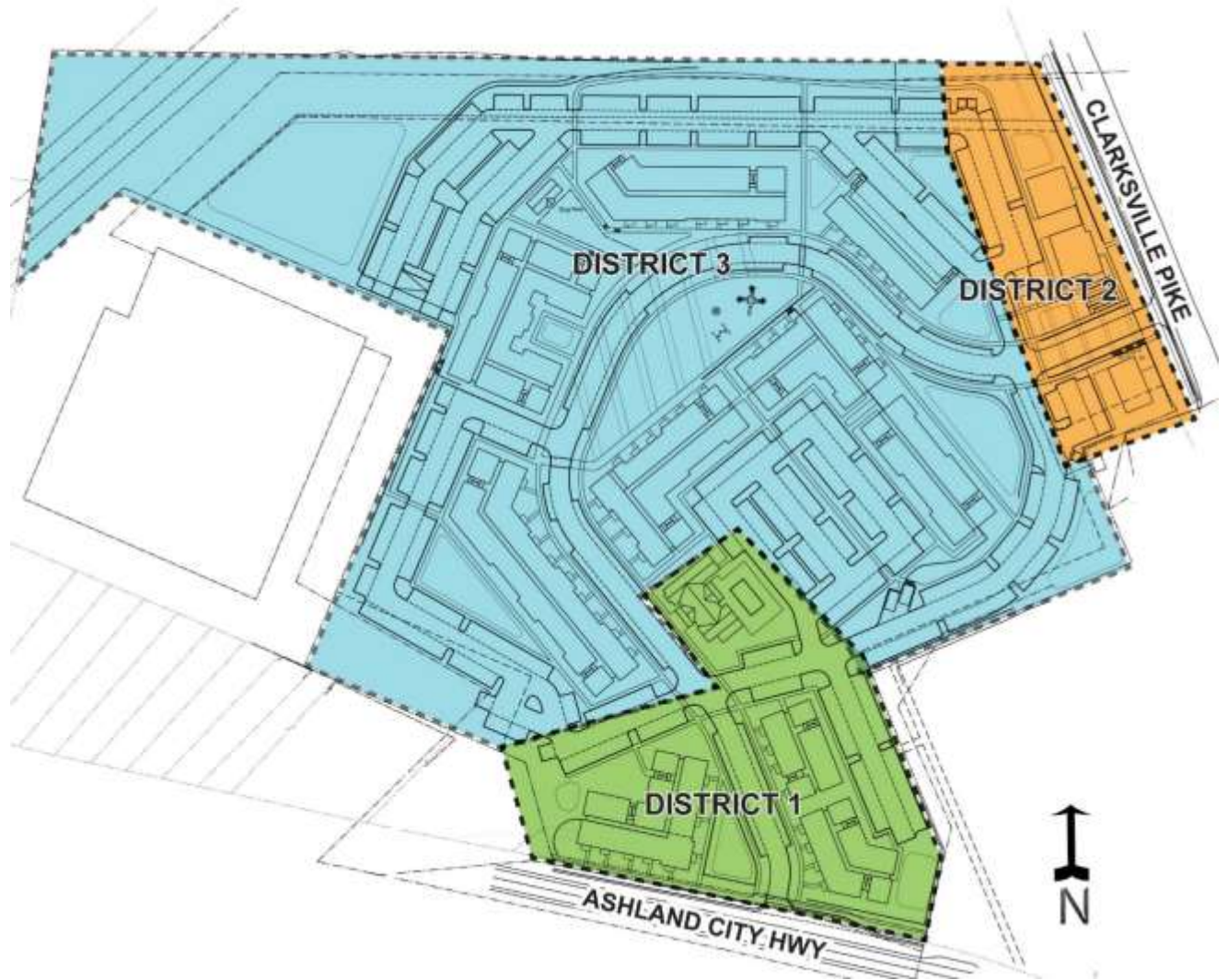
Metro Planning Commission Meeting of 6/23/22



Proposed Site Plan



Metro Planning Commission Meeting of 6/23/22



Proposed District Plan



Metro Planning Commission Meeting of 6/23/22

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 20.65-acre site includes two parcels located just north of the intersection of Clarksville Pike and Ashland City Highway, identified as arterial-boulevards on the Major and Collector Street Plan (MCSP). The larger 18.2-acre parcel comprises most of the site, with frontage along the west side of Clarksville Pike and the east side of Ashland City Highway. The smaller 2.47-acre parcel is located directly to the south and fronts Clarksville Pike. Both parcels are vacant and contain heavy tree canopy. In general, the natural elevation of the site is highest at the center, sloping down towards Clarksville Pike, Ashland City Highway, and the northern property line. An existing NES easement spans the majority of the northern property line, bisected at the northwest corner by TVA lines and a TVA easement. A second NES easement is located near the southwest corner of the site.

The surrounding area includes a mixture of land uses, with primarily residential uses to the west, outside of an NES substation located adjacent to the northwest corner of the site. Nonresidential uses are located immediately to the south, transitioning to residential and institutional uses south of Ashland City Highway. The Northwest YMCA is located on the south side of Ashland City Highway, opposite the site. To the east, nonresidential uses frame Clarksville Pike but quickly transition to residential development behind the corridor. The Clarksville Pike Mixed Use preliminary SP, case 2019SP-066-001, was approved with residential and nonresidential uses directly across from this site, on the east side of Clarksville Pike.

Site Plan

The SP proposes a mixed use development with non-residential uses and a maximum of 460 multi-family residential units. Non-residential uses are limited to all uses of MUL-A zoning, except for the following uses which shall be prohibited: Short Term Rental Property (STRP) – owner occupied and not-owner occupied, Alternative Financial Services, and Beer and Cigarette Market. The maximum non-residential square footage is proposed to be 30,000 square feet.

The SP includes a district plan with three districts (Districts 1, 2, and 3). Development standards proposed amongst the three districts are consistent, with the exception of maximum height and limitations on non-residential uses. District 1, which is located on the southwestern portion and includes frontage along Ashland City Highway, and District 3, which is located interior to the site, are proposed with a mix of three- and four-story buildings, with maximum heights of four stories in 60 feet. District 2, which spans the Clarksville Pike frontage, is proposed with a maximum height of three stories in 55 feet. Non-residential uses are limited to Districts 1 and 2 only; the maximum non-residential square footage allotted to District 1 is 10,000 SF and the maximum allotted to District 2 is 20,000 SF. District 3 will include residential uses only.

The site plan proposes several buildings anchored along a central private drive that traverses the site, connecting from Ashland City Highway to Clarksville Pike. The proposed access to



Metro Planning Commission Meeting of 6/23/22

Clarksville Pike aligns with the public road connection proposed on the east side of Clarksville Pike, in the Clarksville Pike Mixed Use SP, which is currently under final SP review. The central drive includes sidewalks on either side, connecting to a “central green” open space that comprises approximately 30,000 square feet. The central green is located near the highest elevation point on site, situated amongst several multi-family buildings near the center of the site. Buildings L, M, and N are located east of the central green, in District 2, and are proposed with non-residential uses that line Clarksville Pike. These buildings include pedestrian plazas that wrap the corners and connect to the interior sidewalk network along the primary drive. Several retaining walls are proposed along the corridor and wrapping the eastern portion of the primary drive nearest the nonresidential buildings in District 2 (L, M, N) and several multi-family residential buildings in District 3 to account for the approximate 58-foot grade change from the center of the site towards Clarksville Pike. Multiple residential buildings in District 3 (E, F, I, J, G) are proposed as 3/4 splits to account for the change in elevation. Building G, located behind Buildings L and M, is proposed as a 3/4 split building that includes tuck-under parking on the exterior facing façade, oriented towards Clarksville Pike. The remaining split-level buildings are surface parked. On the opposite side of the site, along Ashland City Highway, District 1 includes buildings that frame the corridor and the primary drive. There is approximately 32 feet of grade change from the center of the site to Ashland City Highway, where retaining walls are proposed to account for the change in elevation. Building A is proposed as a 3/4 split, with the 4th level located along the corridor and the 3rd level at the rear. An amenity building is also included in District 1.

The central drive is proposed with parallel spaces, a planting strip, and sidewalks that connect directly to the pedestrian entries on a majority of the buildings. Several secondary drives feed off of the central drive, leading to the surface parking areas and areas reserved for dumpster/recycling containers. Clarksville Pike and Ashland City Highway will be improved per the Major and Collector Street Plan (MCSP) requirements. Additional areas of right-of-way dedication will be provided consistent with TDOT roadway plans. The public sidewalks along the corridors will connect to the internal sidewalk network, where additional open space and pedestrian connections are interspersed throughout the site. One example is a proposed sidewalk that extends from the non-residential pedestrian plazas along Clarksville Pike to the north, continuing west through the NES easement and tying back in near the central green. No direct vehicular access is proposed from Clarksville Pike to the non-residential buildings fronting the corridor.

The maximum height is proposed to be 3 stories in 55 feet for District 2. Maximum heights in Districts 1 and 3 are proposed to be 3 stories in 55 feet, with the exception of Building A (District 1), and Buildings E, F, I, J, and G (District 3), where heights are proposed at a maximum of 4 stories in 60 feet. Architectural standards, including raised foundations and glazing, are included in the plan. The proposal is also subject to the Clarksville Pike CDO standards, which include additional material requirements per the Metro Zoning Ordinance.

BORDEAUX-WHITES CREEK-HAYNES TRINITY COMMUNITY PLAN

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



Metro Planning Commission Meeting of 6/23/22

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

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

ANALYSIS

The proposed SP is generally consistent with the goals of the T3 CM policy, which is intended to enhance prominent corridors with residential and non-residential development appropriate for suburban areas. The site is located near the intersection of two arterial boulevards, Clarksville Pike and Ashland City Highway, where it would be appropriate to redevelop a larger, underutilized site with a mixture of uses meant to serve and enhance the surrounding area.

The site is uniquely situated where the natural grade crests at the center, sloping down towards Ashland City Highway, Clarksville Pike, and the northern property line. To account for the steep grade change along Clarksville Pike, several tall retaining walls are proposed to run flush with the future right-of-way and along the private drive to create a flat base around the proposed non-residential buildings. Access to the non-residential plazas is provided from the public sidewalk to the private drive, where stairs and a switch back ramp system are provided within the internal sidewalk network, connecting to the non-residential buildings which sit elevated above Clarksville Pike. Staff is concerned about the impact of tall walls and higher finished floor elevations at the pedestrian realm but also understands challenges created by the naturally steep topography, which becomes more pronounced towards the edges, along the corridors. Staff recommends a detailed landscape plan be provided with the final SP that demonstrates supplemental screening in areas where external-facing walls are taller at the pedestrian realm. Building G, which is located behind the non-residential buildings, includes a fourth level with tuck under parking that faces Clarksville Pike. Portions of this façade will be partially screened by Buildings L and M but given that the footprint of Building G is larger and extends beyond these buildings, staff recommends additional landscape screening be provided to reduce visibility of this façade from the corridor.

As conditioned, staff finds the proposed plan to be consistent with the goals of the T3 CM policy areas. The maximum heights may be slightly taller than the three-story maximum recommended by the policy, but the slight increase in height is appropriate in this case due to the topography and the site's location along two prominent corridors. The plan provides a central open space amenity and a connected pedestrian network that extends to the public sidewalks, enhancing the pedestrian experience.



Metro Planning Commission Meeting of 6/23/22

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

- Provide approved construction drawings prior to Final Site Plan Approval
- After the construction drawings are approved, then show the Stormwater features to the plat (water quality, etc.).

WATER SERVICES RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, on final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Note: A private hauler will be required for waste/recycle disposal.
- Prior to final, TDOT approval will be required for the proposed construction of building footprints and retaining walls within TDOT ROW slope easements. (cont.) Submit TDOT letter of approval to NDOT. If TDOT does not approve, some building and wall locations will have to be modified.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Coordinate with NDOT on off-site bikeway and sidewalk improvements with Final SP submittal.
- Coordinate with WeGo to upgrade and improve bus stops on Clarksville Pike with Final SP submittal.
- Ensure sidewalk and left turn lane on Clarksville Pike (north of Ashland City Hwy) are constructed and striped in with TDOT improvements.



Metro Planning Commission Meeting of 6/23/22

Maximum Uses in Existing Zoning District: SCN

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	20.65	0.25 F	224,879 SF	8,489	211	857

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)	20.65	-	460 U	2,505	153	192

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)	20.65	-	15,000 SF	566	14	57

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)	20.65	-	15,000 SF	1,683	149	147

Traffic changes between maximum: SCN and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-3,735	-105	-461

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed SP district: 77 Elementary 37 Middle 30 High

The proposed SP zoning district is expected to generate 144 additional students than what is typically generated under the existing SCN zoning district. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. All schools have 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 as follows: 460 multi-family residential units across the entire project; nonresidential uses are limited to District 1 and District 2 only and shall be per MUL-A zoning. Total maximum square footage of nonresidential uses shall be limited to 30,000 square feet. Short Term Rental Property (STRP) – owner occupied and not-owner



Metro Planning Commission Meeting of 6/23/22

- occupied, Alternative Financial Services, and Beer and Cigarette Market uses are prohibited in all districts.
2. Maximum building heights for non-split-level buildings shall be limited to three stories in 55 feet. Maximum building heights for split-level buildings (A, E, F, I, J, G) shall be limited to four stories in 60 feet.
 3. On the corrected copy, update the language of Architectural Standards Note #2: Building facades fronting a public street or private drive shall provide a minimum of one principal entrance (doorway), except for the following: Building J shall provide a minimum of one principal entrance (doorway) for facades fronting open spaces, and Building C shall provide additional pedestrian level interest along the Ashland City Highway façade, if a principal entrance (doorway) is determined to be infeasible due to topography. Final details to be reviewed and approved by staff with the final SP.
 4. On the corrected copy, remove Note #6 from the District Table on the Land Use-Regulations sheet, which currently states: District 2 non-residential uses to remain open landscaped area if the development is phased and the multi-family is built first. Replace with the following language: If multi-family residential portion is developed first, a landscape plan for District 2 shall be included with the final site plan that provides appropriate screening of the buildings from Clarksville Pike.
 5. On the corrected copy, modify the maximum building height language provided in the District Table: xx feet in x stories “to the highest point of the roof”
 6. With the final SP, provide detailed landscape plan that demonstrates supplemental screening in areas where external-facing walls are taller at the pedestrian realm, including along the Clarksville Pike, where feasible.
 7. With the final SP, additional landscape screening shall be provided to reduce visibility of the eastern-facing Building G façade from the corridor.
 8. Building signage, perimeter screening, and building materials are subject to the minimum requirements of the Corridor District Overlay (CDO) standards of the Metro Zoning Ordinance.
 9. In instances where the CDO standards and SP standards conflict, the standards of the SP shall govern.
 10. Changes to the plan to accommodate requirements of NDOT may be required at the final SP.
 11. All private drives, pedestrian access, and open spaces shall be located in public access easements, which shall be included on the final site plan. Prior to building permit approval, provide easement documentation.
 12. Comply with all conditions and requirements of Metro reviewing agencies.
 13. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the preliminary SP for review and approval.
 14. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
 15. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district for Districts 1 and 2, and the RM20 zoning district for District 3, as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.



Metro Planning Commission Meeting of 6/23/22

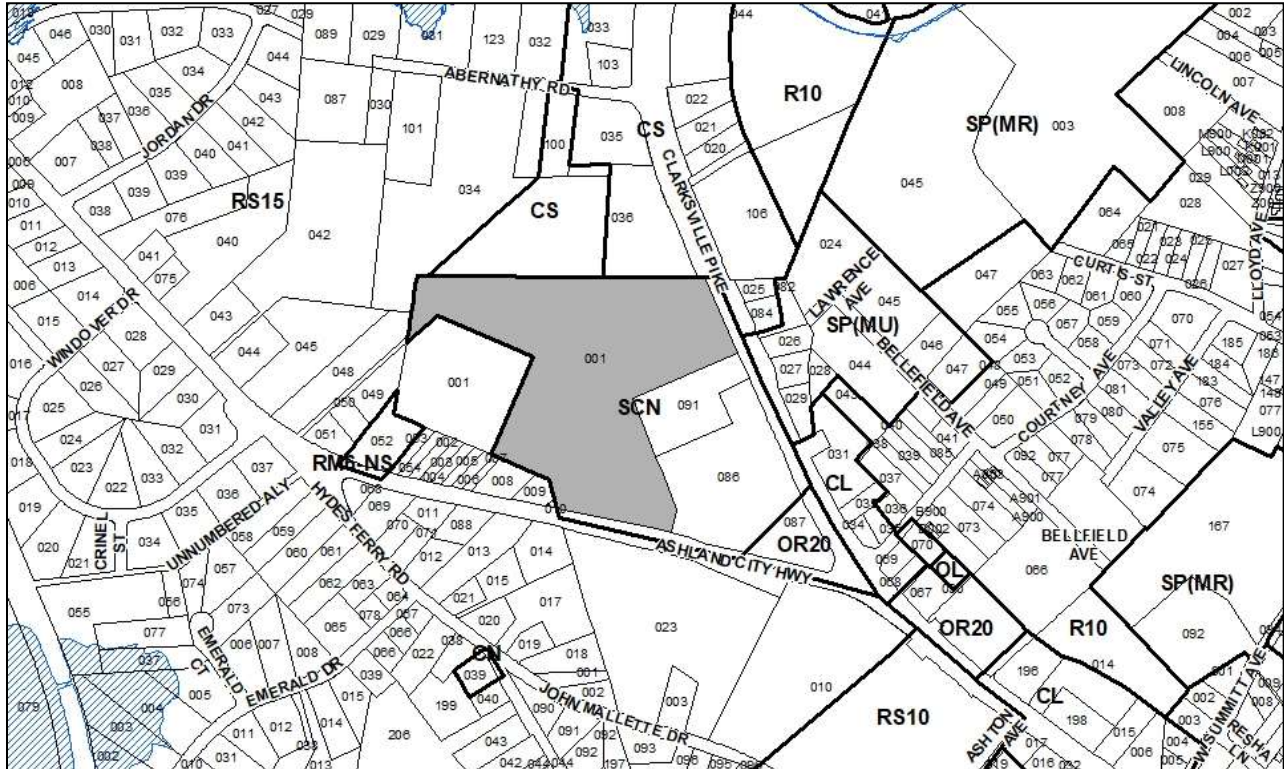
16. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
17. 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.
18. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Property Owners' Association.
19. 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.
20. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any of any building permits.



