



METROPOLITAN PLANNING COMMISSION

DRAFT AGENDA

June 23, 2022
4:00 pm Regular Meeting

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

MISSION STATEMENT

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

Commissioners Present:

Jeff Haynes
Lillian Blackshear
Edward Henley
Mina Johnson
Stewart Clifton
Councilmember Brett Withers

Staff Present:

Lucy Kempf, Executive Director
Bob Leeman, Deputy Director
Lisa Milligan, Planning Manager I
Alex Dickerson, Legal
Dustin Shane, Planner II
Logan Elliott, Planner I

Commissioners Absent:

Greg Adkins, Chair
Jessica Farr, Vice Chair
Jim Lawson
Brian Tibbs

Lucy Alden Kempf
Secretary and Executive Director, Metro Planning Commission
Metro Planning Department of Nashville and Davidson County
800 2nd Avenue South P.O. Box 196300 Nashville, TN 37219-6300
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Notice to Public

Please remember to turn off your cell phones.

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

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

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

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

Writing to the Commission

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

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

Speaking to the Commission

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

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

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

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

Legal Notice

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



The Planning Department does not discriminate on the basis of race, color, national origin, gender, gender identity, sexual orientation, age, religion, creed or disability in admission to, access to, or operations of its programs, services, or activities. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline or any other employment practices because of non-merit factors shall be prohibited. For ADA inquiries, contact Josie Bass, ADA Compliance Coordinator, at (615) 862-7150 or e-mail her at josie.bass@nashville.gov. For Title VI inquiries, contact Human Relations at (615) 880-3370. For all employment-related inquiries, contact Human Resources at (615) 862-6640.

MEETING AGENDA

A: CALL TO ORDER

Mr. Dickerson stated that under Planning Commission rules, in the absence of the Chairperson and Vice Chair when a quorum is present during a regular or special meeting, an interim Chairperson shall be elected from the members present.

Councilmember Withers moved and Ms. Johnson seconded the motion to elect Commissioner Haynes to be the interim Chair for this Planning Commission meeting.

Mr. Withers advised that a member of the audience expressed interest to start the meeting with the Pledge of Allegiance. He asked to amend the Agenda to include starting with the Pledge of Allegiance.

Mr. Haynes stated he was duly elected as interim Chairperson and will start the meeting with the Pledge of Allegiance. He asked for everyone to stand.

Pledge of Allegiance commenced.

The meeting was called to order at 4:07 p.m.

B: ADOPTION OF AGENDA

Ms. Johnson moved and Ms. Blackshear seconded the motion to adopt the agenda. (6-0)

C: APPROVAL OF JUNE 09, 2022 MINUTES

Ms. Blackshear moved and Ms. Johnson seconded the motion to approve the June 9, 2022 meeting minutes. (6-0)

D: RECOGNITION OF COUNCILMEMBERS

No councilmembers spoke at this time.

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

Ms. Milligan stated Ms. Blackshear has recused herself from Item 24.

Ms. Johnson moved and Mr. Henley seconded the motion to approve the Deferred and Withdrawn Items. (6-0)

F: CONSENT AGENDA ITEMS 29

Ms. Milligan stated Ms. Blackshear has recused herself from Items 11a, 11b, 13, 17, 19a, 19b and 22.

Mr. Henley moved and Ms. Johnson seconded the motion to approve the Consent Agenda. (6-0)

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

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

G: ITEMS TO BE CONSIDERED

1. 2021Z-018TX-001

BL2021-922/Taylor

Staff Reviewer: Amelia Lewis

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

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

The Metropolitan Planning Commission deferred 2021Z-018TX-001 to the July 28, 2022, Planning Commission meeting. (6-0)

2. 2021SP-063-001

CHARLOTTE VIEW WEST

Council District 35 (Dave Rosenberg)

Staff Reviewer: Logan Elliott

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

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

The Metropolitan Planning Commission deferred 2021SP-063-001 to the July 28, 2022, Planning Commission meeting. (6-0)

3. 2022SP-023-001

AUTUMN GLEN

Council District 15 (Jeff Syracuse)

Staff Reviewer: Seth Harrison

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

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

The Metropolitan Planning Commission deferred 2022SP-023-001 to the July 28, 2022, Planning Commission meeting. (6-0)

4. 2022SP-033-001

SHORE VIEW SP

Council District 14 (Kevin Rhoten)

Staff Reviewer: Seth Harrison

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

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2022SP-033-001 indefinitely. (6-0)

5. 2022SP-040-001
2635 GALLATIN AVE DOG DAYCARE
Council District 05 (Sean Parker)
Staff Reviewer: Logan Elliott

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

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

The Metropolitan Planning Commission deferred 2022SP-040-001 to the July 28, 2022, Planning Commission meeting. (6-0)

6. 2021S-180-001
RESUB OF LOT 91 T.M. NALL'S SUBDIVISION
Council District 20 (Mary Carolyn Roberts)
Staff Reviewer: Amelia Lewis

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 R8 (1.03 acres), requested by Delle Land Surveying, applicant; Monica N. Slater & Melissa L. Haney & ET AL, owners.

