



METROPOLITAN PLANNING COMMISSION

MINUTES

August 25, 2022
4:00 pm Regular Meeting

700 President Ronald Reagan Way
(between Lindsley Avenue and Middleton Street)
Howard Office Building, Sonny West Conference Center (1st Floor)

MISSION STATEMENT

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

Commissioners Present:

Jessica Farr, Vice Chair
Lillian Blackshear
Edward Henley
Stewart Clifton
Mina Johnson
Jeff Haynes
Brian Tibbs
Councilmember Brett Withers

Staff Present:

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

Commissioners Absent:

Greg Adkins, Chair
Jim Lawson

Lucy Alden Kempf

Secretary and Executive Director, Metro Planning Commission

Metro Planning Department of Nashville and Davidson County
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Notice to Public

Please remember to turn off your cell phones.

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

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

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

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

Writing to the Commission

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

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

Speaking to the Commission

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

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

If you intend to speak during a meeting, you will be asked to fill out a short "Request to Speak" form. Items set for consent or deferral will be listed at the start of the meeting. Meetings are conducted in accordance with the Commission's [Rules and Procedures](#).

Legal Notice

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



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

The meeting was called to order at 4:03 p.m.

Vice Chair Farr asked the Commission to amend the agenda to add Mayor John Cooper as a speaker.

Mr. Haynes moved and Mr. Henley seconded the motion to amend the agenda to add Mayor Cooper as a speaker.

Mayor Cooper addressed the Commission and thanked the staff for their hard work with the preparation of the 150-page East Bank document. He also thanked Director Kempf and her team on their amazing accomplishment. Mayor Cooper stressed that he wanted people to go online and view the document. He encouraged the Commission to give Nashville a smart growth path to make Nashville a better community.

Ms. Kempf thanked Mayor Cooper for his leadership and guidance and stated she was grateful for the discussion as a community and the opportunity to comment on the plans.

B: ADOPTION OF AGENDA

Mr. Haynes moved and Mr. Henley seconded the motion to adopt the agenda. (8-0)

C: APPROVAL OF JULY 28, 2022, MINUTES

Mr. Henley moved and Ms. Johnson seconded the motion to approve the July 28, 2022 meeting minutes. (8-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Evans spoke in favor of Item 10.

Councilmember Syracuse spoke in favor of Items 14 and 17.

Councilmember Hancock stated she had three Items on the Agenda; number 9 which has been deferred, number 25 in which she is not opposed and number 31 in which she supported.

Councilmember Roberts stated she was in support of Items 15 and 18.

E: ITEMS FOR DEFERRAL / WITHDRAWAL 1, 2, 3, 4a, 4b, 5a, 5b, 6, 7, 8, 9, 12, 20, 24, 30, 32

Ms. Milligan stated Ms. Blackshear has recused herself from Items 4a, 4b, 12 and 24.

Mr. Tibbs moved and Mr. Haynes seconded the motion to approve the Deferred and Withdrawn Items. (8-0)

F: CONSENT AGENDA ITEMS 36, 37, 41

Mr. Haynes moved and Ms. Blackshear seconded the motion to approve the Consent Agenda. (8-0)

Ms. Blackshear left the meeting.

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. 2007SP-048-001**
ZION HILL SP (AMENDMENT)
Council District 02 (Kyonzté Toombs)
Staff Reviewer: Seth Harrison

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

Staff Recommendation: Defer to the September 8, 2022, Planning Commission meeting.

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

- 2. 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 September 8, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-040-001 to the September 8, 2022, Planning Commission meeting. (8-0)

- 3. 2022SP-049-001**
15TH & CHURCH
Council District 19 (Freddie O'Connell)
Staff Reviewer: Logan Elliott

A request to rezone from MUI-A to SP zoning for property located at properties located at 1414 Church Street and 210, 212, 216, 218, and 220 15th Avenue North, approximately 220 feet west of 14th Ave N, (0.86 acres), to permit a mixed use development, requested by Roers Capital, LLC, applicant; Shaar Forero Properties, Inc. and Thomas Michael Horrell and Sara Darby Smith, owners.