SEE NEXT PAGE



Metro Planning Commission Meeting of 6/23/22



35-87P-001

NORTHGATE SHOPPING CENTER PUD (CANCELTION)

Map 069-12, Parcel(s) 001

03, Bordeaux-Whites Creek-Haynes Trinity

02 (Kyonzté Toombs)



Metro Planning Commission Meeting of 6/23/22

Item #12b
Project Name

Planned Unit Development 35-87P-001
Northgate Shopping Center PUD
(Cancellation)

Associated Cases
Council District
School District
Requested by

2022SP-028-001 & 99-76P-001
2 – Toombs
1 – Gentry
Smith Gee Studio, applicant; Eugene Carroll Wheeler and Eugene Joseph Wheeler, owners.

Staff Reviewer
Staff Recommendation

Rickoff
Approve if the associated SP is approved and disapprove if the associated SP is not approved.

APPLICANT REQUEST

Cancel a Planned Unit Development.

PUD Cancellation

A request to cancel a Planned Unit Development Overlay District (PUD) for property located at Ashland City Highway, (unnumbered), approximately 800 feet south of Abernathy Road, zoned Shopping Center Neighborhood (SCN) and located within the Corridor Design Overlay District (18.2 acres).

Existing Zoning

Shopping Center Neighborhood (SCN) is intended for a limited range of retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

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

Corridor Design Overlay (CDO) provides appropriate design standards for commercial, office, and mixed use development along corridors necessary to provide incremental improvements to the esthetics of Nashville’s commercial district and corridors. Application of this overlay district shall be limited to areas requiring transitional standards.

BORDEAUX-WHITES CREEK-HAYNES TRINITY COMMUNITY PLAN

T3 Suburban Mixed Use Corridor (T3 CM) is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the



Metro Planning Commission Meeting of 6/23/22

corridor. T3 CM areas are located along pedestrian friendly, prominent arterial-boulevard and collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive, and comfortable access and travel for all users. T3 CM areas provide high access management and are served by highly connected street networks, sidewalks, and existing or planned mass transit.

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

ANALYSIS

The Northgate Shopping Center PUD was adopted by Metro Council in 1987. The preliminary PUD plan was approved with conditions by the Metro Planning Commission to permit a 175,000 square foot commercial facility. The site remains undeveloped.

Staff finds the PUD cancelation request to be consistent with the land use policies. Cancelation of the PUD will allow more opportunities for the property to redevelop in a manner that is consistent with the current T3 Suburban transect, where the land use policies support residential and nonresidential development consistent with suburban development patterns.

STAFF RECOMMENDATION

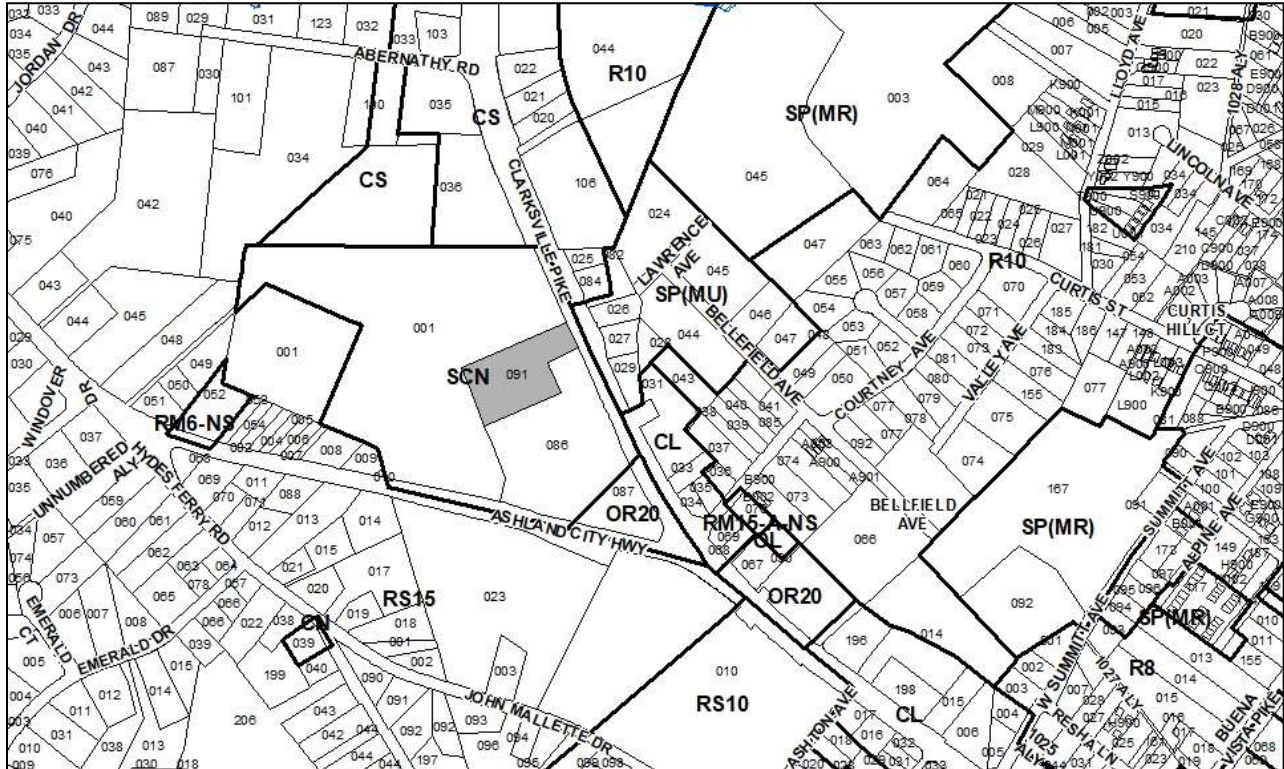
Staff recommends approval if the associated SP is approved and disapproval if the associated SP is not approved.



SEE NEXT PAGE



Metro Planning Commission Meeting of 6/23/22



99-76P-001

NORTHGATE SHOPPING CENTER PUD (CANCELTION)

Map 069-12, Parcel(s) 091

03, Bordeaux-Whites Creek-Haynes Trinity

02 (Kyonzté Toombs)



Metro Planning Commission Meeting of 6/23/22

Item #12c
Project Name

Planned Unit Development 99-76P-001
Northgate Shopping Center PUD
(Cancellation)

Associated Cases
Council District
School District
Requested by

2022SP-028-001 & 35-87P-001
2 – Toombs
1 – Gentry
Smith Gee Studio, applicant; Eugene Carroll Wheeler and Eugene Joseph Wheeler, owners.

Staff Reviewer
Staff Recommendation

Rickoff
Approve if the associated SP is approved and disapprove if the associated SP is not approved.

APPLICANT REQUEST

Cancel a portion of a Planned Unit Development.

PUD Cancellation

A request to cancel a portion of a Planned Unit Development Overlay District for property located at Clarksville Pike (unnumbered), approximately 1,175 feet south of Abernathy Road, zoned Shopping Center Neighborhood (SCN) and located within the Corridor Design Overlay District (2.47 acres).

Existing Zoning

Shopping Center Neighborhood (SCN) is intended for a limited range of retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

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

Corridor Design Overlay (CDO) provides appropriate design standards for commercial, office, and mixed use development along corridors necessary to provide incremental improvements to the esthetics of Nashville’s commercial district and corridors. Application of this overlay district shall be limited to areas requiring transitional standards.

BORDEAUX-WHITES CREEK-HAYNES TRINITY COMMUNITY PLAN

T3 Suburban Mixed Use Corridor (T3 CM) is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the



Metro Planning Commission Meeting of 6/23/22

corridor. T3 CM areas are located along pedestrian friendly, prominent arterial-boulevard and collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive, and comfortable access and travel for all users. T3 CM areas provide high access management and are served by highly connected street networks, sidewalks, and existing or planned mass transit.

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

ANALYSIS

The Northgate Shopping Center PUD was adopted by Metro Council in 1976 at the subject site and an adjacent parcel to the south (086). The final site plan was approved by the MPC in 1976 to permit a 79,620 square foot shopping center in two phases. The first phase has since developed on the adjacent parcel (086). The second phase, approved at the subject site, never developed. The site remains vacant. This request is to cancel the portion of the PUD that remains undeveloped.

Staff finds the PUD cancellation request to be consistent with the land use policies. Cancellation of the PUD will allow more opportunities for the property to redevelop in a manner that is consistent with the current T3 Suburban transect, where the land use policies support residential and nonresidential development consistent with suburban development patterns.

STAFF RECOMMENDATION

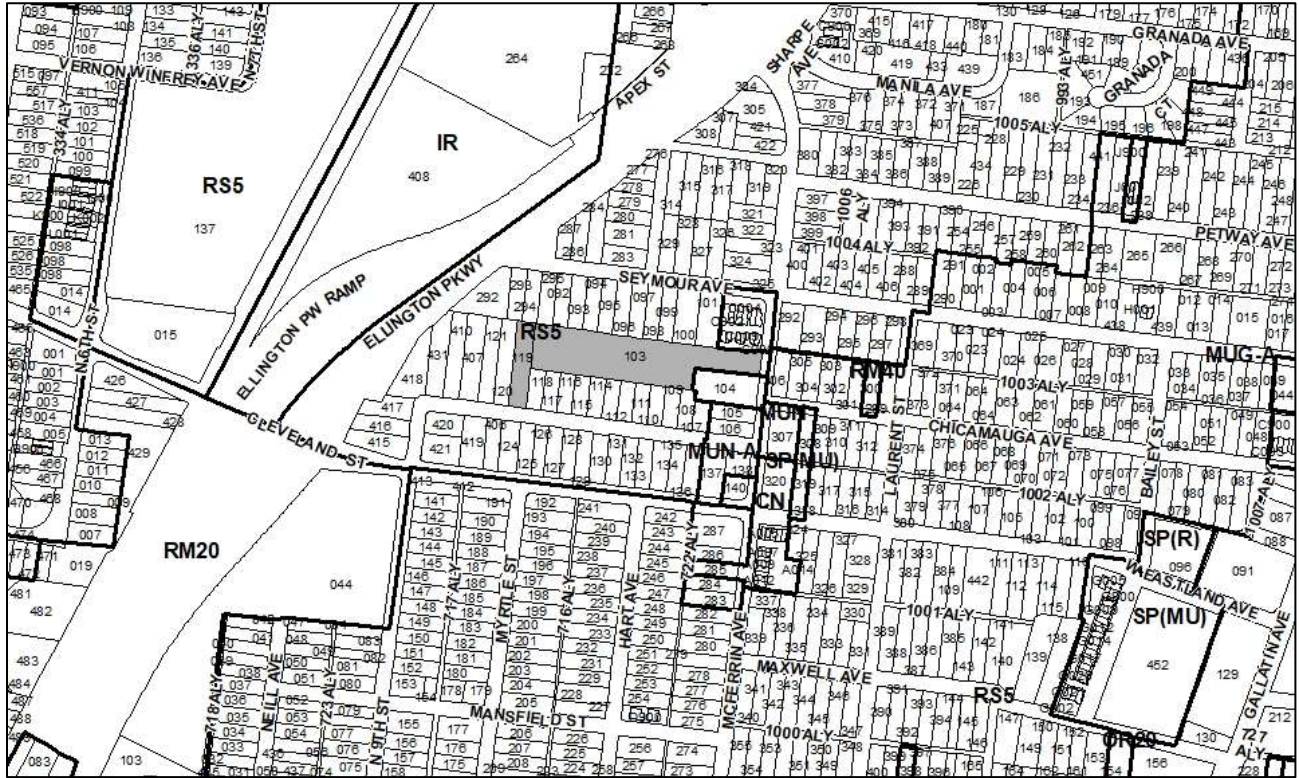
Staff recommends approval if the associated SP is approved and disapproval if the associated SP is not approved.



SEE NEXT PAGE



Metro Planning Commission Meeting of 6/23/22



2022SP-030-001
930 MCFERRIN
Map 082-08, Parcel(s) 103, 119
05, East Nashville
05 (Sean Parker)



Metro Planning Commission Meeting of 6/23/22

Item #13	Specific Plan 2022SP-030-001
Project Name	930 McFerrin
Council District	05 - Parker
School District	5 – Buggs
Requested by	Alfred Benesch & Company, applicant; Core Holdings LLC, owner.
Deferrals	This item was deferred at the May 12, 2022, May 26, 2022, and June 9, 2022, Planning Commission hearing. No public hearing was held.
Staff Reviewer	Elliott
Staff Recommendation	<i>Approve with conditions and disapprove without all conditions.</i>

APPLICANT REQUEST

Rezone from RS5 to Specific Plan to permit a mixed-use development.

Preliminary SP

A request to rezone from Single-Family Residential (RS5) to Specific Plan (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.

Existing Zoning

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 21 units based on acreage alone.*

Proposed Zoning

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

EAST NASHVILLE COMMUNITY PLAN

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

Transition (TR) is intended to enhance and create areas that can serve as transitions between higher-intensity uses or major thoroughfares and lower density residential neighborhoods while providing opportunities for small scale offices and/or residential development. Housing in TR areas can



Metro Planning Commission Meeting of 6/23/22



Proposed Site Plan





Metro Planning Commission Meeting of 6/23/22

include a mix of types and is especially appropriate for “missing middle” housing types with small- to medium-sized footprints.

SITE

The subject site includes two parcels comprising 2.47 acres in the Greenwood neighborhood of East Nashville. The site has frontage onto McFerrin Avenue and onto W Eastland Avenue. McFerrin Avenue is classified as a Collector Avenue in the Major and Collector Street Plan and this stretch of W Eastland is a local street. Both sites are currently vacant and the property is surrounded by a mixture of residential and commercial land uses.

The site is located within the Greenwood Neighborhood Conservation Zoning Overlay and this project requires review by the Metro Historic Zoning Commission (MHZC).

PLAN DETAILS

The application proposes a mixture of uses in a variety of building types, all accessed from a private drive that draws access from McFerrin Avenue. This drive transitions to a one-way drive past the non-residential uses and the associated parking and ultimately connects to W Eastland Avenue. The building that fronts onto McFerrin Avenue is a 2-story, approximately 3,000 square foot, mixed use building with commercial on the ground floor and a residential unit located on the second floor. Behind this building, on the private driveway, are two 2-story buildings that contain a total of 4 live/work units. These live/work buildings permit commercial use on the first floor and residential use on the second floor. The residential component can only be occupied by the proprietor of the commercial use, if applicable of the Behind this building is the surface parking lot for the non-residential and live/work uses. This parking lot is screened from adjacent properties by landscaping and staff is recommending a 6’ tall opaque fence be required to wrap this parking area as well.

To the rear of the parking, the drive transitions to a one-way drive that reduces in width with removable bollards. The intent of this drive is to serve as vehicular access, pedestrian access, as well as emergency access. The removable bollards allow emergency access as needed and otherwise will provide a protected 8’ wide portion of the drive for pedestrian access. 12 residential units draw access from this one-way drive and these are served with garage parking. The 11 units that front onto the one-way drive are proposed to be 2.5-stories with a maximum building height of 40’ and the single unit that fronts onto W Eastland Avenue is proposed to be 1.5 stories with a maximum height of 30’. The plans propose to dedicate the necessary right-of-way on McFerrin Avenue and on W Eastland Avenue. The plan proposes to remove a portion of the existing site wall fronting McFerrin Avenue to allow vehicle access and to preserve the remaining extent of the wall.

The application includes architectural standards and landscaping standards to be reviewed for compliance with the final site plan application.

ANALYSIS

The application proposes a development pattern that is consistent with the policy guidance for T4 NM and Transition policy areas. The non-residential uses near McFerrin Avenue are consistent with the intent of Transition policy to provide a transition from the residential policy area to the



Metro Planning Commission Meeting of 6/23/22

mixed-use policy area to the south. The scale of these non-residential structures is appropriate for this area and the parking location is consistent with policy. The units within the T4 NM policy are consistent with the intent of the T4 NM policy to infill vacant land with a broader mix of housing types that provide an appropriate transition to blend the new development into the surrounding neighborhood. The plan proposes for the unit on W Eastland Avenue to have a massing that reflects the existing character of the street and otherwise restricts the building heights of the units that front onto the one-way drive to a lower building height than typical residential zoning districts permit. Additionally, a fence is provided around the private drive to screen this feature from the surrounding properties. The plans include architectural standards, in addition to the elevations, that will provide for a high-quality urban development.

On June 15, 2022, the Metro Historic Zoning Commission reviewed the request and recommended approval with conditions. With those conditions met, Historic Staff finds that the project meets the design guidelines for new construction in the Greenwood Neighborhood Conservation Zoning Overlay.