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

The Metropolitan Planning Commission deferred 2021S-180-001 to the July 28, 2022, Planning Commission meeting. (6-0)

7. 2022S-133-001
RONNIE LEE BUCK JR. LOT
Council District 01 (Jonathan Hall)
Staff Reviewer: Jason Swaggart

A request for final plat approval to create one lot on property located 7950 Greenbrier Road, approximately 542 feet east of Wilkinson Road, zoned AR2a (2.1 acres), requested by Anthony T. Bellinger, applicant; Buck, Ronnie Lee Jr., owner.

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2022S-133-001 indefinitely. (6-0)

8. 2022S-137-001
BELLETERRA
Council District 28 (Tanaka Vercher)
Staff Reviewer: Seth Harrison

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 R15 and RS7.5, and located with a PUD (25.22 acres), requested by Dale & Associates, applicant; M&D Development LLC, owner.

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

The Metropolitan Planning Commission deferred 2022S-137-001 to the July 28, 2022, Planning Commission meeting. (6-0)

9. 2022Z-008TX-001

BL2022-1271/Styles

Staff Reviewer: Dustin Shane

A request to amend Section 17.20.030 of the Metropolitan Code, Zoning Regulations to establish a minimum depth for residential garages.

Staff Recommendation: Approve with a substitute.

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 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 ~~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.

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.

Mr. Shane presented the staff recommendation to approve with a substitute.

Ms. Milligan stated that Councilmember Styles was the applicant but not present at the meeting.

Jeremiah Wooten, 1828 Wild Oaks Court, spoke in opposition to the application.

David Kleinfelter, 2904 23rd Avenue, spoke in opposition to the application.

Councilmember Sean Parker spoke in opposition to the application.

Mr. Haynes closed the public hearing.

Councilmember Withers thought the public comments were compelling. He asked if there were any standards as a reference point. He said he would be inclined to vote for a meeting deferral to give more time for front end research to be completed.

Ms. Milligan advised there has been some difficulties from Councilmember Styles' constituents regarding homes they purchased not adequately accommodating vehicles. She stated there was currently an 8x20 standard in the code for any one or two residential parking space. She also said they have reached out to home builders and asked generally what sizes they were building and the response was that the depth was typically 20-21 feet.

Ms. Johnson thought an increase in size may work for one neighborhood but not for another because of so many different neighborhood characters. She said she would like to see more outreach and would like to know if there was any adverse effect of the zoning change.

Ms. Blackshear said it would be interesting and informative to know what other jurisdictions have experienced standards like this and if there were unintended consequences that occurred.

Mr. Henley stated it was important that this response was seemingly to be protective of people that were buying new homes, but thought the intent could still be achieved with some more moderate modifications. He agreed that a standard is good to have, but it should be an appropriate standard.

Mr. Clifton moved to defer this Item for one meeting.

Ms. Milligan stated that no public meeting shall be held until there is a recommendation from the Planning Commission or at least 30 days have passed from the date of introduction. She said it was introduced on June 7, 2022, so 30 days would be July 7, 2022. She advised it is scheduled for public hearing on July 5, 2022, so Councilmember Styles could ask for a suspension of that rule to go forward with the public hearing without a recommendation, but it would require a suspension of the rules because 30 days has not passed.

Ms. Kempf stated the Commission had three choices. She explained that one option was to recommend disapproval, and another was to recommend approval with a change. She said the third option was to recommend deferral, which could potentially put them in a position to get crossways with the Council's schedule.

Mr. Clifton stated he would like to change his original motion.

Mr. Clifton moved and Ms. Johnson seconded the motion to disapprove. (6-0)

Resolution No. RS2022-169

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-008TX-001 is disapproved. (6-0)

10. 2022Z-009TX-001

BL2022-1270/Pulley

Staff Reviewer: Amelia Lewis

A request to amend Section 17.12.030 of Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to the calculation of required street setbacks for residential areas with an established development pattern.

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

The Metropolitan Planning Commission deferred 2022S-137-001 to the July 28, 2022, Planning Commission meeting. (6-0)

11a. 2022SP-016-001

NEWSOM PLACE

Council District 35 (Dave Rosenberg)

Staff Reviewer: Logan Elliott

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

Staff Recommendation: Approve with conditions or 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.

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.

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 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 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.

Approve with conditions disapprove without all conditions. (5-0-1)

Resolution No. RS2022-170

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-016-001 is approved with conditions and disapproved without all conditions. (5-0-1)

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.

11b. 84-85P-005

BILTMORE PUD (CANCELTATION)

Council District 35 (Dave Rosenberg)

Staff Reviewer: Logan Elliott

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

Staff Recommendation: Approve subject to the approval of associated zone change 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 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, 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.

Approve with conditions disapprove without all conditions. (5-0-1)

Resolution No. RS2022-171

"BE IT RESOLVED by The Metropolitan Planning Commission that 84-85P-005 is approved with conditions and disapproved without all conditions. (5-0-1)

12a. 2022SP-028-001

ASHLAND AND CLARKSVILLE PIKE

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Abbie Rickoff

A request to rezone from SCN to SP zoning for properties located at Ashland City Highway (unnumbered) and Clarksville Pike (unnumbered), approximately 800 feet south of Abernathy Road, (20.65 acres), located within the Planned Unit Development Overlay and Corridor Design Overlay districts, to permit a mixed-use development, requested by Smith Gee Studio, applicant; Eugene Carroll Wheeler and Eugene Joseph Wheeler, owners. (See associated cases #35-87P-001 & 99-76P-001).

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 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.

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 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 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.

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.

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 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. 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.
6. With the final SP, additional landscape screening shall be provided to reduce visibility of the eastern-facing Building G façade from the corridor.
7. 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.
8. In instances where the CDO standards and SP standards conflict, the standards of the SP shall govern.
9. Changes to the plan to accommodate requirements of NDOT may be required at the final SP.
10. With the final SP, staff will work with the applicant to determine appropriate conditions for public access easements, which shall be included on the final site plan. Prior to building permit approval, provide easement documentation.
11. Comply with all conditions and requirements of Metro reviewing agencies.
12. 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.
13. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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.

Ms. Milligan advised she was filling in for Ms. Rickoff. She stated she will be presenting Items 12a, 12b and 12c at the same time, but Commissioners need to vote on them separately.

Ms. Milligan presented the staff recommendation to approve with conditions and disapprove without all conditions.

David Kleinfelter, 424 Church Street, spoke in favor of the application.

Ken Babinchack, 602 Taylor Street, spoke in favor of the application.

Daniela Vavra, 3805 Ashland City Hwy, spoke in opposition to the application.

Mr. Haynes closed the Public Hearing.

Mr. Henley believed in SP and thought this would be successful because of the SP process. He said he was glad to hear of the street improvements.

Mr. Clifton believed it added exactly what was needed and was in full support of this project.

Ms. Blackshear empathized with the community members' thoughts and concerns and was familiar with the area. She felt it was done in a way that it was respectful to the area, including the green space and street network of the area.

Ms. Johnson said that if nothing was done, it would be a shopping center and worse than what was proposed. She said what was proposed was very neighborhood sensitive and loved the street connection and privately maintained public accessible park. Ms. Johnson felt this was very thoughtful and the plan was area appropriate and that she was in support.

Councilmember Withers found this site plan to be very responsive to environmental concerns; the concern for adding and supporting transit, as well as retail along the street. He asked about foot traffic to access this site.

Ms. Milligan stated there was a traffic study and engineering details of what would be appropriate from a mobility standpoint.

Councilmember Withers said it was a great plan and that according to policy, this was an appropriate location for density.

Mr. Henley moved and Ms. Johnson seconded the motion to approve with amended conditions. (6-0)

Resolution No. RS2022-172

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-028-001 is approved with amended conditions. (6-0)

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 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. 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.
6. With the final SP, additional landscape screening shall be provided to reduce visibility of the eastern-facing Building G façade from the corridor.
7. 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.
8. In instances where the CDO standards and SP standards conflict, the standards of the SP shall govern.

9. Changes to the plan to accommodate requirements of NDOT may be required at the final SP.
10. With the final SP, staff will work with the applicant to determine appropriate conditions for public access easements, which shall be included on the final site plan. Prior to building permit approval, provide easement documentation.
11. Comply with all conditions and requirements of Metro reviewing agencies.
12. 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.
13. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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.