METRO HISTORIC ZONING COMMISSION RECOMMENDATION

Approve with conditions

- The height of Component A (Commercial Building) is lowered to twenty-six feet (26') tall;
- The outbuildings are separated from the primary buildings by at least six feet (6') and have a setback of at least five feet (5') from the property lines shared with the lots facing West Eastland Avenue;
- The front dormers on the West Eastland Avenue buildings (Component D) sit back at least two feet (2') from the first story walls below.
- The side dormers on the West Eastland Avenue building (Component D) sit back at least two feet (2') from the first story walls below;
- That a walkway is added from the front of 907 West Eastland Avenue (Component D) to the street in front;
- The applicant returns to the MHZC for review of materials, the rhythm and proportions of window and doors, utilities, and other details if the SP rezoning application is approved.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

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



Metro Planning Commission Meeting of 6/23/22

The approved construction plans must match the Final Site Plan/SP plans. Submittal of an availability study is required before the Final SP can be reviewed. Once this study has been submitted, the applicant will need to address any outstanding issues brought forth by the results of this study. A minimum of 30% W&S Capacity must be paid before issuance of building permits.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, on final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Dimension ROW pavement widths for clarity. Call out plan for NES utility pole in front of curb line. Provide waste/recycle plan for site. Note: A private hauler will be required for site waste/recycle can and/or dumpster disposal.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Ensure MCSP guidelines are being met on McFerrin Avenue.
- Provide proper signage indicating private drive onto site.
- Ensure parking is following code.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	2.42	8.712 D	21 U	247	20	22

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	2.42	-	12 U	148	13	13

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 (220)	2.42	-	6 U	44	4	5

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)	2.42	-	3,300 SF	125	3	13



Metro Planning Commission Meeting of 6/23/22

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+70	-	-8

METRO SCHOOL BOARD REPORT

Projected student generation existing R10 district: 2 Elementary 1 Middle 1 High

Projected student generation proposed SP district: 1 Elementary 1 Middle 1 High

The proposed SP zoning is expected to generate 1 additional student than what is typically generated under the existing R10 zoning. Students would attend Hattie Cotton Elementary School, Jere Baxter Middle School, and Maplewood High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 13 multi-family residential units, 4 live/work units, and 1,552 square feet of non-residential uses as permitted within MUN-A zoning. Short term rental property, owner occupied and short-term rental property, not-owner occupied shall be prohibited for the entire development.
2. A 6' tall opaque fence shall screen the 21 space surface parking area from the adjacent properties.
3. The 6' tall opaque fence along the western property boundary shall step down to a maximum of 4' in height at the front setback of unit 12.
4. No vehicle parking shall be permitted in front of residential units 1-12.
5. 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.
6. 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.
7. 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.
8. Comply with all conditions and requirements of Metro reviewing agencies.
9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9-A zoning district as of the date of the applicable request or application.
10. 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.
11. 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

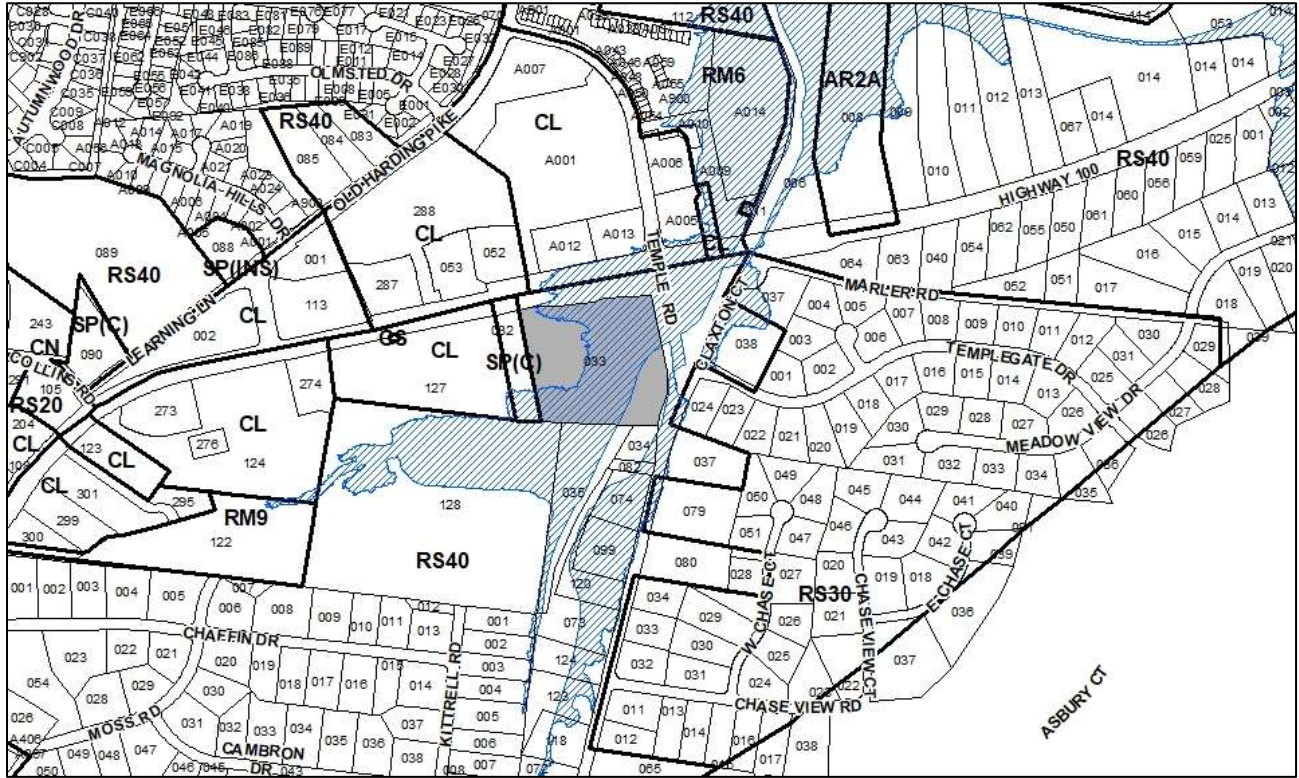


Metro Planning Commission Meeting of 6/23/22

actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.



Metro Planning Commission Meeting of 6/23/22



2022SP-041-001
8033 HIGHWAY 100
Map 156, Parcel(s) 033
06, Bellevue
35 (Dave Rosenberg)



Metro Planning Commission Meeting of 6/23/22

Item #14	Specific Plan 2022SP-041-001
Project Name	8033 Highway 100
Council District	35 – Rosenberg
School District	09 – Tylor
Requested by	Fulmer Lucas Engineering, applicant; Flanigan, Mamie L. & Flanigan, M.J.II, owners.
Staff Reviewer	Harrison
Staff Recommendation	<i>Approve with conditions and disapprove without all conditions.</i>

APPLICANT REQUEST

Preliminary SP to permit a mixed-use development.

Zone Change

A request to rezone from Single-family Residential (RS40) to Specific Plan (SP) zoning for property located at 8033 Highway 100, approximately 95 feet west of Temple Rd, and within the Riverchase (Highway 100) Urban Design Overlay (9.07 acres), to permit certain uses in Mixed-Use Limited – Alternative (MUL-A) zoning.

Existing Zoning

Single-Family Residential (RS40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre. *RS40 would permit a maximum of 8 units based on acreage alone. Application of the Subdivision Regulations may result in fewer lots.*

River-Trace (Highway 100) Urban Design Overlay (UDO) is intended to preserve and enhance the general development pattern along Highway 100 by creating regulations for development including maximum building height, signage standards, and fence standards. The Overlay applies to parcels located along Highway 100 between the Harpeth River and the Natchez Trace.

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 a mix of non-residential uses.

BELLEVUE 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.



Metro Planning Commission Meeting of 6/23/22

8033 Highway 100 Specific Plan (SP)

Development Summary		Site Data Table	
SP Name	8033 Highway 100 Specific Plan	Site Acreage	9.07 Acres
SP Number	2022SP-041-001	Existing Zoning	RS40 (Single Family, 40,000 sq. ft. min. lot size)
Council District	35 - Dave Rosenberg	Proposed Zoning	SP
Map & Parcel	Map 156, Parcel 033	Allowable Land Uses	See list attached to this document

1. Uses of this SP shall be limited to those listed on the second and third page of this exhibit.
2. This site is limited to a maximum of 15,000 sq. ft. of commercial square footage.
3. All structures will comply with the requirements of the River Trace UDO.
4. All proposed structures shown on the Final SP will comply with the regulations of the Metro Stormwater Management Manual as it relates to the regulation of the flood-plain and [flood-way](#).
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL-A zoning district as of the date of the applicable request or application.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Community Plan Consistency Note

The proposed Specific Plan is located within the Bellevue Community Plan (Subarea 6). The proposed SP is located within T3 CC - Suburban Community Center land use policy which supports [commercial](#) and retail uses.



Proposed Regulatory SP (sheet 1)



Metro Planning Commission Meeting of 6/23/22

Residential

Single-family
Two-family
Multi-family
Elderly housing
Boarding house
Consignement sale
Historic home events

Institutional

Cultural center
Day care center (Up to 75) PC
Day care home PC
Monastery or convent
Orphanage
Religious institution

Educational

Business school
College or university
Community education
Dormitory
Personal instruction
Vocational school

Office Uses

Alternative financial services PC
Financial institution
General office
Leasing/sales office- Medical Uses

Medical Uses

Assisted-care living
Hospice
Medical appliance sales
Medical office
Medical or scientific lab
Nursing home
Outpatient clinic
Rehabilitation services
Residence for handicapped, more than eight individuals
Veterinarian PC

Commercial Uses

ATM PC
Auction house
Automobile convenience PC
Automobile parking
Bar or nightclub
Bed and breakfast inn

Beer and cigarette market |
Business service
Car wash PC
Custom assembly PC
Donation center, drop-off PC
Flea market
Funeral home
Furniture store
Grocery store
Home improvement sales PC
Hotel/motel
Kennel
Mobile storage unit PC
Nano brewery PC
Personal care services
Restaurant, fast-food
Restaurant, full-service
Restaurant, take-out
Retail

Communication Uses

Amateur radio antenna
Audio/video tape transfer
Communications hut PC
Multi-media production
Printing and publishing
Satellite dish
Telecommunication facility PC

Industrial Uses

Distributive business/wholesale PC
Manufacturing, Artisan PC
Warehouse PC

Recreation and Entertainment Uses:

Club
Commercial amusement (inside)
Commercial amusement (outside)
Driving range
Golf course
Greenway
Park
Recreation center
Rehearsal hall
Theater

Proposed Regulatory SP (sheet 2)



Metro Planning Commission Meeting of 6/23/22

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether they have already been disturbed. The Conservation policy here reflects presence of floodway and 100 year floodplain.

SITE CONTEXT AND PLAN DETAILS

The site is approximately 9.07 acres and has frontage onto Highway 100 and Temple Road. Highway 100 is classified as a scenic arterial by the Major and Collector Street Plan and Temple Road is classified as a collector. The site is currently developed with a single-family home and is heavily tree covered. Properties on the north side of Highway 100 feature a mix of non-residential uses. A Specific Plan was approved in 2020 for the property immediately to the west to allow a restaurant. Use to the east of Temple Road are predominately low intensity residential uses.

Site Plan

The proposal is for a regulatory SP to permit up to 15,000 square feet of non-residential uses as specified by the plan. The regulatory SP requires compliance with the adopted UDO and with all adopted stormwater regulations.

ANALYSIS

The proposed plan is consistent with the intent of the T3 CC policy by providing non-residential uses that can serve the surrounding community. With the limitation on square footage and the added staff conditions, the SP will be minimally disruptive to the parts of the site with the CO policy. The UDO outlines appropriate design standards which will be required to be met at final site plan.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Not applicable

- Harpeth Valley Water and Sewer Utility District.



Metro Planning Commission Meeting of 6/23/22

HARPETH VALLEY WATER AND SEWER UTILITY DISTRICT

- A Letter of Availability, dated April 15, 2022, has been provided from the Harpeth Valley Water and Sewer Utility District confirming the availability of both water and wastewater service to this property.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT.
- Final design and improvements may vary based on actual field conditions. In general, on final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Reference Major Street Collector plan for ROW frontage requirements. Dimension ROW pavement widths for clarity. Note: A private hauler will be required for waste/recycle disposal. Additional road comments forth coming following TIS or TAS.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Based on the land use of 15,000 s.f. of a bank and carwash, a traffic study would not be required; however, NDOT may still require an Access Study at final SP to determine the best placement for the driveways. If the land use were to change, we would have to reassess whether the development would need a traffic study.
- Ensure final site plan follows all of Metro's codes.

Maximum Uses in Existing Zoning District: RS40

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)	9.07	1.089 D	9 U	117	13	10

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)	9.07	-	15,000 SF	566	14	57

Traffic changes between maximum: RS40 and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+449	+1	+47

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Uses shall be limited as per the SP and building square footage shall be limited to 15,000 square feet.



Metro Planning Commission Meeting of 6/23/22

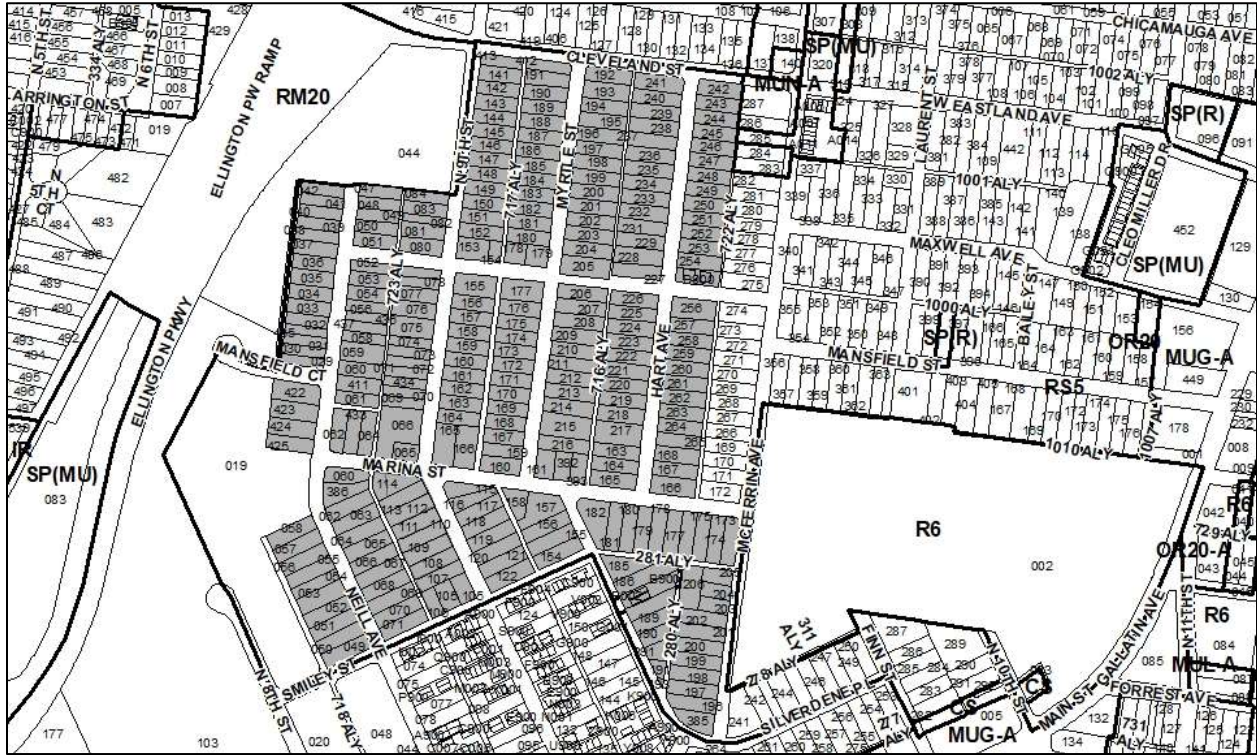
2. Site shall be limited to 1 vehicular access point along Highway 100. No vehicular access is permitted to Temple Road. Alignment of the vehicular access shall be coordinated with NDOT.
3. With the final site plan, comply with all requirements of the MSCP.
4. One final site plan shall be reviewed jointly for the SP and UDO.
5. The SP shall meet all standards of the UDO.
6. If a permitted use is indicated as Permitted with Conditions, the final site plan shall indicate compliance with any conditions as outlined in the Zoning Code. If there are conditions in conflict with the UDO, the requirements of the UDO shall govern.
7. Disturbance of the site shall be limited to the extent possible, and a tree preservation plan shall be provided with the final site plan. No clearing of the site shall take place in advance of approval of the final site plan.
8. Parking shall not exceed the minimum required by the Zoning Code for the final uses.
9. Comply with all conditions and requirements of Metro reviewing agencies.
10. A scenic landscape buffer shall be provided along Highway 100.
11. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL-A zoning district as of the date of the applicable request or application.
13. The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
14. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
15. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



Metro Planning Commission Meeting of 6/23/22



Metro Planning Commission Meeting of 6/23/22



2022COD-001-001
MAXWELL HEIGHTS CONTEXTUAL OVERLAY
Various Maps, Various Parcels
05, East Nashville
05 (Sean Parker)



Metro Planning Commission Meeting of 6/23/22

Item #15	Contextual Overlay 2022COD-001-001
Project Name	Maxwell Heights Contextual Overlay
Council Bill No.	BL2022-1317
Council District	05 – Parker
School District	05 – Buggs
Requested by	Councilmember Sean Parker, applicant; various property owners.
Staff Reviewer	Shane
Staff Recommendation	<i>Approve.</i>

APPLICANT REQUEST

Establish a Contextual Overlay District.

Contextual Overlay District

A request to apply a Contextual Overlay District (COD) to various properties located east of Ellington Parkway, zoned Single-Family Residential (RS5) and Specific Plan (SP) (48.55 acres).

Existing Zoning

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *48.26 acres of the proposed overlay area is zoned RS5.*

Specific Plan (SP) 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. *0.29 acres of the proposed overlay area is zoned SP.*

Proposed Zoning Overlay

Contextual Overlay District (COD) provides appropriate design standards in a residential area. It can maintain and protect neighborhood form or character. A Contextual Overlay must apply throughout the residential portion of a complete block face and cannot be applied in an adopted historic overlay district.

EAST NASHVILLE COMMUNITY PLAN

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

CONTEXTUAL OVERLAY STANDARDS

Application of the COD would not change the existing entitlements afforded under the base zoning.



Metro Planning Commission Meeting of 6/23/22

The standards of the contextual overlay district are listed below. These standards are established in the zoning code and cannot be modified. The design standards are necessary to maintain and reinforce established form or character of residential development in an area.

Setback

- Minimum required setback shall be average of the setback of the 2 developed lots abutting each side of the lot
- Example – abutting lots have setbacks of 50 feet, 55 feet, 40 feet, and 42 feet; average 47 feet, required minimum

Height

- Maximum height, including foundation, shall not be greater than 35 feet or 125% of the structures on the two lots abutting each side, whichever is less
- If 125% of the average is less than 27 feet, a maximum height of 1.5 stories in 27 feet is allowed
- Example – average is 24 feet; max allowed height is 30 feet

Coverage

- Maximum coverage shall be 150% of the average of the coverage of the two abutting lots on each side
- Does not include detached garages or accessory buildings
- Example – average coverage of abutting lots is 2,100 square feet; max coverage of 3,150 allowed

Access, Garages, Parking

- If there is an alley, access shall be from the alley
- On corner lots, access shall be within 30 feet of rear property line
- Driveways are limited to 1 per public street frontage
- Parking, driveways, and all other impervious surfaces in the required setback shall not exceed 12 feet in width
- The front of any detached garage shall be located behind the rear of the primary structure
- The garage door of any attached garage shall face the side or rear property line.

ANALYSIS

The area included in the Overlay includes properties located along portions of Hart Avenue, Myrtle Street, North 9th Street, Neil Avenue, McFerrin Avenue, Marina Street, and Smiley Street. The parcels date from the Map of Neil S. Brown's Addition to East Nashville (platted in 1884), the Plan of John W. Hart's Addition to East Nashville Subdivision (platted circa 1891), the Plan of F.O. Beasley's McFerrin Addition (platted in 1890), the Map of J.W. Leek's Subdivision of the Arthur Tract (platted in 1924), the Plan of F.O. Beasley's Subdivision of the Vaughn Tract (plat date unknown), along with more recent smaller subdivisions. The neighborhood character has been firmly established for almost 140 years in some cases. Many of the homes are modest Craftsman- or Tudor-styled bungalows from the first half of the twentieth century. There is a predominant development pattern in the neighborhood with consistent bulk and massing present throughout the proposed Overlay boundary, with a few recent exceptions.