**12b. 35-87P-001
NORTHGATE SHOPPING CENTER PUD (CANCELATION)**

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Abbie Rickoff

A request to cancel a Planned Unit Development Overlay District for property located at Ashland City Highway, (unnumbered), approximately 800 feet south of Abernathy Road (18.2 acres), zoned SCN and located within the Corridor Design Overlay District, requested by Smith Gee Studio, applicant; Eugene Carroll Wheeler and Eugene Joseph Wheeler, owners (See associated cases #2022SP-028-001 & 99-76P-001).

Staff Recommendation: 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 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.

Mr. Henley moved and Ms. Johnson seconded the motion to approve. (6-0)

Resolution No. RS2022-173

"BE IT RESOLVED by The Metropolitan Planning Commission that 35-87P-001 is approved. (6-0)

12c. 99-76P-001

NORTHGATE SHOPPING CENTER PUD (CANCELATION)

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Abbie Rickoff

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 (2.47 acres), zoned SCN and located within the Corridor Design Overlay District, requested by Smith Gee Studio, applicant; Eugene Carroll Wheeler and Eugene Joseph Wheeler, owners. (See associated cases #2022SP-028-001 & 35-87P-001).

Staff Recommendation: Approve if the associated SP is approved and disapprove if the associated is not approved.

APPLICANT REQUEST

Cancel a portion of a Planned Unit Development.

PUD Cancelation

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 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 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.

Mr. Henley moved and Ms. Johnson seconded the motion to approve. (6-0)

Resolution No. RS2022-174

"BE IT RESOLVED by The Metropolitan Planning Commission that 399-76P-001 is approved. (6-0)

**13. 2022SP-030-001
930 MCFERRIN**

Council District 05 (Sean Parker)
Staff Reviewer: Logan Elliott

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

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

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 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 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. 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

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

- Permitted uses shall be limited to a maximum of 13 multi-family residential units, 4 live/work units, and 2,400 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.
- A 6' tall opaque fence shall screen the 21 space surface parking area from the adjacent properties.
- 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.
- No vehicle parking shall be permitted in front of residential units 1-12.
- 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.
- 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.
- 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.
- Comply with all conditions and requirements of Metro reviewing agencies.
- 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.
- A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
- Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted,

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

Approve with conditions and disapproved without all conditions. (5-0-1)

Resolution No. RS2022-175

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-030-001 is approved with conditions and disapproved without all conditions (5-0-1)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 13 multi-family residential units, 4 live/work units, and 2,400 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 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.

**14. 2022SP-041-001
8033 HIGHWAY 100**

Council District 35 (Dave Rosenberg)

Staff Reviewer: Seth Harrison

A request to rezone from RS40 to SP zoning for property located at 8033 Highway 100, approximately 95 feet west of Temple Rd, and within the Highway 100 Urban Design Overlay (9.07 acres), to permit certain uses in MUL-A zoning, requested by Fulmer Lucas Engineering, applicant; Flanigan, Mamie L. & Flanigan, M.J.II, owners.

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

APPLICANT REQUEST

Preliminary SP to permit a mixed-use development.

Zone Change

A request to rezone from Single-family Residential (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.

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.

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 forthcoming 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.
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.

Approve with conditions. (6-0)

Resolution No. RS2022-176

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-041-001 is approved with conditions. (6-0)

CONDITIONS

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

**15. 2022COD-001-001
MAXWELL HEIGHTS CONTEXTUAL OVERLAY**

BL2022-1317/Parker

Council District 05 (Sean Parker)

Staff Reviewer: Dustin Shane

A request to apply a Contextual Overlay District to various properties located east of Ellington Parkway, zoned RS5 and SP (48.55 acres), requested by Councilmember Sean Parker, applicant; various owners.

Staff Recommendation: Approve.

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.

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.

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.

Approve. (6-0)

Resolution No. RS2022-177

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

**16. 2022DDU-001-001
MAXWELL HEIGHTS DADU OVERLAY**

BL2022-1322/Parker

Council District 05 (Sean Parker)

Staff Reviewer: Dustin Shane

A request to apply a Detached Accessory Dwelling Unit Overlay District to various properties located west of Gallatin Avenue and east of Ellington Parkway, zoned RS5 (75.01 acres), requested by Councilmember Sean Parker, applicant; various owners.

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 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.

Approve. (6-0)

Resolution No. RS2022-178

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

17. 2022Z-056PR-001

Council District 32 (Joy Styles)
Staff Reviewer: Jason Swaggart

A request to rezone from SP to MUL on property located at 5400 Mt View Rd, at the southeast corner of Crossings Blvd and Mt. View Road, (5.11 acres), requested by Barge Cauthen & Associates, applicant; Rajendra Bhakta, owner.

Staff Recommendation: 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.

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

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.

Approve. (5-0-1)

Resolution No. RS2022-179

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-056PR-001 is approved. (5-0-1)

18. 2022Z-061PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Amelia Lewis

A request to rezone from RS7.5 to RM20-A-NS zoning for property located at 829 W Trinity Lane , approximately 203 feet west Homestead River Way (0.48 acres), requested by Enchanted Developments LLC, applicant and owner.

Staff Recommendation: 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 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 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.

Approve. (6-0)

Resolution No. RS2022-180

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-061PR-001 is approved. (6-0)

19a. 2022Z-062PR-001

Council District 10 (Zach Young)

Staff Reviewer: Seth Harrison

A request to rezone from SCR and R6 to 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, requested by Barge Design Solutions, applicant; KDI Rivergate Mall, LLC, owner. (See associated case #38-79P-005).

Staff Recommendation: Approve.

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.

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

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (5-0-1)

Resolution No. RS2022-181

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-062PR-001 is approved. (5-0-1)

**19b. 38-79P-005
CONFERENCE DRIVE AT RIVERGATE MALL (CANCELTATION)**

Council District 10 (Zach Young)
Staff Reviewer: Seth Harrison

A request to cancel 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 R6 and SCR, requested by Barge Design Solutions, applicant; KDI Rivergate Mall, LLC, owner. (See associated case #2022Z-062PR-001).

Staff Recommendation: Approve if the associated 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 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 cancellation 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.

Approve. (5-0-1)

Resolution No. RS2022-182

“BE IT RESOLVED by The Metropolitan Planning Commission that 38-79P-005 is approved. (5-0-1)

20. 2022Z-063PR-001

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Logan Elliott

A request to rezone from IR to MUI-A zoning for properties located at 5604 and 5700 Centennial Blvd (unnumbered), at the corner of Centennial Blvd and Ohio Ave. (1.52 acres), requested by Buchalter APC, applicant; Zad, Payman, owner.

Staff Recommendation: 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 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 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.

Mr. Elliott presented the staff recommendation to disapprove MUI-A and recommend approval of MUL-A.

Daniel Tansey, STG Design, 211 Union Street, stated he was speaking for the applicant. He spoke in favor of the application.

Mr. Haynes closed the Public Hearing.

Ms. Blackshear stated she heard the applicant say that he understood the Commission may need to disapprove and that he was prepared to go to Council and ask for the 27 votes. She said it sounded like this request was not compliant with current policy and does not see anything regarding an associated policy change request. Ms. Blackshear acknowledged that if it was not compliant with policy, the job of the Planning Commission was not to support it. She agreed with staff analysis and was fine with moving forward of disapproval.

Ms. Johnson thought the staff analysis was right on and said if the applicant brought a specific height what density cannot achieve, she suggested MUL-A. Mr. Johnson said the applicant was asking for a much more intense and higher building; therefore, was in full support of staff recommendation.

Councilmember Withers stated he supported the staff recommendation. He pointed out the adjacent parcel is MUL-A and MUI zoning is very intense and would be quite a bit greater than the entitlements of the other commercial mixed use developments nearby.

Mr. Clifton stated he had nothing to add to what has been said.

Mr. Henley stated he had nothing further to add.

Ms. Blackshear moved and Ms. Johnson seconded the motion to disapprove MUI-A and approve MUL-A. (6-0)

Mr. Haynes called for a short break.

Disapprove MUI-A and recommend approval of MUL-A. (6-0)

Resolution No. RS2022-183

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-063PR-001 is disapproved MUI-A and recommend approved of MUL-A. (6-0)

- 21. 2022Z-065PR-001**
Council District 07 (Emily Benedict)
Staff Reviewer: Amelia Lewis

A request to rezone from RS10 to 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), requested by Councilmember Emily Benedict, applicant; various property owners.

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.

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.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (6-0)

Resolution No. RS2022-184

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-065PR-001 is approved. (6-0)

**22. 2022DTC-031-001
PASEO TOWERS 3 AND 4**

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

A request for an overall height modification for property located at 714 8th Ave. S, 700, 706, and 710 Division St, at the corners of 7th Ave S and 8th Ave S, zoned DTC (1.91 acres), to allow a 30 story residential tower and a 22 story office tower shared with parking and retail, requested by Earl Swensson Associates, applicant; MTP-Paseo Phase III Land, LLC, owner.

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.

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, 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 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.