Metro Planning Commission Meeting of 6/23/22

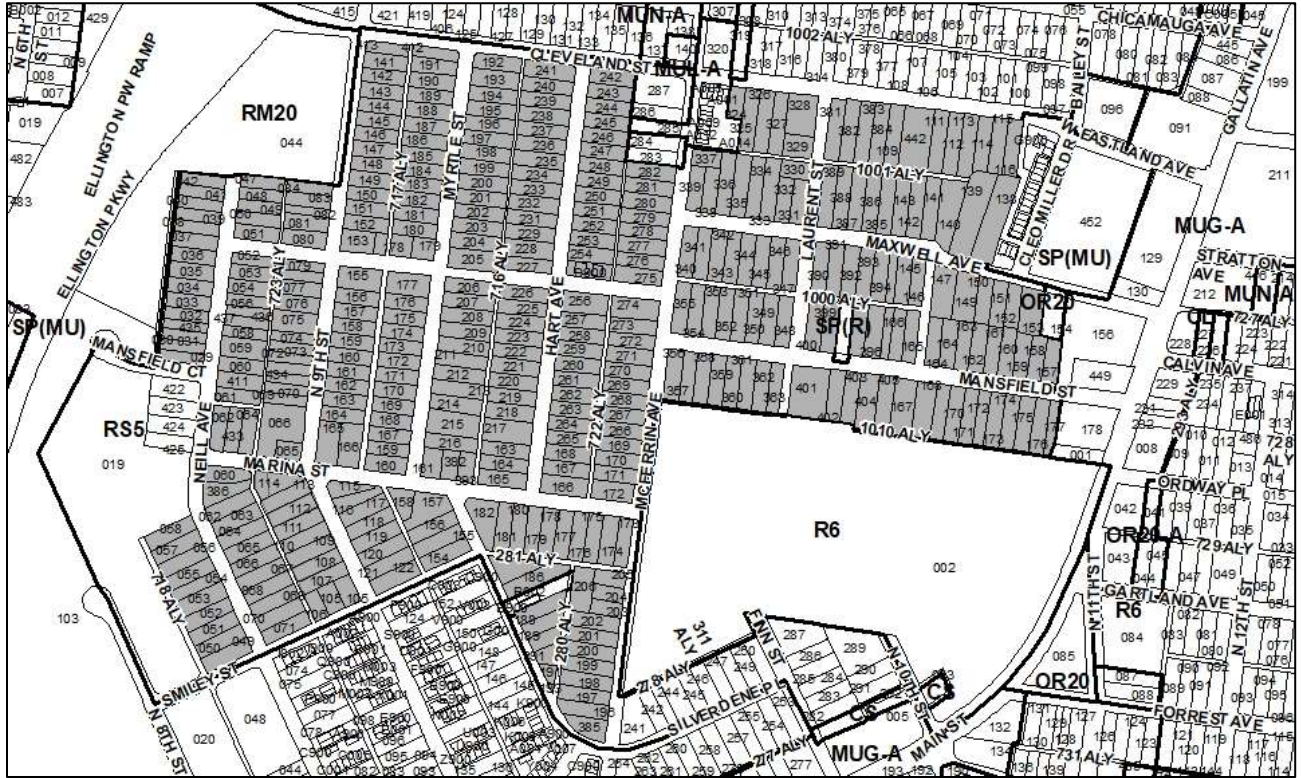
The proposed Overlay is located within a T4 Urban Neighborhood Maintenance policy area, which is intended to maintain the general character of developed, urban residential neighborhoods. Application of the Overlay would help to preserve the existing character with specific development standards for bulk, massing, access, garages, and parking. As proposed, the Overlay is consistent with the T4 NM policy. The standards required will maintain and protect the neighborhood form and character.

STAFF RECOMMENDATION

Staff recommends approval.



Metro Planning Commission Meeting of 6/23/22



2022DDU-001-001
Various Maps, Various Parcels
05, East Nashville
05 (Sean Parker)



Metro Planning Commission Meeting of 6/23/22

Item #16**Council Bill No.****Council District****School District****Requested by****DADU Overlay 2022DDU-001-001**

BL2022-1322

5 – Parker

5 – Buggs

Councilmember Sean Parker, applicant; various property owners.

Staff Reviewer

Shane

Staff Recommendation*Approve.***APPLICANT REQUEST****Zone change to apply a Detached Accessory Dwelling Unit (DADU) Overlay District**Zone Change

A request to apply a Detached Accessory Dwelling Unit (DADU) Overlay District to various properties located west of Gallatin Avenue and east of Ellington Parkway, zoned Single-Family Residential (RS5) (75.01 acres).

Existing Zoning

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre.

Proposed Zoning

Detached Accessory Dwelling Unit (DADU) Overlay would permit a detached, self-sufficient dwelling unit accessory to a principal structure. The overlay would permit DADUs subject to existing standards for detached accessory dwelling units in Section 17.16.030.G of the Zoning Code, which includes requirements for, but not limited to, ownership, lot area, setbacks, bulk and massing, design, and access.

EAST NASHVILLE COMMUNITY PLAN

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

Transition (TR) is intended to enhance and create areas that can serve as transitions between higher-intensity uses or major thoroughfares and lower density residential neighborhoods while providing opportunities for small scale offices and/or residential development. Housing in TR areas can include a mix of types and is especially appropriate for “missing middle” housing types with small- to medium-sized footprints.

SITE AND CONTEXT

The approximately 75.01-acre area is located in East Nashville and makes up a majority of the area south of Cleveland Street and West Eastland Avenue, west of Gallatin Pike, east of



Metro Planning Commission Meeting of 6/23/22

Ellington Parkway, and north of Myrtle and Smiley Streets. The area is primarily residential with some vacant and institutional land uses. The area has a development pattern of single-family residential and two-family residential with a gridded street network. The area is generally served by a network of public alleys and many of the streets in this area have sidewalks. The properties south of West Eastland Avenue, north of East Nashville Magnet High School, west of the commercial and multi-family uses fronting Gallatin Pike, and east of McFerrin Avenue are National Historic Register-eligible properties.

ANALYSIS

Staff finds the proposed DADU overlay to be consistent with the T4 NM policy guidance to maintain the general character of existing urban residential neighborhoods. The proposed DADU overlay will allow for additional density to occur in an established neighborhood while still retaining the physical character of the neighborhood. The Design Standards in the Zoning Code for DADU units will ensure that the introduction of additional density does not disrupt the existing development pattern of T4 NM areas. In addition to preserving the development pattern, the ability to expand a property's development potential, while preserving the existing residential structure, will encourage existing property owners to stay in place and expand the development of a property to meet the owner's evolving needs. This will encourage a sustainable environment for property owners who wish to remain in a neighborhood despite economic pressures. The T4 NM areas are also well served by infrastructure with their proximity to mixed-use corridors, gridded public street network, public alleys, and sidewalks and have the infrastructure to support appropriate infill development.

Staff also finds the proposed DADU overlay to be consistent with the Transition policy guidance to minimize land use conflicts while providing opportunities for a mixture of moderate-density housing types. Transition (TR) areas are generally small in geographic size and serve a limited function of providing transitions in scale, intensity, and use at locations between high-intensity and low-intensity policy categories or development. The predominant uses in TR areas are small-scale offices and moderate- to high-density residential in various building types. DADUs are listed as an appropriate building type for this policy area in the Community Character Manual.

Staff finds the proposed overlay to be consistent with both the T4 NE and Transition policies.

STAFF RECOMMENDATION

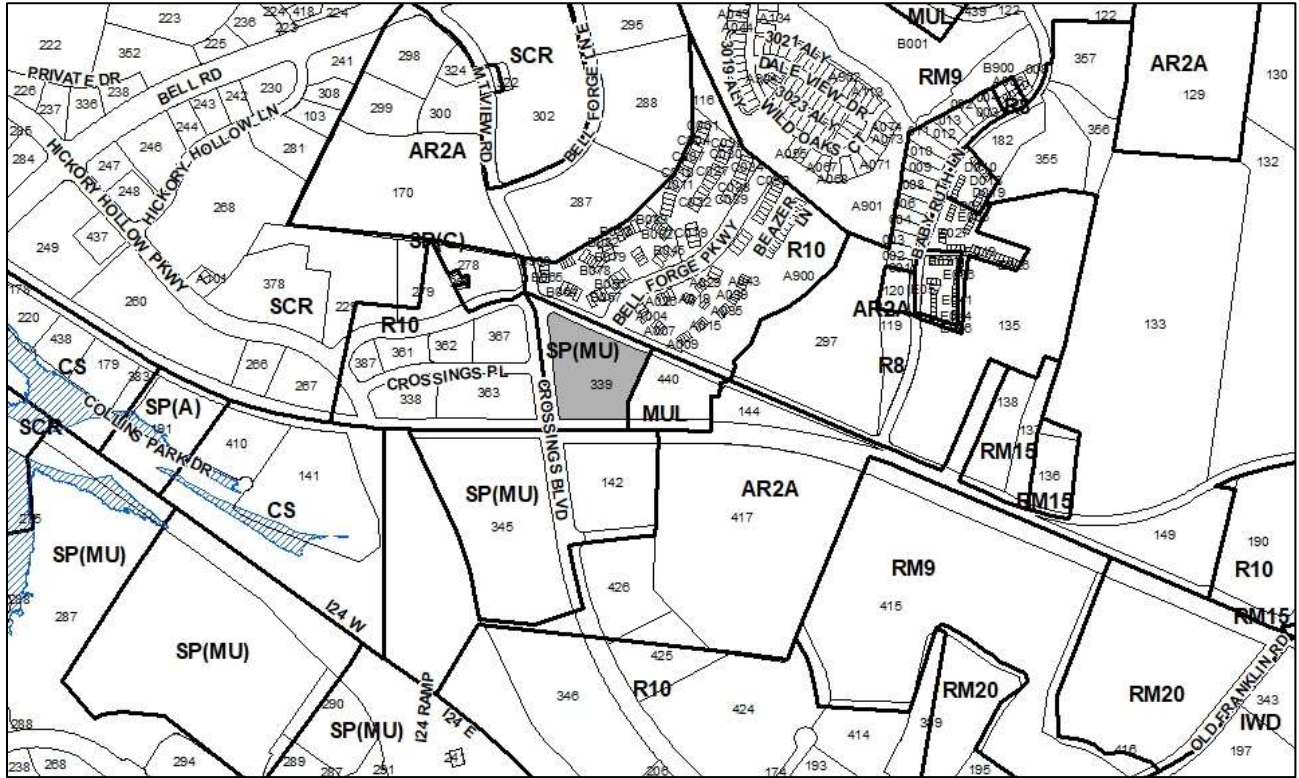
Staff recommends approval.



SEE NEXT PAGE



Metro Planning Commission Meeting of 6/23/22



2022Z-056PR-001

Map 163, Parcel(s) 339
13, Antioch – Priest Lake
32 (Joy Styles)



Metro Planning Commission Meeting of 6/23/22

Item #17
Council District
School District
Requested by

Zone Change 2022Z-056PR-001
32 – Styles
06 - Bush
Barge Cauthen & Associates, applicant; Rajendra Bhakta, owner.

Staff Reviewer
Staff Recommendation

Swaggart
Approve.

APPLICANT REQUEST

Zone change from SP to MUL.

Zone Change

A request to rezone from Specific Plan (SP) to Mixed Use Limited (MUL) on property located at 5400 Mt View Rd, at the southeast corner of Crossings Blvd and Mt. View Road, (5.11 acres).

Existing 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.

Proposed Zoning

Mixed Use Limited (MUL) is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses.

ANTIOCH – PRIEST LAKE COMMUNITY PLAN

T3 Suburban Mixed Use Corridor (T3 CM) is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor. T3 CM areas are located along pedestrian friendly, prominent arterial-boulevard and collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive, and comfortable access and travel for all users. T3 CM areas provide high access management and are served by highly connected street networks, sidewalks, and existing or planned mass transit.

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal 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. This property features steep slopes exceeding 20% on the southern and eastern portion of the site. The conservation along the southern property line is due to manmade slopes extending downward to the CSX railroad. Conservation along the eastern property line is due to a stream buffer.



Metro Planning Commission Meeting of 6/23/22

SITE AND CONTEXT

The 5.11 acre site is located at the southeast quadrant of Crossings Boulevard and Mt. View Road. The site is vacant and there appear to be no major environmental constraints. GIS indicates some steep slopes along the rear of the property line; however, they appear to be manmade and accommodate a CSX rail line that runs behind the property. Surrounding uses include various commercial, office and multi-family residential. The SP was approved by Council in 2017. It was approved for two four story hotels and a restaurant. The SP included this site and the adjacent site to the east. In 2021, Council rezoned the adjacent parcel from SP to MUL. With that rezoning, the SP that applies to the subject site permits one four story hotel.

ANALYSIS

The proposed MUL zone district is consistent with the T3 Suburban Mixed-Use Corridor policy. The permitted uses within the MUL zone district will provide an appropriate level of intensity when the site is developed. This site is located within a tier one center which is an area identified within the Nashville Next Growth and Preservation concept plan designated to receive coordinated investments to shape growth and support increased transit. The proposed MUL zone district is consistent with policy as it provides a mixed-use development at a prominent corner of two arterial-boulevards.

FIRE MARSHAL RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	5.11	-	277 R	2,700	134	182

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	5.11		5,000 SF	561	49	49

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

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)	2.55	1.0 F	111 U	603	38	49

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.28	1.0 F	55,757 SF	2,105	52	212



Metro Planning Commission Meeting of 6/23/22

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	1.28	1.0 F	55,757 SF	6,255	554	545

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+5,702	+461	+575

METRO SCHOOL BOARD REPORT

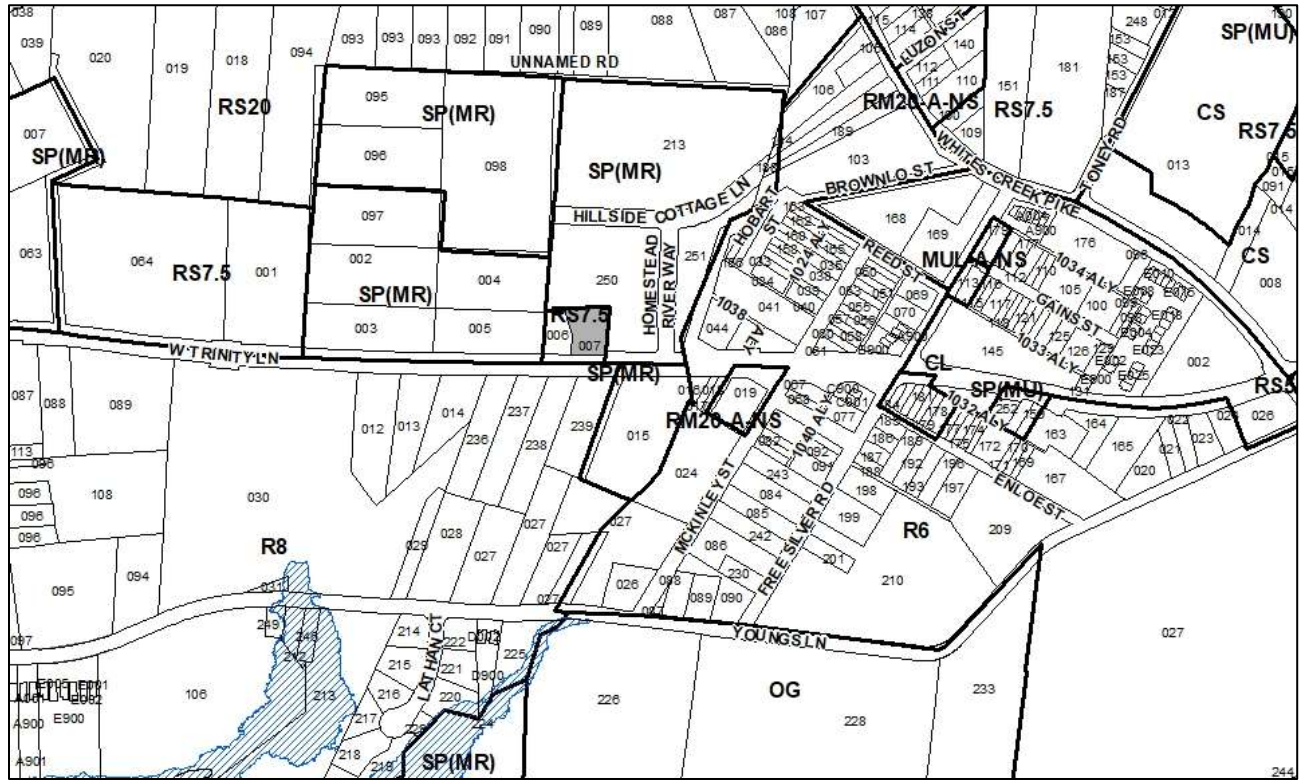
The mix of uses could vary and assumption of impact at this point is premature. Students would attend Eagle View Elementary School, Antioch Middle School, and Cane Ridge High School. Eagle View Elementary School and Antioch Middle School are identified as having additional capacity. Cane Ridge High School is identified as over capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.



Metro Planning Commission Meeting of 6/23/22



2022Z-061PR-001

Map 070-08, Parcel(s) 007

03, Bordeaux – Whites Creek – Haynes Trinity

02 (Kyonzté Toombs)



Metro Planning Commission Meeting of 6/23/22

Item #18
Council District
School District
Requested by

Zone Change 2022Z-061PR-001
02 – Toombs
01 - Gentry
Enchanted Developments LLC, applicant and owner.

Staff Reviewer
Staff Recommendation

Lewis
Approve.

APPLICANT REQUEST

Zone change from RS7.5 to RM20-A-NS.

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to Multi-Family Residential – Alternative – No Short Term Rentals (RM20-A-NS) zoning for property located at 829 W Trinity Lane, approximately 203 feet west Homestead River Way (0.48 acres).

Existing Zoning

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

Proposed Zoning

Multi-Family Residential – Alternative - No Short Term Rentals (RM20-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM20-A-NS would permit a maximum of 10 multi-family units based on acreage alone. Owner occupied, short term rentals and not owner occupied, short term rentals would be prohibited uses.*

BORDEAUX - WHITES CREEK - HAYNES TRINITY COMMUNITY PLAN

T4 Urban Residential Corridor (T4 RC) is intended to maintain, enhance and create urban residential corridors. T4 RC areas are located along prominent arterial-boulevard or collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive and comfortable access and travel for all users. T4 RC areas provide high access management and are served by moderately connected street networks, sidewalks, and existing or planned mass transit.

Supplemental Policy

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

SITE AND CONTEXT

The 0.48 acre site is located on the north side of W Trinity Lane, west of the intersection of Free Silver Road and W Trinity Lane. The site is currently undeveloped. The surrounding properties



Metro Planning Commission Meeting of 6/23/22

to the north, and along the north side of W Trinity Lane are primarily zoned Specific Plan (SP) to permit a range of residential uses as well as some properties zoned RS7.5 and One and Two Family Residential (R6). The properties to the south of the subject site, on the south side of W Trinity Lane are zoned One and Two-Family Residential (R8), R6, and SP. The surrounding land uses are primarily residential or undeveloped.

ANALYSIS

The goals of the T4 RC policy are to maintain, enhance, and create urban residential corridors that support predominately residential land uses and are compatible with the general character of urban neighborhoods. The T4 RC policy areas are located on prominent arterial-boulevard and collector-avenue corridors that accommodate residential land uses and are served by multiple modes of transportation. These prominent corridors may develop or redevelop over time to include higher density housing types. The Major and Collector Street Plan (MCSP) classifies W Trinity Ln as an arterial boulevard, which is indicated by the policy to be able to better serve high density residential development.

The policy guidance for building form and site design calls for an urban development pattern in terms of mass, orientation, and placement. The RM20-A-NS zoning district as the Alternative (-A) zoning includes standards for building form and parking and is consistent with the policy intent to provide high density residential along major corridors.

The Haynes Trinity Plan included a mobility component which resulted in updates to the MCSP. The mobility plan indicated a planned north-south collector road through this site. That connection was provided for in the SP (2020SP-044-001) to the north and east which had the final site plan approved in 2021. The platted roadways in this development include Hillside Cottage Lane and Homestead River Way.

FIRE MARSHAL RECOMMENDATION

Approve

Maximum Uses in Existing Zoning District: **RS7.5**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.48	5.808 D	2 U	28	7	2

Maximum Uses in Proposed Zoning District: **RM20-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	0.48	20 D	10 U	53	4	5

Traffic changes between maximum: **RS7.5 and RM20-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+8 U	+25	-3	+3



Metro Planning Commission Meeting of 6/23/22

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed RM20-A district: 2 Elementary 1 Middle 1 High

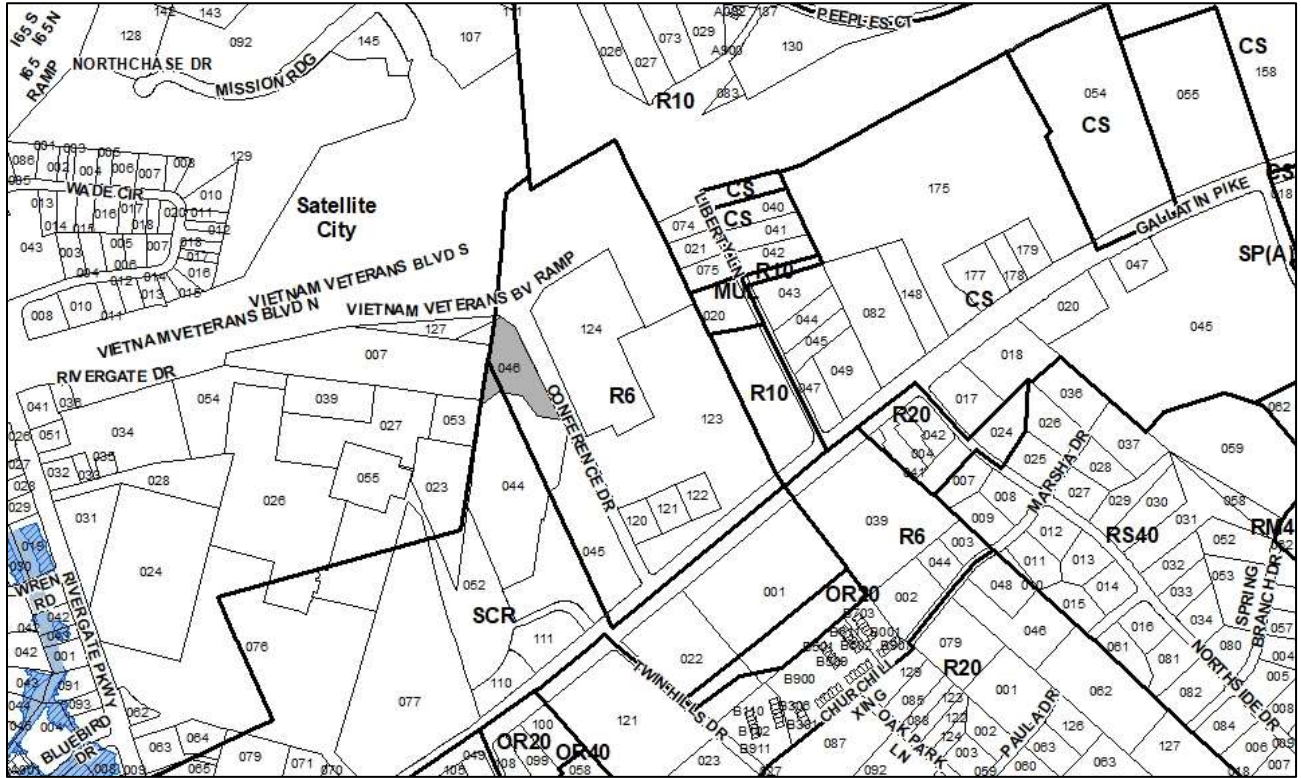
The proposed RM20-A zoning is expected to generate four additional students beyond the existing RS7.5 zoning. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.



Metro Planning Commission Meeting of 6/23/22



2022Z-062PR-001

Map 023-14, Part of Parcel(s) 046

04, Madison

10 (Zach Young)



Metro Planning Commission Meeting of 6/23/22

Item #19a	Zone Change 2022Z-062PR-001
Associated Case	38-79P-005
Council District	10 – Young
School District	03 – Masters
Requested by	Barge Design Solutions, applicant; KDI Rivergate Mall, LLC, owners.
Staff Reviewer	Harrison
Staff Recommendation	<i>Approve.</i>

APPLICANT REQUEST

Zone change from SCR and R6 to CS.

Zone Change

A request to rezone from Shopping Center Regional (SCR) and One and Two-Family Residential (R6) to Commercial Service (CS) zoning on a portion of property located at Conference Drive (unnumbered), at the corner of Conference Drive and Vietnam Veterans Blvd N, (2.35 acres) and located within a Planned Unit Development.

Existing Zoning

Shopping Center Regional (SCR) is intended for high intensity retail, office, and consumer service uses for a regional market area.

One and Two Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 6.17 dwelling units per acre including 25 percent duplex lots. *Approximately 2.13 acres of the area to be rezoned is zoned R6. Based on this acreage, R6 would permit a maximum of 13 lots, with 3 duplex lots, for a maximum of 16 units.*

Proposed Zoning

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

MADISON COMMUNITY PLAN

T5 Regional Center (T5 RG) is intended to enhance and create regional centers, encouraging their redevelopment as intense mixed use areas that serve multiple communities as well as the County and the surrounding region with supporting land uses that create opportunities to live, work, and play. T5 RG areas are pedestrian friendly areas, generally located at the intersection of two arterial streets, and contain commercial, mixed use, residential, and institutional land uses.



Metro Planning Commission Meeting of 6/23/22

ANALYSIS

The 2.35 acre site is located on the west side of Conference Drive, south of Vietnam Veterans Boulevard. Conference Drive is classified as an Arterial Boulevard by the Major and Collector Street Plan (MCSP), and primary access for this site will be off a private drive. The surrounding area is comprised of R6 and SCR zoning, with a variety of commercial uses. This parcel is located within Goodlettsville and Nashville, but only the Nashville portion is to be affected by this rezoning.

The site is located in the T5 RG policy, which is intended to provide commercial uses for a surrounding residential development, and located along arterials. The surrounding area is largely commercial with large retail centers, restaurants, and gas stations, with existing residential developments beyond this heavy commercial area. While the proposed zoning is not one generally supported by T5 RG, the existing character of the area warrants uses allowed by the CS zoning given the existing commercial nature of the area. With this area maintaining a heavy commercial aspect, the proposed zoning in this area would likely maintain that same level of commercial intensity, and not provide a mixed-use development normally seen in this policy. Due to the commercial nature of CS and the existing area, the proposed rezoning would be consistent with the policy goals of T5 RG.

FIRE MARSHAL RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.22	1.0 F	9,583 SF	362	9	37

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	2.13	7.260 D	18 U	215	17	19

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	2.35	0.60 F	61,420 SF	2,319	58	234

Traffic changes between maximum: **SCR/R6 and CS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1,742	+32	+178



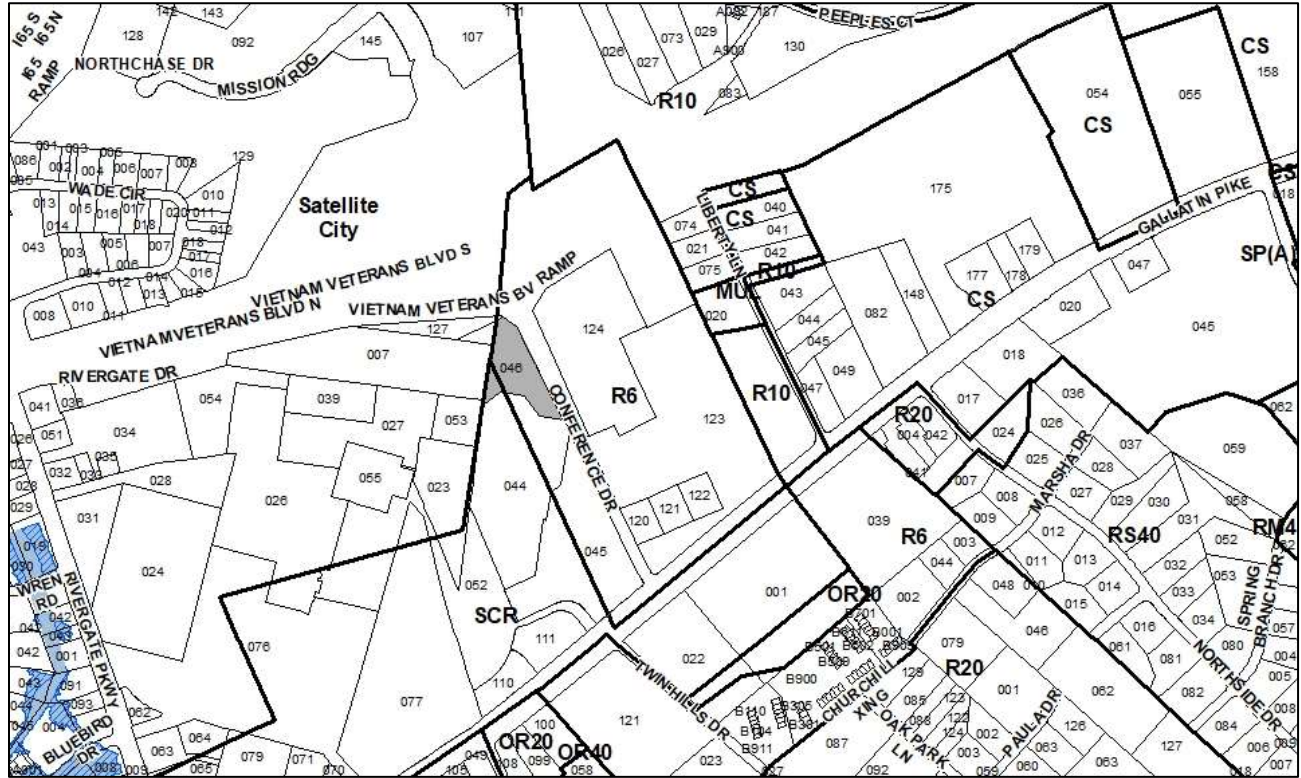
Metro Planning Commission Meeting of 6/23/22

STAFF RECOMMENDATION

Staff recommends approval.



Metro Planning Commission Meeting of 6/23/22



38-79P-005

CONFERENCE DRIVE AT RIVERGATE MALL (CANCELTION)

Map 026-14, Part of Parcel(s) 046

04, Madison

10 (Zach Young)



Metro Planning Commission Meeting of 6/23/22

Project No.#19b
Project Name

Planned Unit Development 38-79P-005
Conference Drive at Rivergate Mall
(Cancellation)

Associated Case
Council District
School District
Requested by

2022Z-062PR-001
10 – Young
03 – Masters
Barge Design Solutions, applicant, KDI Rivergate Mall, LLC, owner.

Staff Reviewer
Staff Recommendation

Harrison
Approve if the associated zone change is approved and disapprove if the associated zone change is not approved.

APPLICANT REQUEST **Cancel PUD.**

PUD Cancellation

A request to cancel a portion of a Planned Unit Development on property located at Conference Drive (unnumbered), at the corner of Conference Drive and Vietnam Veterans Blvd N. (2.35 acres), zoned One and Two-Family Residential (R6) and Shopping Center Regional (SCR).

Existing Zoning

Shopping Center Regional (SCR) is intended for high intensity retail, office, and consumer service uses for a regional market area.

One and Two Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 6.17 dwelling units per acre including 25 percent duplex lots. *Approximately 2.13 acres of the area to be rezoned is zoned R6. Based on this acreage, R6 would permit a maximum of 13 lots, with 3 duplex lots, for a maximum of 16 units.*

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

MADISON COMMUNITY PLAN

T5 Regional Center (T5 RG) is intended to enhance and create regional centers, encouraging their redevelopment as intense mixed use areas that serve multiple communities as well as the



Metro Planning Commission Meeting of 6/23/22

County and the surrounding region with supporting land uses that create opportunities to live, work, and play. T5 RG areas are pedestrian friendly areas, generally located at the intersection of two arterial streets, and contain commercial, mixed use, residential, and institutional land uses.

ANALYSIS

The preliminary PUD plan was approved in 1979 for a commercial development across the 2.35 acre site. This portion of the PUD was intended to develop over time with multiple phases throughout. For this portion of the PUD, a revised preliminary PUD plan was approved in 1997, to permit 7,065 square feet for a restaurant. A final site plan was not reviewed.

The cancelation of the PUD would permit the development of the site without the previously approved plan. The associated case, 2022Z-0062PR-001, would modify the zoning on the site to permit all uses within Commercial Service (CS).

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve with conditions

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

STAFF RECOMMENDATION

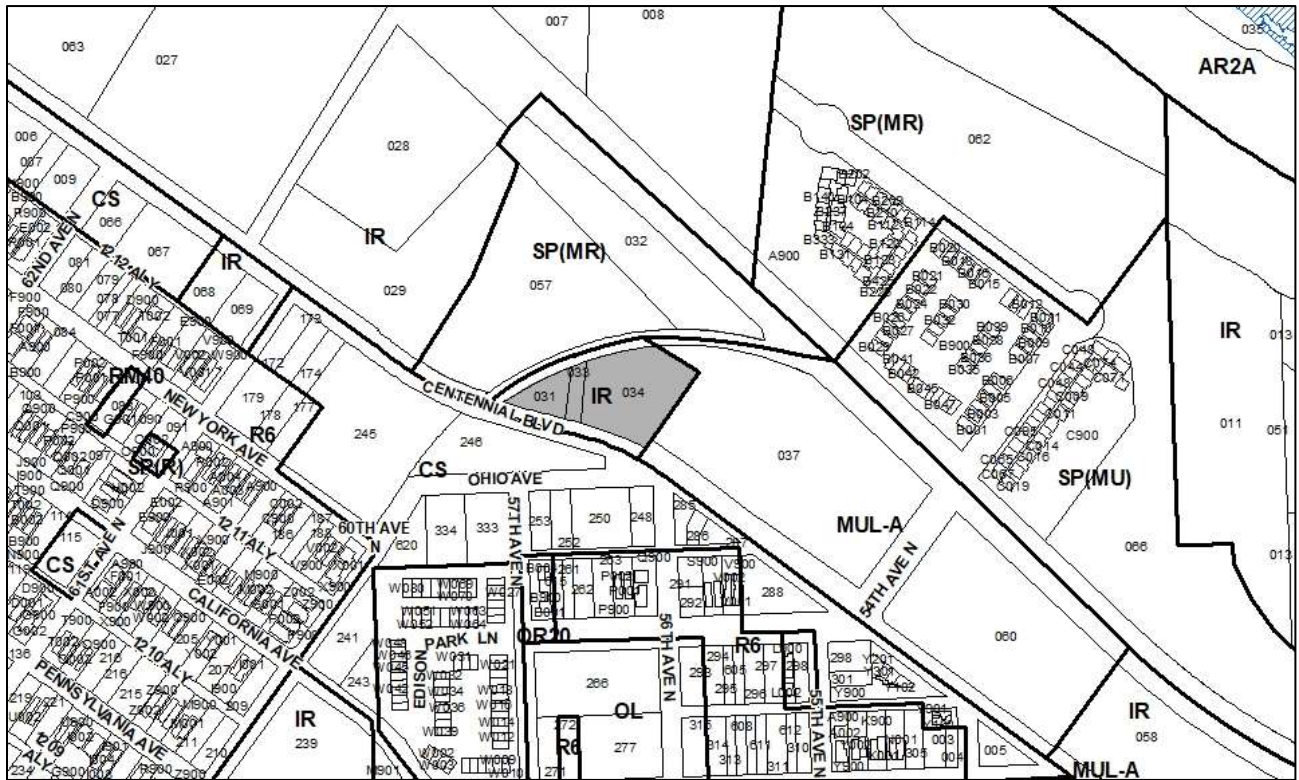
Staff recommends approval if the associated zone change is approved and disapprove is the associated zone change is not approved. If the associated zone change is not approved, then staff recommends disapproval.



SEE NEXT PAGE



Metro Planning Commission Meeting of 6/23/22



2022Z-063PR-001

Map 091, Parcel(s) 031,033-034

07, West Nashville

20 (Mary Carolyn Roberts)



Metro Planning Commission Meeting of 6/23/22

Item #20
Council District
School District
Requested by

Zone Change 2022Z-063PR-001
20 – Roberts
01 - Gentry
Buchalter APC, applicant; Zad, Payman, owner.

Staff Reviewer
Staff Recommendation

Elliott
Disapprove MUI-A and recommend approval of MUL-A.