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

Approve with conditions. (5-0-1)

Resolution No. RS2022-185

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022DTC-031-001 is approved with conditions. (6-0)

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.
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.

23. 2022S-074-001

HUDSON SUBDIVISION

Council District 09 (Tonya Hancock)

Staff Reviewer: Dustin Shane

A request for concept plan approval to create 29 lots on property located at Hudson Rd (unnumbered), approximately 70 feet north of Jacques Ct, zoned RS40 (35.3 acres), requested by Williams Engineering, applicant; Margaret Marie Piercey Testamentary Trust, owners.

Staff Recommendation: Approve with conditions.

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)

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.

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.*

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.

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 sq. ft. x 0.15 = 228,428.64 sq. ft. (15% of the gross site area reserved for streets)

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

1,294,428.96 sq. ft. / 40,000 sq. ft. = 32 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.

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 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 (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.

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 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.

Mr. Shane presented the staff recommendation to approve with conditions.

Jeff Parnell, 104 Grace Drive in Goodlettsville, advised he was speaking on behalf of James Dillard, the owner and applicant. He said Mr. Dillard could not be in attendance due to a COVID quarantine. Mr. Parnell read a letter written by Mr. Dillard, which indicated he was in favor of the application. Mr. Parnell spoke in favor of the application.

Jeremiah Wooten, 1828 Wild Oaks Court, spoke in favor of the application and asked for support of staff recommendation.

Councilmember Jason Holleman, 4210 Park Avenue, spoke on behalf of the Neely's Bend Neighborhood Association. He spoke in opposition to the application.

John Dewall, 2810 Leeville Road in Mt. Juliet, stated he is representing the Neely's Bend Next Generation. He spoke in opposition to the application.

Brian Copeland, 2103 Neelys Bend Road, spoke in opposition to the application.

Carolyn Adams, 510 Menees Lane, spoke in opposition to the application.

Wayne Moore, 505 Menees Lane, spoke in opposition to the application.

Jim Forkum, 542 Menees Lane, spoke in opposition to the application.

Tim Prow, 1562 Hudson Road, spoke in opposition to the application.

Shannon Prow, 1562 Hudson Road, spoke in opposition to the application.

Vicki Anderson, 117 Pineywood Acres Drive, spoke in opposition to the application.

Will Anderson, 117 Pineywood Acres Drive, spoke in opposition to the application.

Jesse Strauss, 1627 Pawnee Trail, spoke in opposition to the application.

Penelope Bidwell, 1218 Apache Lane, spoke in opposition to the application.

Patrick Ford, 1737 Hudson Road, spoke in opposition to the application.

Bernard Devasher, 1735 Hudson Road, spoke in opposition to the application.

Mary Elizabeth Devasher, 1735 Hudson Road, spoke in opposition to the application.

Mary Lee Moore, 505 Menees Lane, spoke in opposition to the application.

Joe Willis, 2219 Neelys Bend Road, spoke in opposition to the application.

Phillip North, 109 Menees Lane, position to the application.

Kelli Boyd, 1420 Neelys Bend Road, spoke in opposition to the application.

Tonya Bradford, 1716 Hudson Road, spoke in opposition to the application.

Michael Bradford, 1716 Hudson Road, spoke in opposition to the application.

Joshua Oaks, 1610 Pawnee Trail, spoke in opposition to the application.

Denny Kleibscheidel, 124 Pineywood Acres Drive, spoke in opposition to the application.

Fred Brooks, 1633 Pawnee Trail, spoke in opposition to the application.

Margaret Lee, 501 Menees Lane, spoke in opposition to the application.

Lance Lee, 501 Menees Lane, spoke in opposition to the application.

Tonia Floyd, 1737 Hudson Road, spoke in opposition to the application.

Michelle Seeler, 405 Menees Lane, spoke in opposition to the application.

Steve Koch, 1673 Comanche Run, spoke in opposition to the application.

Jill Chafetz, 1673 Comanche Run, spoke in opposition to the application.

Flo Oaks, 1610 Pawnee Trail, spoke in opposition to the application.

Brandon Krell, 325 Menees Lane, spoke in opposition to the application.

Dave Manning, 1833 Hudson Road, spoke in opposition to the application.

Scott Heflinger, 120 Lakeside Drive in Goodlettsville, spoke in opposition to the application.

James Bickel, 1616 Pawnee Trail, spoke in opposition to the application.

Tim Weeks, Hermitage, spoke in opposition to the application.

Jim Closser, 1729 Hudson Road, spoke in opposition to the application.

Myrna Closser, 1729 Hudson Road, spoke in opposition to the application.