APPLICANT REQUEST

Zone change from IR to MUI-A.

Zone Change

A request to rezone from Industrial Restrictive (IR) to Mixed Use Intensive - Alternative (MUI-A) zoning for properties located at 5604 and 5700 Centennial Blvd and Centennial Blvd (unnumbered), at the corner of Centennial Blvd and Ohio Ave. (1.52 acres).

Existing Zoning

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

Proposed Zoning

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

WEST NASHVILLE COMMUNITY PLAN

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

SITE AND CONTEXT

The approximately 1.52 acre site is located at the north side of Centennial Boulevard in the Nations neighborhood. The site has frontage onto Centennial Boulevard, an arterial Boulevard in the Major and Collector Street Plan and is bounded by unimproved right-of-way to the west and to the rear of the site. The site currently contains an auto repair/body shop. Surrounding uses include a variety of residential uses, industrial uses, and commercial uses.

ANALYSIS

The proposed MUI-A zone district is not consistent with the T4 Urban Mixed-Use Neighborhood policy. The intensity of development permitted by the MUI-A zoning district is far too intense considering the guidance provided for T4 MU policy areas. The Community Character Manual describes that mixed use developments are typically a maximum of 5 stories with additional building height potentially being appropriate in limited instances in consideration of specific



Metro Planning Commission Meeting of 6/23/22

factors. This application does not provide any of the design elements that are included as factors for considering additional building height. The MUI-A zoning district allows up to 15 stories with 150' of overall building height and is inconsistent with the intent of the T4 MU policy. The MUI-A zoning district is primarily found in the Midtown neighborhood. Additionally, this portion of Centennial Boulevard is not identified as a Center or Corridor in the NashvilleNext Growth & Preservation Concept Map. The proposed zoning district would also permit development that is out of character with the existing neighborhood and with the development that has recently been constructed or is in the process of construction.

While a mixed-use zoning district is likely appropriate for this site, the intensity of development permitted by the MUI-A zoning district is too much for this policy area. Staff recommends approval of MUL-A zoning for site as this mixed-use district is consistent with the T4 MU policy guidance and is consistent with the character and context of the surrounding area.

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)	1.52	0.6 F	39,727 SF	108	7	8

Maximum Uses in Proposed Zoning District: MUI-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (221)	0.76	5 F	166 U	903	57	72

Maximum Uses in Proposed Zoning District: MUI-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.38	5 F	82,764 SF	3,124	78	315

Maximum Uses in Proposed Zoning District: MUI-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.38	5 F	82,764 SF	9,284	822	808

Traffic changes between maximum: IR and MUI-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+13,203	+950	+1,187

METRO SCHOOL BOARD REPORT

The mix of uses could vary and assumption of impact at this point is premature. Students would attend Cockrill Elementary School, McKissack Middle School, and Pearl-Cohn High School. All three schools are identified as having additional capacity. This information is based upon the



Metro Planning Commission Meeting of 6/23/22

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

STAFF RECOMMENDATION

Staff recommends disapproval of MUI-A and recommends approval of MUL-A.



Metro Planning Commission Meeting of 6/23/22



2022Z-065PR-001

Map 061-16, Parcel(s) 073-075, 078, 082

Map 061-16-0-A, Parcel(s) 001-002, 900

05, East Nashville

07 (Emily Benedict)



Metro Planning Commission Meeting of 6/23/22

Item #21**Council Bill No.****Council District****School District****Requested by****Zone Change 2022Z-065PR-001**

BL2022-1326

07 – Benedict

3 - Masters

Councilmember Emily Benedict, applicant; various property owners.

Staff Reviewer

Lewis

Staff Recommendation*Approve.***APPLICANT REQUEST****Zone change from RS10 to R10.**Zone Change

A request to rezone from Single-Family Residential (RS10) to One and Two-Family Residential (R10) zoning for properties located at 1300, 1304, 1306, 1312, 1316, and 1320 Cardinal Avenue, 1315 and 1315 B Greenland Avenue, approximately 160 feet west of Kennedy Avenue (1.52 acres).

Existing Zoning

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

Proposed Zoning

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

EAST NASHVILLE COMMUNITY PLAN

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

SITE AND CONTEXT

The properties to be rezoned include six parcels located on the south side of Cardinal Avenue, between Kennedy Avenue and Addine Street. The parcels have frontage along both Cardinal Avenue and Greenland Avenue, the street located to the south. The existing parcels to be rezoned have been developed with primarily single-family uses. Dan Mills Elementary school is located on the south side of Greenland Avenue.



Metro Planning Commission Meeting of 6/23/22

Surrounding land uses include primarily single-family residential and some two-family residential properties. This block of Cardinal Avenue, between Kennedy Avenue and Addine Street, includes several properties that were rezoned from RS10 to R10 within the last two years. Some of these properties have recently developed or are under development with two residential units, one fronting Cardinal Avenue and one fronting Greenland Avenue.

ANALYSIS

The goal of the T4 NM policy area is to maintain urban neighborhoods as characterized by their moderate to high-density residential development pattern with regularly spaced buildings, shallow setbacks, and minimal spacing in between. These parcels are consistent with the surrounding parcels, characterized by narrow and deep lots, with frontage along two streets. The proposed two-family zoning provides the opportunity for these parcels to develop similarly to the surrounding R10 properties, with development that lines both streets, consistent with the T4 NM policy goals to create moderate to high lot coverage with buildings that are oriented toward the street.

FIRE MARSHAL RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	1.52	4.356 D	6 U	78	9	7

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)	1.52	4.356 D	12 U	148	13	13

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+6 U	+70	+4	+6

METRO SCHOOL BOARD REPORT

**Projected student generation existing RS10 zoning districts: 1 Elementary 0 Middle 0 High
Projected student generation proposed R10 district: 1 Elementary 0 Middle 0 High**

The proposed R10 zoning is not expected to generate any additional students beyond the existing RS10 zoning. Students would attend Dan Mills Elementary School, Litton Middle School, and Stratford 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.



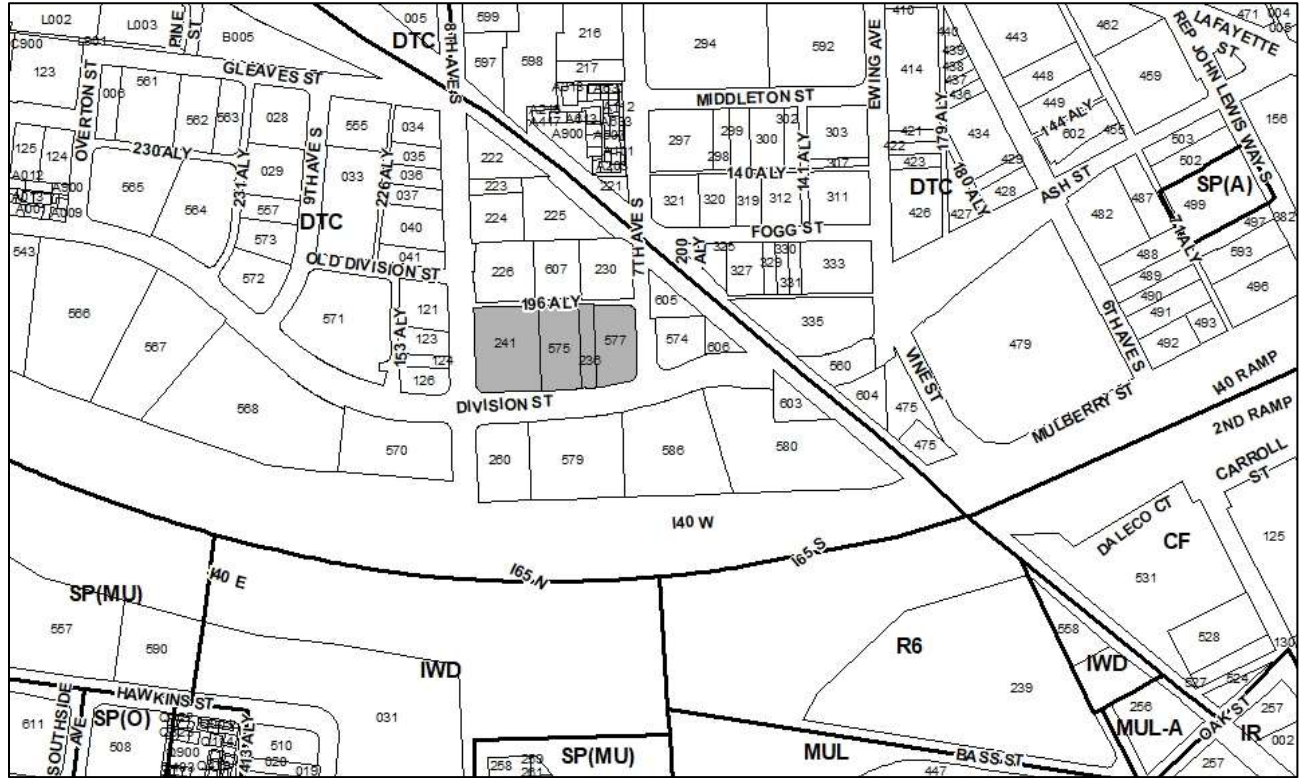
Metro Planning Commission Meeting of 6/23/22

STAFF RECOMMENDATION

Staff recommends approval.



Metro Planning Commission Meeting of 6/23/22



2022DTC-031-001
PASEO TOWERS 3 AND 4
Map 093-01, Parcel(s) 236, 241, 575, AND 577
11, Downtown
19 (Freddie O'Connell)



Metro Planning Commission Meeting of 6/23/22

Item #22

DTC Overall Height Modification 2022DTC-031-001

Project Name

Paseo Towers 3 and 4

Council District

19 – O’Connell

School District

05– Buggs

Requested by

ESa, applicant; SomeraRoad Inc., owner.

Staff Reviewer

Islas

Staff Recommendation

Approve with conditions or defer without all conditions.

APPLICANT REQUEST

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

DTC Overall Height Modification

A request for a modification of overall building height on property located at 714 8th Ave. S, 700, 706, and 710 Division St, zoned DTC (1.91 acres), and within the Gulch South Subdistrict of the DTC.

Existing Zoning

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



Figure 1: Perspective View from Division Street



Metro Planning Commission Meeting of 6/23/22



Figure 2: South Elevation (Division Street)



Figure 3: North Elevation (abuts Tower 2 and fronts Pocket Park)



Metro Planning Commission Meeting of 6/23/22



Figure 4: West Elevation (8th Avenue South) and East Elevation (7th Avenue South)



Metro Planning Commission Meeting of 6/23/22



Figure 5: Ground Floor Plan



Figure 6: Site Plan



Metro Planning Commission Meeting of 6/23/22

PROJECT OVERVIEW

The project is located at the intersection of 8th Avenue South and Division Street and includes Tower 3 – a 30-story residential building, and Tower 4 – a 22-story office building, joined together by a podium level. The project consists of 396 residential units, 522,675 sf of office space, and 11,180 sf of retail space within the two towers and podium, and 1,500 parking spaces across eight underground levels.

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

- Paseo Tower 1 – a 16-story residential tower approved by-right in February of 2022; modifications were approved by the DTC DRC in March of 2021.
- Paseo Tower 2 – a 30-story hotel/condo tower that had its OHM approved by the MPC in May 2022. The DTC DRC recommended approval of the OHM and approved other modifications at the April 2022 meeting.
- Paseo Tower 3 – a 30-story residential tower seeking an overall height modification.
- Paseo Tower 4 – a 22-story by-right office tower that is joined to Tower 3 at the podium.

PLAN DETAILS

Paseo Towers 3 and 4 have frontage on 8th Avenue South, Division Street, and 7th Avenue South. The DTC classifies both 8th Avenue and Division Street as primary streets, and 7th Avenue as a tertiary street. Alley 196/Allison Street runs through the Paseo South Gulch project site and is proposed to close and be abandoned as part of this application.

An internal drive, shared by both towers, is accessed from Division Street (ingress only) and 7th Avenue South. The internal drive provides access to the entirely underground parking, Tower 4's service and loading, and Tower 3's pick-up/drop-off area. Tower 3's service and loading are accessed from 7th Avenue.

Pedestrian entrances to the towers' lobbies and retail spaces are located along Division Street and a proposed publicly accessible pocket park. The pocket park is located between Towers 3 and 4, Paseo Tower 2, and the historic Voorhees Building.

OVERALL HEIGHT MODIFICATION PROCESS

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

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



Metro Planning Commission Meeting of 6/23/22

upgrading public infrastructure, or others determined by the policies of Metro departments) and/or contributes to the implementation of community improvements determined by the policies of Metro departments.

OVERALL HEIGHT MODIFICATION ANALYSIS

Bonus Height Program

A Determination Letter, signed by the Executive Director of the Planning Department, is attached to this staff report, and states the development has made reasonable efforts to use all appropriate bonuses available in the Bonus Height Program. The Open Space bonus has been used to provide a publicly accessible pocket park. Additional bonuses being utilized include Underground Parking, Public Parking, and Pervious Surfaces.

Community Meeting

The applicant held a community meeting on Tuesday, May 31 at 5:30 P.M. and sent notices to property owners within 300 feet. No members of the public attended the meeting.

Downtown Code Design Review Committee Meeting

The Downtown Code Design Review Committee (DTC DRC) convened on June 2, 2022. The Committee voiced support of the project and encouraged streetscape requirements be met along 7th Avenue, even though it is largely considered the back of house for the project. The Committee voted (with none opposed) to approve the concept design and proposed DTC modifications, and to recommend approval of the proposed Overall Height Modification.

Exceptional Design

The architecture of Tower 3 uses a unique pattern of precast concrete with rounded edges. Various voids expose columns, recessed glass walls, and form outdoor spaces. Tower 4 uses a sculptural planar element that implies movement along Division Street. Portions of the mass along the eastern façade are carved out to create double height loggias for outdoor spaces. At the ground level, the building is pulled up to expose concrete columns and a high degree of transparency that wraps around the pocket park, with views into the office lobby.

A publicly accessible pocket park, with access off 8th Avenue is lined with retail spaces and the office lobby. The pocket park connects to a series of activated pedestrian passageways included in previous phases of this project. Furthermore, Towers 3 and 4 contribute to the Gulch neighborhood's character that blends old and new together.

Sidewalks along 8th Avenue and Division Street have both been widened beyond MCSP requirements to allow a more gracious zone for pedestrians. Along 8th Avenue, Tower 4 has been set back enough to accommodate future road expansion. While along Division Street, a series of "porches" give dedicated space for outdoor seating. The westbound Division Street bike lane will be reconstructed to match the preferred design standard that is provided on the eastbound side of Division Street.

Towers 3 and 4 include several key attributes that positively impact the surrounding neighborhood. First, by including entirely underground parking, the project uses all its proposed building height for active uses. Towers 3 and 4 complete the overall Paseo portion of the Gulch



Metro Planning Commission Meeting of 6/23/22

neighborhood and have actively contributed to the restoration and investment in the neighborhood by adaptively reusing two historic structures and introducing a much-needed urban park space. And finally, the applicant has agreed to a deed restriction to prohibit the conversion of their residential units to short term rental (STR), which guarantees the new housing units remain in perpetuity.



Figure 7: Aerial view of the broader Paseo South Gulch project site, looking northwest. Paseo Tower 3 is in the foreground, on the right. Tower 4 sits to its left. Tower 2 sits behind it.

STAFF RECOMMENDATION

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

CONDITIONS

1. All bonus height actions identified in this application, including those that require a deed or restrictive covenant, must be approved prior to building permit approval.
2. The applicant shall coordinate with NDOT on any proposed traffic improvements that result from the project TIS.
3. If implementation of final TIS recommendations has a substantial effect on the building or site design, revisions to these plans shall be reviewed by the DTC DRC.
4. All overhead lines along the site's frontages shall be buried.
5. The proposed residential units shall not be converted to a short-term rental use, memorialized by a deed restriction or covenant, as reviewed by Metro Legal.
6. The applicant will continue to work with NDOT and Planning Staff to refine the connection between Fogg Street (a private drive) and 7th Avenue South (public ROW), and the related MCSP and ROW requirements on 7th Avenue, to ensure a safe and easily navigable experience for pedestrians, and vehicles, including in the location where Tower 2 extends over the streetscape.



Metro Planning Commission Meeting of 6/23/22

7. Prior to Final Site Plan review, the applicant will provide elevations and sections that explain the relationship between the south-facing façade of the Tower 2 and the abutting north-facing façade of Towers 3 and 4 to ensure that the condition does not have a negative impact on the proposed pocket park.



Metro Planning Commission Meeting of 6/23/22



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department
800 Second Avenue South
P.O. Box 196300
Nashville, Tennessee 37219-6300

April 26, 2022

Attn: Eric Klotz, AIA, NCARB
ESa
1033 Demonbreun Street, Suite 800
Nashville, TN 37203

Re: Determination on DTC Bonus Height Program Efforts for Paseo Towers 3 and 4

Mr. Klotz:

This letter serves as a determination to submit an Overall Height Modification application for Paseo Towers 3 and 4. This letter does not indicate support or guarantee project approval.

The proposed development includes Tower 3 – a 30-story residential building, and Tower 4 – a 22-story office building, joined together by a podium level with ground floor retail space.

Tower 3 is located within the Gulch South Subdistrict of the Downtown Code, where 10 stories are permitted by-right and up to 16 stories are permitted using the Bonus Height Program. Tower 4 is within 150 feet of the 8th Avenue South and Division Street intersection where 20 stories are permitted by-right and up to 28 stories are permitted using the Bonus Height Program. The additional height for Tower 4 is anticipated to be earned through the Bonus Height Program, while the additional height for Tower 3 – which exceeds the maximum bonus height – is the subject of the Overall Height Modification.

The towers share underground parking, a podium of ground floor retail space, vehicular access, loading, and pedestrian circulation. As such, the request for additional height on Tower 3 is considered in light of the entire project.

Exhibits submitted to Planning Staff on April 13, 2022, demonstrate the use of the following Bonus Height Program options:

- Open Space – Approximately 88,200sf of bonus height is being earned by providing a 0.29 acre publicly-accessible pocket park
- Underground Parking – Approximately 553,618sf of bonus height is being earned by providing eight levels of underground parking
- Public Parking – Around 167,558sf of bonus height is being earned by providing three levels of public parking
- Pervious Surfaces – Around 21,200sf of bonus height is being earned by providing pervious surfaces on amenity deck levels

Additionally, the project has committed to the following exceptional design elements that further support its Overall Height Modification request:

- Unique Architecture/Contribution to the Skyline – Tower 3 uses a unique pattern of precast concrete with rounded edges. Various voids expose columns, recessed glass walls, and form outdoor spaces. Tower 4 uses a sculptural planar element that implies movement along Division Street. Portions of the mass along the eastern façade are carved out to create double height loggias for outdoor spaces. At the ground level, the building is pulled up to expose concrete columns and a high degree of transparency that wraps around the pocket park, with views into the office lobby.