Jennifer Richmond, 716 Florence Circle, spoke in opposition to the application.

Donald and Kim Allen, 1564 Hudson Road, spoke in opposition to the application.

Sasha Lassiter, 1100 Berwick Trail, spoke in opposition to the application.

Michelle Willis, 2219 Neelys Bend Road, spoke in opposition to the application.

Abner Fuentes, 1542 Neelys Bend Road, spoke in opposition to the application.

Wendy Kleibscheidel, 124 Pineywood Acres Drive, spoke in opposition to the application.

Jeff Parnell spoke in rebuttal and asked for the Commission's approval.

Councilmember Tonya Hancock spoke in opposition to the application and asked the Commission to disapprove this proposal.

Mr. Haynes closed the Public Hearing.

Ms. Blackshear asked Mr. Dickerson to clarify the subdivision regulations and what to consider to approve and what to consider to disapprove.

Mr. Dickerson referenced the Hudson Court of Appeals case that was decided in 2020, Hunsinger Chancellor Court opinion and Nashville Building Group Chancery Court opinion. He stated there was room for discretion based on this case law but it was emerging. He said most everyone understood that whatever decision was made here may be subject to appeal in a court and advised that whenever they came to their consensus, to be explicit in the reasons that they were approving or denying.

Ms. Blackshear asked how did staff get to the recommendation for approval with the sewer policy.

Ms. Milligan responded that it was a policy but not an adopted regulation, such as the subdivision regulation or the zoning code, which was what they use to review a subdivision. She said it was a policy adopted based on some language in Nashville Next related to extension of sewer, but for their review, on a staff level, they looked at the adopted, legally binding regulations of the zoning code and the subdivision regulations.

Ms. Kempf stated her predecessor gave them a path in which to align the sewer extension policy with their review, which was to require an amendment to the community plan. Such an amendment had not been proposed, which was why they noted in the staff report that that was a factor the Commission may need to take into account.

Ms. Blackshear asked Ms. Kempf about the factor in which they might take into account, as in they have the option to approve or disapprove. She asked if they decide to approve, then that approval would need to accompany a policy amendment regarding the sewer. She asked if they decide to disapprove, then the policy was that the sewer was not to be extended as a reason for disapproval.

Ms. Kempf said this was an emerging area and they are trying to better under their authorities and how to review these in a manner that was consistent with the court decisions. She advised they had a policy regarding sewer extensions that they, as a Commission, as a policy matter, weigh that similar to how they would view Nashville Next as a policy, a series of policy guidance. She said they do not support extending sewer in rural areas that are designated in Nashville Next as rural. So, as a general matter, if they got a proposal such as this, then the course of action to consider was to say 'why don't you propose an amendment to the general plan' and then the extension of the sewer might be appropriate under this policy. Ms. Kempf advised an amendment to the general plan has not been proposed. She explained the Commission's policy has to be seen in context with the zoning regulations and other rules and they need to look at all of these together. In the staff report, they acknowledged they believed this met the zoning code and met certain sections of Nashville Next, but not all sections, as it does not meet Nashville Next's views on density or the policy regarding sewer extensions; so, the courts have been clear with staff to give facts but it was up to this body to weigh the competing factors and come to a determination.

Ms. Blackshear said that was very helpful, particularly after Mr. Dickerson gave them the information on the previous court cases. She then asked about the streams and conservation areas.

Ms. Milligan responded that part of the review process for subdivisions, the other metro agencies including Storm Water, are involved in the review and that any Storm Water features have been recommended on the plat and that Storm Water has recommended approval of the subdivision plat. She said there was an area along the front of the lot that had some stream buffer that was located in primary conservation land and the area within the 100 year flood was also, per the subdivision regulations, located in primary conservation land.

Ms. Blackshear stated this was a hard case to hear because they respect the property owner's right to develop and they have certain standards that were met. She said she heard everything the neighborhood was saying, especially as it related to the density and sewer.

Ms. Johnson thanked everyone for attending and for making the informational binder, which was excellent and very easy to read. She said they have to make their decision based on the subdivision regulations. Ms. Johnson said she read and focused on Chapter 4 which included, the Planning Commission shall determine whether the proposed screening method is sufficient to achieve the purpose of screening. Ms. Johnson said if they see the larger picture, especially farmland and surrounding areas, she did not feel the buffer was sufficient and especially screening was not sufficient. She explained that considering streets, street design followed metro guidelines, which was 50 feet with sidewalks and Hudson Road is local and rural with no shoulder or sidewalks. She thought it was trying to squeeze in a conventional subdivision into a T2 Rural maintenance area. She concluded this does not meet the purpose of the screening and does not comply with Chapter 3-1 number 2.

Councilmember Withers felt the Commission needed to hold things that were in a rural policy, but especially a rural maintenance policy, to every facet of the community plan. He said it met some facets of the T2 Care Community manual, but not all. He believed they needed to take T2 Rural very seriously and especially for rural maintenance. Mr. Withers believed that density was needed in places where they have infrastructure, but they do not need to allow a single development to be expanding sewer lines that were going to potentially impact neighbors financially and lead to the furtherance of a suburban encroachment into a rural policy area. He said he was inclined to disapprove this subdivision

Mr. Clifton thought to approve this as Commissioners would violate the spirit of our Nashville Next discussions, particularly as it pertained to the rural areas. He believed they honestly needed to reject this proposal.

Mr. Henley thought there were a lot of nots, and non-conformings and did not align with Nashville Next and the general plan. He said he was ready to move forward and disapprove the staff recommendation.

Ms. Kempf reiterated some of the Commissioner's comments. She listed: The screening and buffer requirements have not been met; the character and intent of the T2 Rural Policy was not represented in this application; there was a Commission Policy that sewer extensions should not be extended into rural areas without a change in the land use policy; and general comments about the character of rural areas and this subdivision did not meet the character of rural areas.

Councilmember Wither said looking at the subdivision at the south where its larger lot sizes and also building placements were more varied, spoke to the rural character, rather than a more suburban subdivision.

Ms. Johnson added by saying there was adverse effect to agricultural business, cited in chapter 4, regarding rural subdivision character regulation.

Ms. Kempf summarized the factors that were leading to the disapproval of the application. She listed: Screening and buffer as insufficient to meet the subdivision regulations and have not been defined; character of the area did not meet the characteristics of rural as defined in the general plan, including the irregularity of the lot patterns; there was no proposed amendment to Nashville Next, which would proceed a positive review from this body pertaining to the extension of sewer; there was an adverse effect, as demonstrated in testimony, as to agricultural uses on adjacent properties which were central to rural communities.

Mr. Henley moved and Ms. Johnson seconded the motion to disapprove based on reasons summarized by Director Kempf. (6-0)

Resolution No. RS2022-186

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-074-001 is disapproved based on the screening and buffer as insufficient to meet the subdivision regulations and have not been defined; character of the area did not meet the characteristics of rural as defined in the general plan, including the irregularity of the lot patterns; there was no proposed amendment to Nashville Next, which would proceed a positive review from this body pertaining to the extension of sewer; there was an adverse effect, as demonstrated in testimony, as to agricultural uses on adjacent properties which were central to rural communities.. (6-0)
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 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.

**24. 2022S-076-001
MAGNOLIA EAST**

Council District 14 (Kevin Rhoten)
Staff Reviewer: Jason Swaggart

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

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

The Metropolitan Planning Commission deferred 2022S-076-001 to the July 28, 2022, Planning Commission meeting. (5-0-1)

**25. 2022S-079-001
WILLIAMSON HOMESTEAD**

Council District 12 (Erin Evans)
Staff Reviewer: Logan Elliott

A request for concept plan approval to create 79 lots on property located at 1053 Tulip Grove Rd, approximately 52 feet south of Rachaels Ridge, zoned RS15 (37.83 acres), requested by CSDG applicant; Robert H & Claudine D Williamson, owners.

Staff Recommendation: Approve with conditions.

Ms. Milligan stated the applicant for this Item spoke to some of the people in attendance who had concerns and decided to defer this Item to the July 28, 2022 meeting.

Ms. Johnson moved and Mr. Henley seconded the motion to defer this Item to the July 28, 2022 Planning Commission meeting. (5-0-1). Ms. Blackshear has recused herself.

Ms. Milligan advised the audience, that due to early voting, the July 28, 2022 meeting will be held at the Metro Nashville Public Schools Administration Building at 2601 Bransford Avenue.

Resolution No. RS2022-187

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-074-001 is deferred to the July 28, 2022, Planning Commission meeting. (5-0-1)

H: OTHER BUSINESS

26. Historic Zoning Commission Report

27. Board of Parks and Recreation Report
28. Executive Committee Report
29. Accept the Director's Report

Resolution No. RS2022-188

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

30. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

July 28, 2022

MPC Meeting

4 pm, 2601 Bransford Avenue, Metro Nashville Public Schools Admin Building

August 25, 2022

MPC Meeting

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

J: ADJOURNMENT

The meeting adjourned at 8:12 p.m.