Metro Planning Commission Meeting of 6/23/22

- Exceptionally Strong Streetscape – A publicly-accessible pocket park, with access off 8th Avenue South is lined with retail spaces and the office lobby. The pocket park is also accessible to Division Street and 7th Avenue South, via pedestrian passageways located within the service drive area. Sidewalks along 8th Avenue South and Division Street have both been widened to allow a more gracious zone for pedestrians. Along Division Street, a series of “porches” give dedicated space for outdoor seating.
- Relationship to Surrounding Properties/Character of the Neighborhood – The proposed pocket park connects to a series of activated pedestrian passageways included in previous phases of this project. Furthermore, the entire site contributes to the Gulch neighborhood’s character that blends old and new together.
- Significant Community Improvements – The project has been set back enough along 8th Avenue South to accommodate future road expansion. Additionally, the westbound Division Street bike lane will be reconstructed to match the preferred design standard that is provided on the eastbound side of Division Street. Finally, commitments have been made by the applicant to contribute towards a pedestrian connection across the railroad. This contribution may include an area dedicated to the crossing’s landing on the project site, or a monetary contribution (of which will need to be finalized), to go towards the planning or implementation of the crossing. The applicant will need to coordinate with NDOT and Planning on this multimodal infrastructure improvement.

With these commitments, along with the efforts to utilize the Bonus Height Program to its fullest potential, this project may proceed with the next step in the Overall Height Modification process – submitting a formal application. The project will receive detailed review by Metro Planning and other Metro departments and agencies once a formal application has been submitted. Some specific conditions may be addressed during the overall height modification process while other more minor details may be addressed through the final site plan process.

Please note that this letter does not waive the project from the requirements of Metro Planning or other Metro departments and agencies. Reconsideration of this determination may be warranted if the applicant team is unable or unwilling to follow through with any of these requirements, or with any of the commitments described above.

Sincerely,

Lucy Kempf
Executive Director
Metro Nashville Planning Department

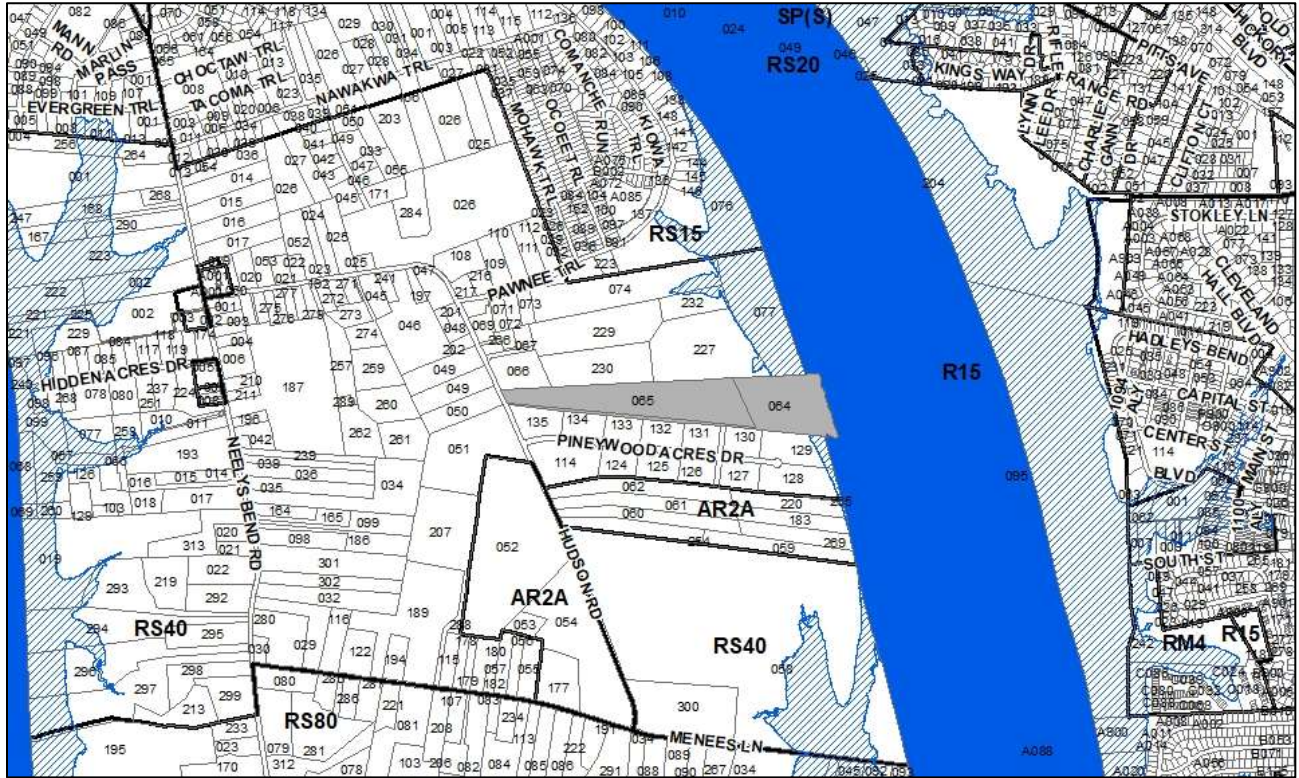
CC:
Ryan Terrell
Andrew Donchez
Taylor Ott
Kim Hawkins
Doug Sloan



SEE NEXT PAGE



Metro Planning Commission Meeting of 6/23/22



2022S-074-001
HUDSON SUBDIVISION
Map 063, Parcel(s) 064-065
04, Madison
09 (Tonya Hancock)



Metro Planning Commission Meeting of 6/23/22

Item #23	Final Plat 2022S-074-001
Project Name	Hudson Subdivision
Council District	09 – Hancock
School District	3 - Masters
Requested by	CIV Design, applicant; Margaret Marie Piercey Dillard Testamentary Trust, owners.
Staff Reviewer	Shane
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST

Create 29 residential cluster lots.

Concept Plan

A request for concept plan approval to create 29 cluster lots on property located at Hudson Road (unnumbered), approximately 409 feet north of Pineywood Acres Drive, zoned Single-Family Residential (RS40) (34.96 acres).

SITE DATA AND CONTEXT

Location: The site is located on the east side of Hudson Road, approximately 1,075 feet south of the intersection with Pawnee Trail.

Street type: The site has frontage onto Hudson Road, which is classified as a local street in the Major and Collector Street Plan.

Approximate Acreage: 34.96 acres or 1,522,857.6 square feet.

Parcel/Site History: This site is comprised of two parcels. Both parcels are over five acres in size and were created by deed in 1965.

Zoning History: This site has been zoned RS40 since 1987 (O87-1840).

Existing land use and configuration: The site is vacant residential land consisting of a field enclosed by wooded areas.

Surrounding land use and zoning:

- North: Single-Family Residential (RS40)
- South: Single-Family Residential (RS40)
- East: Single-Family Residential (RS40)
- West: Single-Family Residential (RS40)



Metro Planning Commission Meeting of 6/23/22



Proposed Subdivision - West



Proposed Subdivision - East



Metro Planning Commission Meeting of 6/23/22

Number of lots: 29 single-family lots

Lot sizes: Lots sizes range from 20,487 square feet (0.47 acres) to 37,256 square feet (0.86 acres).

Access: Access is proposed from a new public street that terminates in dumbbell-shaped dual cul-de-sac configuration at the eastern end of the site, providing access to all lots. The new street includes a grass strip, sidewalk, and drainage swale consistent with NDOT's 50-foot ROW ST-252 cross-section. Per the Fire Marshall, no stub-outs are required to the north or south and the proposed public ROW is sufficient to serve the 29 lots. No individual vehicular access is proposed from Hudson Road.

Subdivision Variances or Exceptions Requested: None.

APPLICABLE SUBDIVISION REGULATIONS

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

Prior versions of Subdivision Regulations for Nashville and Davidson County contained a uniform set of standards that were applied Metro-wide. This did not take into account the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is within the Rural Maintenance (T2 RM) policy. For sites within the T2 Rural transect, the Rural Character Subdivision regulations found in Chapter 4 are utilized.

There are several subdivision options in the Rural Subdivision Regulations. This proposal utilizes the Countryside Character Design - Screened Alternative option as described in Section 4-2.5.a.2 of the subdivision regulations and utilizes the cluster lot option as permitted by the Rural Subdivision Regulations and outlined in the Zoning Code.

4-2. Development Standards

4-2.1. Identification of Primary Conservation Land. Prior to design of any subdivision plan with new streets or joint access easement, Primary Conservation Land shall be identified and, subject to the provisions of Sections 4-2.2 and 4-2.3, preserved from any disturbance.

Complies. Primary Conservation Land has been identified on the plans. At this site, Primary Conservation Land includes land shown on FEMA maps as part of the 100 year floodplain, floodways, areas of 10,000 square feet of contiguous slopes over 15 percent, and scenic views onto the site from surrounding roads.



Metro Planning Commission Meeting of 6/23/22

4-2.2. Preservation of Conservation Land. Unless an exception is granted under Section 4-2.3, all Primary Conservation Areas shall be preserved and set aside through an appropriate means such as conservation easements and/or open space.

Approximately 6.38 acres have been identified as Primary Conservation areas, and all Primary Conservation areas that have not yet been disturbed have been set aside as open space.

4-2.3 Development Footprint. The remaining land outside of the boundary of the Primary Conservation Land shall be designated as the Development Footprint.

Complies. A preliminary grading plan was provided with the concept plan.

4-2.4 Building Placement. In subdivisions without new streets or joint access easements, any subdivision application shall note proposed building envelopes.

Not applicable. This concept plan proposes a new public street.

4-2.5 Rural Character Design

a. Countryside Character Option. This option may be used for any rural character subdivision. It is intended to maintain a natural, open rural character by minimizing the visual intrusion of development along primary roadways through the use of setbacks, building placement, existing vegetation and natural topographic features that obscure the view of development from the street.

1. Open Alternative – Street frontage without existing vegetative or topographical screening. For purposes of this section, “surrounding parcels” is defined as the five R, RS, AR2a, or AG parcels oriented to the same block face on either side of the parcel proposed for subdivision, or to the end of the same blockface, whichever is less. If there are no surrounding parcels, the screened alternative shall be used.
Not Applicable for this case.

2. Screened Alternative – Street frontage utilizing existing vegetative or topographical screening.

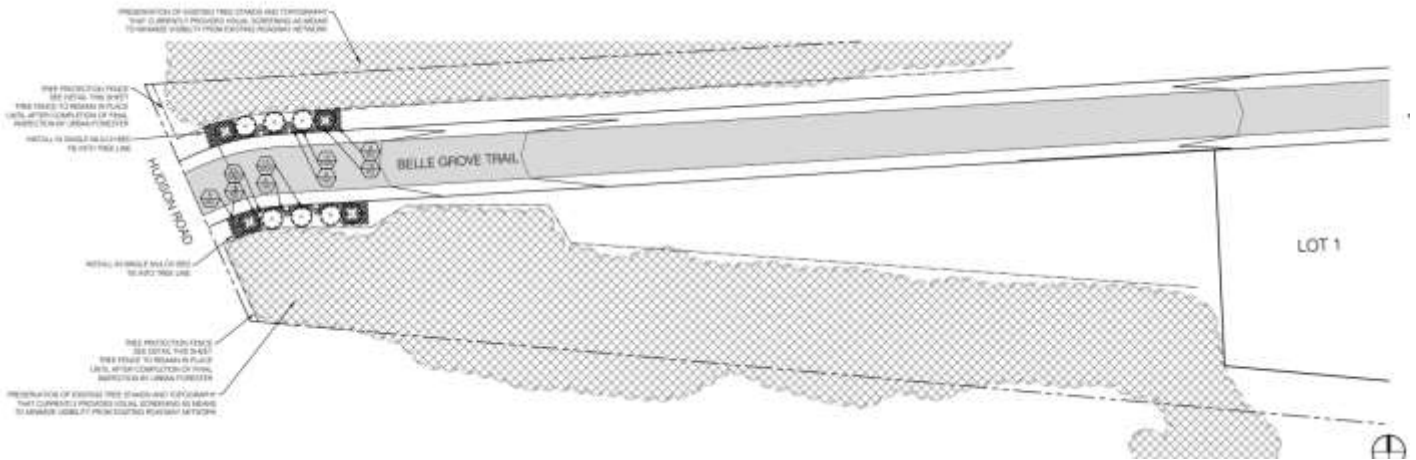
The proposed subdivision was reviewed against (a) through (d) below.

a. Lot Screening. Lots shall be designed to minimize visibility from the existing roadway network. Preservation of existing tree stands, existing topography, natural berms, rock outcroppings, and other features that currently provide visual screening shall be prioritized as the preferred means to minimize visibility. The concept plan/final plat shall include a landscape plan stamped by a landscape architect indicating the method to minimize the visibility from the adjacent roadway network. The Planning Commission shall determine whether the proposed screening method is sufficient to achieve the purposes of screening the development within a short (2-4 year) period and may require a bond to ensure the protection or completion of this improvement. The building envelopes shall be shown on the concept plan/final plat as a means to evaluate the effectiveness of existing and/or proposed visual screening techniques. All existing or proposed screening areas shall be designated as Conservation Land. The depth of the screened area shall be equal to the farthest building setback of primary structures on the surrounding parcels plus 300 feet. If no surrounding parcels are developed, then the screened area shall be 500 feet from the public right of way.



Metro Planning Commission Meeting of 6/23/22

The plan proposes to provide the required screened area of 300 feet plus the existing building setback of 124 Pineywood Acres Drive. This combines to approximately 667 feet and the plan provides 702.1 feet of screened area along the entire length of the property's frontage onto Hudson Road. Additionally, Planning staff proposes as a condition of approval that the existing trees in this screened area be preserved and that additional trees may be needed at final site plan approval to bolster the screening effect and to retain the existing character of Hudson Road.



Proposed Screening Plan

- b. *Street lights. Within the USD, street lighting shall be low intensity and shall be projected downward with illumination that shields light from being emitted upwards toward the night sky or on surrounding natural areas. Within the GSD, no private street lights are permitted.*

This subdivision will be required to meet Metro's standard public street light requirements for the General Service District (GSD).

- c. *Cluster lot option. Development through the Countryside (Screened Alternative) Character Option may utilize the provisions of Cluster Lot Option (Section 17.12.090 of the Zoning Code) within the Development Footprint area. Smaller lot sizes may be appropriate with the application of a SP that addresses building height, architecture, landscaping, etc.*

This application is utilizing the Cluster Lot option and complies with the requirements of 17.12.090. The plan provides the required open space areas, and the necessary landscape buffers are provided around the perimeter of the lots.

- d. *Use of Lot Screening Areas. Within the area designated for lot screening, areas identified as Prime farmland soils and land in agricultural use may be used for agricultural purposes, if permitted by the base zoning.*

The application has not indicated any area as Prime farmland soils or any existing agricultural uses that are to be continued.



Metro Planning Commission Meeting of 6/23/22

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 RS40, which has a minimum lot area of 40,000 sq. ft. The minimum area within a cluster lot subdivision in the RS40 district is 400,000 sq. ft. The site contains approximately 1,522,857.6 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 area which is 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 34.96 acres or 1,522,857.6 sq. ft. The minimum lot size of the existing zoning district, RS40, is 40,000 sq. ft.

$1,522,857.6 \text{ sq. ft.} \times 0.15 = 228,428.64 \text{ sq. ft.}$ (15% of the gross site area reserved for streets)

$1,522,857.6 \text{ sq. ft.} - 228,428.64 \text{ sq. ft.} = 1,294,428.96 \text{ sq. ft.}$ (85% of the gross area remaining to yield lots)

$1,294,428.96 \text{ sq. ft.} / 40,000 \text{ sq. ft.} = 32 \text{ lots}$

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. The proposed concept plan includes only one phase. The total open space and conservation land provided is approximately 14.59 acres or 41.7% 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 RS40 and a reduction of two base zone districts would be down to the RS20 zone district. The RS20 zoning district requires a minimum lot size of 20,000 sq. ft. The smallest lot proposed in this subdivision exceeds the minimum 20,000 sq. ft. lot size requirement.



Metro Planning Commission Meeting of 6/23/22

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.

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.

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 (RS40 to RS30) with the installation of a standard B landscape buffer yard located within common open space, or reduced the equivalent of two zoning districts (RS40 to RS20) 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.

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, eastern, western, and southern property line are residential (RS40). Section 17.24.230 of the Zoning Code dictates the type of buffer yard required. No landscape buffer yard is required per this code section. As proposed, the plan meets this requirement.

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

Floodplain Development Standards (Section 17.28.40)

The eastern edge of the property is located within the Floodplain Overlay District. This area is entirely contained within a primary conservation area and so meets the standards of Section 17.28.40 of the Zoning Code and the Development Standards of Section 4-2.1.a of the Subdivision Regulations.

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. In this case, the plan would permit up to 29 units; therefore, one facility is required. Recreational facilities can include, but



Metro Planning Commission Meeting of 6/23/22

are not limited to, playgrounds, swimming pools, ball fields, gazebos, picnic areas, and walking trails. The plan identifies one recreational facility which includes a playground.

PLANNING STAFF COMMENTS – SUBDIVISION REGULATIONS

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

POLICY CONSIDERATIONS

A recent appeals court decision (Hudson et al v. Metro) upheld a lower court decision which outlined that the Planning Commission has the authority to determine whether a concept plan complies with the adopted General Plan (NashvilleNext). Per the Court, the Planning Commission may not evaluate each concept plan to determine whether it is harmonious generally. If the Planning Commission would like to consider policy, staff is providing summary points related to policy.

NashvilleNext includes a Community Character Manual (CCM) which established character areas for each property within Metro Nashville. The community character policy applied to a majority of this property is T2 RM (Rural Maintenance). There are also areas of CO (Conservation policy). The goal of T2 RM is to maintain the general character of rural neighborhoods as characterized by their development pattern, varying setbacks, building form, and land uses. Additionally, T2 RM should balance maintaining the existing rural development patterns with new development. The policy recognizes that some areas of T2 RM have sanitary sewer service and existing zoning that allow higher densities than are generally appropriate for rural areas and indicates that development of these areas should occur through use of Rural Character Subdivisions, which is being done in this case.

Appropriate land uses outlined by the CCM for properties located in areas of T2 RM are: maintenance of the land in its natural state, small scale agricultural and related uses, residential, institutional, and rural subdivisions. The property is proposed to develop as a Rural Subdivision, as suggested and recommended by policy. Staff finds that the Rural Subdivision regulations meet the CCM policy through the required protection of conservation areas; setbacks; placement of buffers and other requirements.

Inconsistency between Zoning and Policy

Per the CCM , T2 RM areas are intended to be some of the lowest densities of development with density not generally exceeding 1 unit per 2 acres. The property is roughly 35 acres which would result in 17 two acre lots. However, the current zoning, which Metro Council approved in 1987 is more intense and is inconsistent with this policy standard. CCM recognizes that inconsistencies may exist.

Staff finds that reducing the number of lots to meet the NashvilleNext density standard as outlined in the Community Character Manual may result in a regulatory taking of the property as the zoning that exists on the site does not require lots of the size expressed by CCM. However, if the Commission places greater weight to the density portion of the adopted General Plan



Metro Planning Commission Meeting of 6/23/22

(Nashville Next) than the existing zoning or the section of the policy that indicates that Rural Subdivisions are appropriate, then the Commission could recommend that lots be a minimum of 2 acres. Metro Legal recommends adhering to the requirements of the existing zoning.

Sanitary Extension

In addition to the CCM policy considerations, on December 14, 2017, the Metro Planning Commission adopted a sanitary sewer extension policy for areas designated as T2 or CO within a T2 context based on NashvilleNext guidance. To maintain rural character, it is the policy of the Commission to recommend disapproval of any extension of sewer service to areas designated as T2 or CO within a T2 context, as well as any expansion of current sewer beyond what is necessary to adequately serve current customers. If a sewer extension is required, an owner should submit a request for policy change to a non-rural policy. The proposed subdivision would be required to construct an approximately 700-foot extension of sewer along Hudson Road and then an extension along the proposed public road. The Planning Commission may consider this policy and determine if this policy overrides the zoning allowances on the property. Metro Water Services, the sewer provider, has recommended approval of the subdivision as the policy is a policy of the Commission only and does not prevent Metro Water from approving an extension of a public service.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approved

- 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

Approved with conditions

- Change 'Storm Buffer' to 30' Stream Buffer.
- Must comply with all regulations in the Stormwater Management Manual at the time of final submittal.

NASHVILLE DOT RECOMMENDATION

Approved with conditions

- New driveway connections or access points will require a permit from NDOT. Adequate sight distance must be provided per AASHTO for new driveway connections.

TRAFFIC AND PARKING RECOMMENDATION

Approved

- See road comments.



Metro Planning Commission Meeting of 6/23/22

WATER SERVICES RECOMMENDATION

Approved with conditions

- Approved as a Concept Plan only. Public and/or private 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 Sanitary Sewer Capacity must be paid before issuance of building permits.
- Water provided by Madison Suburban Utility District.

MADISON SUBURBAN UTILITY DISTRICT

Approved

- The District has water available to the above referenced location at its current status. Any improvements and/or actual water use would be subject to project review and subject to requirements related to specific demand or use projected by the Fire Marshal and the District's personnel and Engineers. The extension of water main to the front of each residence will be required.
- The owner/developer will be responsible to pay any and all development costs and any and all appropriate tap and meter fees.

STAFF RECOMMENDATION

Staff recommends approval with conditions, based on the current zoning of RS40 and the adopted Subdivision Regulations. If the Commission finds that the portion of the adopted General Plan that notes appropriate densities should be given greater weight than the existing zoning or the policy guidance to follow the rural subdivision regulations, then the Commission could consider recommending that lots be a minimum of 2 acres. Further, the Commission may consider denying the proposal until the policy is amended, based on the adopted sewer extension policy.

CONDITIONS

1. Prior to any land disturbance within the development footprint, a tree survey shall be provided consistent with the provisions of Rural Character Design, Sec.4-2.5(d) of the Metro Subdivision Regulations.
2. All trees shall remain within the screening area along Hudson Road except for limited removal to allow vehicular access. At final, additional plantings may be necessary to supplement the screening area.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. The final site plan/building permit 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



Metro Planning Commission Meeting of 6/23/22

outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

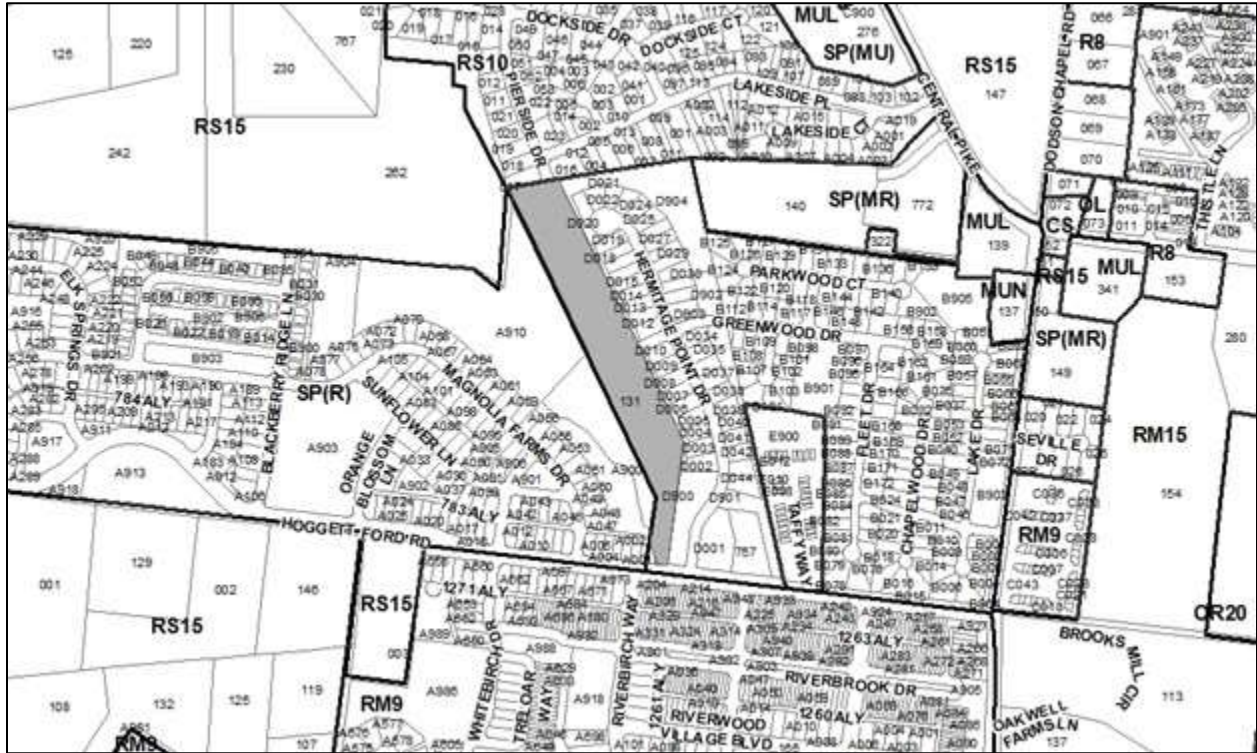
6. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2022S-074-001 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.



Metro Planning Commission Meeting of 6/23/22



2022S-076-001

MAGNOLIA EAST

Map 086, Parcel 131

14, Donelson – Hermitage – Old Hickory

14 (Kevin Rhoten)



Metro Planning Commission Meeting of 6/23/22

Item #24	Concept Plan 2022S-076-001
Project Name	Magnolia East
Council District	14 – Rhoten
School District	04 – Little
Requested by	Gresham Smith, applicant; Beazer Homes, LLC, owner.

Deferrals This request was deferred from the April 14, 2022, April 28, 2022, and the June 13, 2022, Planning Commission meetings. A public hearing was held and closed on April 28, 2022.

Staff Reviewer Swaggart
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.

The Commission reconsidered this request at the June 9, 2022, Planning Commission meeting. The request was deferred so that the applicant could revise the plan to address concerns from the Commission and neighboring community. The plan was revised to remove the vehicular connection to Greenwood.



Metro Planning Commission Meeting of 6/23/22

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 and Pierside Drive stubs into the site from the north.

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 and 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 Pierside Drive. A pedestrian access is proposed to Greenwood Drive.

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



Metro Planning Commission Meeting of 6/23/22

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



Metro Planning Commission Meeting of 6/23/22

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.



Metro Planning Commission Meeting of 6/23/22

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.



Metro Planning Commission Meeting of 6/23/22

- 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.



Metro Planning Commission Meeting of 6/23/22

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. It is important to note that the plan considered at the previous meetings included a street connection to Greenwood Drive. That street connection was eliminated and now includes only a pedestrian connection. The final location of the pedestrian connection will be coordinated with NDOT and Planning upon review of construction plans.

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.



Metro Planning Commission Meeting of 6/23/22

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

- Bond will be required for all improvements within the ROW.
- Road will need to be brought to at a minimum binder course prior to plat recording.
- New driveway connections or access points will require a permit from NDOT.
- Adequate sight distance must be provided per AASHTO for new driveway connections.

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.

STAFF RECOMMENDATION

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

CONDITIONS

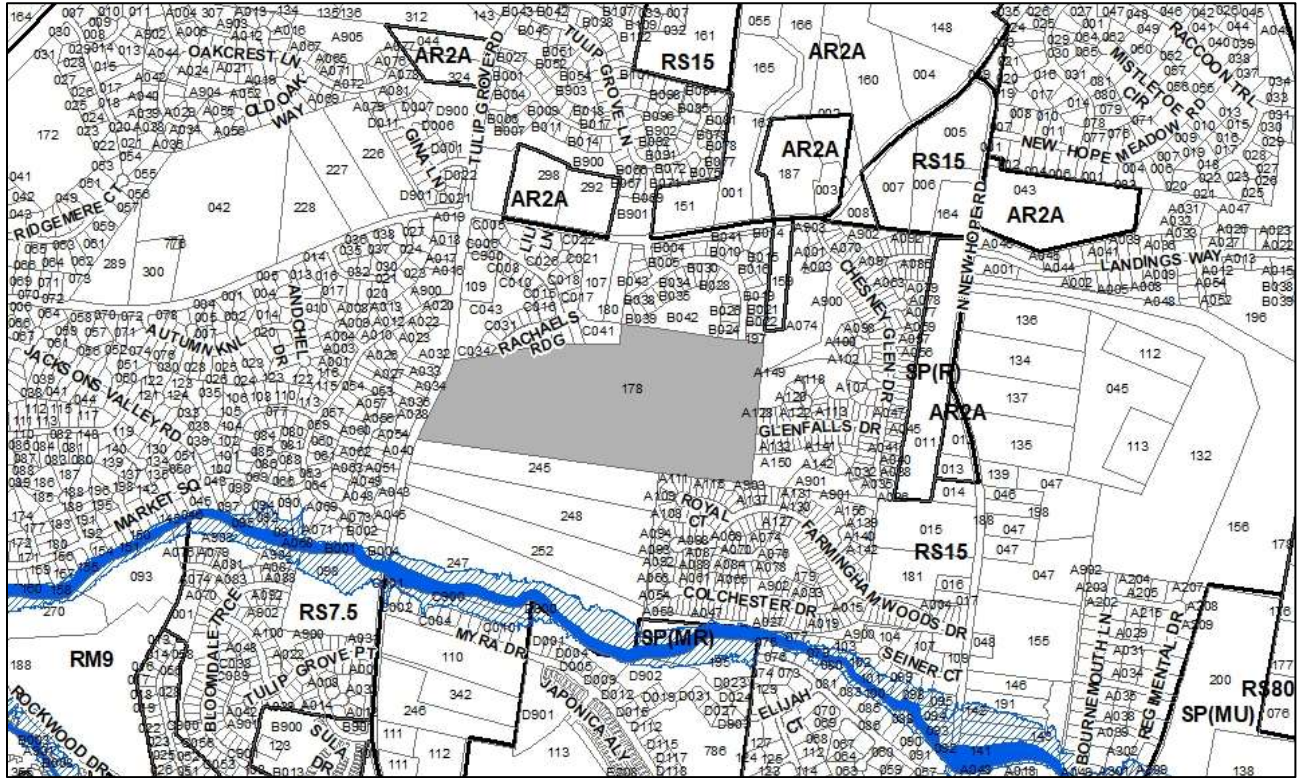
1. Comply with all conditions and requirements of Metro agencies.
2. The final site plan shall adequately demonstrate that the existing vegetation along the eastern property line is preserved consistent with the intent of the variance to allow for sidewalk on only one side of the proposed street. If 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.

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.



Metro Planning Commission Meeting of 6/23/22



2022S-079-001
WILLAMSON HOMESTEAD
Map 086, Parcel(s) 178
14, Donelson - Hermitage - Old Hickory
12 (Erin Evans)



Metro Planning Commission Meeting of 6/23/22

Item #25	Specific Plan 2022S-079-001
Project Name	Williamson Homestead
Council District	12 – Evans
School District	04 – Little
Requested by	CSDG applicant; Robert H & Claudine D Williamson, owners.
Deferrals	This item was deferred at the May 26, 2022, Planning Commission meeting. No public hearing was held.
Staff Reviewer	Elliott
Staff Recommendation	<i>Approve with conditions.</i>

APPLICANT REQUEST

Concept plan approval to permit 79 single-family lots.

Zone Change

A request for concept plan approval to create 79 lots on property located at 1053 Tulip Grove Rd, approximately 52 feet south of Rachael's Ridge, zoned Single-Family Residential (RS15) (37.83 acres).

SITE DATA AND CONTEXT

Location: The site is located on the east side of Tulip Grove Road, south of Old Lebanon Dirt Road. Rachael's Ridge, Christina Court, and Glenfalls Drive all stub into the site from existing subdivisions. Central Pike is just under a mile to the south.

Street Type: The site has frontage onto Tulip Grove Road which is classified as an Arterial Boulevard in the Major and Collector Street Plan.

Approximate Acreage: The proposed area for subdivision is approximately 37.83 acres or 1,647,874 square feet.

Parcel/Site History: This site is comprised of one parcel. The parcel has existed since at least 1969.

Zoning History: The parcel is zoned RS15 and this zoning has existed since 1974, when it was rezoned from R15.

Existing land use and configuration: The site contains a single-family residential land use.



Metro Planning Commission Meeting of 6/23/22



Proposed Concept Plan



Metro Planning Commission Meeting of 6/23/22

Surrounding land use/zoning:

North: Residential/Single-Family Residential (RS15)
South: Residential/Single-Family Residential (RS15)
East: Residential/Single-Family Residential (RS15)
West: Residential/Single-Family Residential (RS15)

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: 79 single-family lots.

Lot sizes: Lot sizes range from 0.17 acres (7,540 square feet) to 0.44 acres (19,166 square feet).

Access: Access is proposed from Tulip Grove Road as well as from the three stub streets that are being extended into this development. These stub street connections include Rachael's Ridge, Glenfalls Drive, and Christina Court.

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 and requires a minimum 15,000 sq. ft. lot size so the site would need to be a minimum of 150,000 sq. ft. to be eligible. The site contains approximately 1,647,874 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



Metro Planning Commission Meeting of 6/23/22

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 37.83 acres or 1,647,874 sq. ft. The minimum lot size of the existing zoning district, RS15, is 15,000 sq. ft.

$$\begin{aligned} 1,647,874 \text{ sq. ft.} \times 0.15 &= 247,181 \text{ sq. ft. (15\% of the gross site area reserved for streets)} \\ 1,647,874 \text{ sq. ft.} - 247,181 \text{ sq. ft.} &= 1,400,693 \text{ sq. ft. (85\% of the gross area} \\ &\text{remaining to yield lots)} \\ 1,400,693 \text{ sq. ft.} / 15,000 \text{ sq. ft.} &= 93 \text{ lots} \end{aligned}$$

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 15.60 acres or 41% 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. The lots near Tulip Grove Road have an open space parcel with a landscape buffer separating these parcels from the roadway.

Minimum lot size for perimeter lots not oriented to an existing subdivision depend on the abutting residential zoning district and the buffering that is provided on site. 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, south, and the east are similar in



Metro Planning Commission Meeting of 6/23/22

size to the proposed lots; therefore, a buffer is technically not required on those sides. The plan provides a buffer yard along all property boundaries except in locations where steep slopes or other environmental features exist and these areas will be left in their vegetated natural state.

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. The proposed plan clusters lots on the portions of the site with slopes less than 20% grade, consistent with the hillside development standards and the cluster lot option.

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 identifies the necessary recreational facilities within common open space for a cluster lot subdivision of this scope.

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.



Metro Planning Commission Meeting of 6/23/22

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 and sidewalks are provided consistent the Metro local street standard.

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.



Metro Planning Commission Meeting of 6/23/22

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

NDOT 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: No variances or exceptions to the Subdivision Regulations are requested with this application.

PLANNING STAFF COMMENTS

The proposed subdivision meets the standards of the Subdivision Regulations and Zoning Code. Future development will be required to meet the standards of the Metro Zoning Code 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.



Metro Planning Commission Meeting of 6/23/22

STORMWATER RECOMMENDATION

Approve with conditions

- Concept site plan is approved with a condition that the hydrologic determination is accepted by TDEC. A rejection of the hydrologic determination application may require revisions to the site plan. Significant revisions to the site plan that are associated with the potential rejection of the hydrologic determination, such as removing or modifying street connectivity, may require a new concept plan application to be applied for.
- 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.
- Tulip Grove Road – Construct Tulip Grove Road ½ roadway section per Standard Detail ST-253, along the property frontage.
- Tulip Grove Road - Sidewalk construction per the Major and Collector Street plan: an eight (8') foot Planting Strip Width; and a six (6') foot Sidewalk Width.
- Roundabout design to conform to FHWA and AASHTO standards and striping per MUTCD. For reference, see the geometric design reference source prepared by FHWA Turner-Fairbank Highway Research Center - Roundabouts: An Informational Guide. Identify the splitter islands / pedestrian crossing.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Coordinate with NDOT for offsite improvements. See roads comments.

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. A minimum of 30% of W&S Capacity must be paid before issuance of building permits. (T2021067175) & (T2021067176).

CONDITIONS

1. Comply with all conditions and requirements of Metro agencies.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

STAFF RECOMMENDATION

Staff recommends approval with conditions.



Metro Planning Commission Meeting of 6/23/22

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2022S-079-001 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.