Staff Recommendation: Defer to the September 8, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-049-001 to the September 8, 2022, Planning Commission meeting. (8-0)

4a. 2022HLI-001-001
518 RUSSELL STREET HISTORIC INTERIOR OVERLAY
Council District 06 (Brett Withers)
Staff Reviewer: Abbie Rickoff

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

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2022HLI-001--001 indefinitely. (7-0-1)

4b. 2022NL-001-001
TULIP STREET CHURCH NEIGHBORHOOD LANDMARK OVERLAY
Council District 06 (Brett Withers)
Staff Reviewer: Abbie Rickoff

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

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2022NL-001-001 indefinitely. (7-0-1)

5a. 2022Z-078PR-001
Council District 08 (Nancy VanReece)
Staff Reviewer: Logan Elliott

A request to rezone from RS10 to RM20 and RM40 zoning for property located at 3335, 3343, 3345 Walton Lane (unnumbered) 300 B E Village Lane, approximately 200 feet east of Arrowhead Drive and partially within Planned Unit Development Overlay District (14.09 acres), requested by Fulmer Lucas Engineering, applicant; Luma Systems, LLC & O.I.C Arrowhead, owners. (See associated case #4-84P-004)

Staff Recommendation: Defer to the September 8, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022Z-078PR-001 to the September 8, 2022, Planning Commission meeting. (8-0)

5b. 4-84P-004
ARROWHEAD (CANCELATION)
Council District 08 (Nancy VanReece)
Staff Reviewer: Logan Elliott

A request to cancel a portion of a Planned Unit Development Overlay District on property located at 300 B Village Lane, approximately 40 feet east of Walton Lane (10.08 acres), zoned RS10, requested by Fulmer Lucas Engineering, applicant; O.I.C. Arrowhead, owner. (See associated case #2022Z-078PR-001).

Staff Recommendation: Defer to the September 8, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 4-84P-004 to the September 8, 2022, Planning Commission meeting. (8-0)

6. 2021S-122-001
RESUBDIVISION OF LOT 18 SHARONDALE HEIGHTS

Council District 25 (Russ Pulley)
Staff Reviewer: Seth Harrison

A request for final plat approval to create two lots and abandon Right-of-way on property located at 2816 White Oak Drive, at the southern terminus of White Oak Drive, zoned R10 (0.83 acres), requested by James L. Terry, applicant; Lasonti Enterprises LLC, owner.

Staff Recommendation: Defer to the September 8, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021S-122-001 to the September 8, 2022, Planning Commission meeting. (8-0)

7. 2022S-155-001

1708 CARVELL AVE
Council District 17 (Colby Sledge)
Staff Reviewer: Jafar Ware

A request for final plat approval to create three lots on properties located at 1708 and 1710 Carvel Avenue, approximately 450 feet south of Southgate Avenue, zoned RM20-A-NS and located within the Wedgewood Houston Urban Design Overlay (0.51 acres), requested by Donovan Benson, applicant; BMB Properties, owner.

Staff Recommendation: Defer to the September 8, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022S-155-001 to the September 8, 2022, Planning Commission meeting. (8-0)

8. 2022S-090-001
WINSTON HEIGHTS CONCEPT PLAN

Council District 27 (Robert Nash)
Staff Reviewer: Logan Elliott

A request for concept plan approval to create 20 lots on property located at Winston Ave W (unnumbered) and JJ Watson Ave (unnumbered), approximately 660 feet west of Nolensville Pike, zoned R6, (4.57 acres), requested by L.I. Smith & Associates, applicant; Salahadeen R. Osman, owner.

Staff Recommendation: Defer to the September 8, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022S-090-001 to the September 8, 2022, Planning Commission meeting. (8-0)

9. 2022S-180-001
STABLE COURT CONCEPT

Council District 09 (Tonya Hancock)
Staff Reviewer: Logan Elliott

A request for concept plan approval to create seven lots on property located at Stable Court (unnumbered), approximately 200 feet east of Welworth Street, zoned RS7.5 (2.51 acres), requested by Civil Infrastructure Associates, applicant; MCH Development LLC, owner.

Staff Recommendation: Defer to the September 8, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022S-180-001 to the September 8, 2022, Planning Commission meeting. (8-0)

10. 2022Z-010TX-001
BL2022-1328/Erin Evans

Staff Reviewer: Dustin Shane

A request to amend Section 17.16.060 of the Metropolitan Code, Zoning Regulations to delete the limitations on veterinarian facility size and the number of veterinarian establishments per lot in zoning districts where the veterinarian use is permitted conditionally (Proposal No. 2022Z-010TX-001).

Staff Recommendation: Approve with a substitute.

APPLICANT REQUEST

Amend the Zoning Code to modify limitations on veterinarian facility size and placement.

PROPOSED AMENDMENTS TO TITLE 17

The bill as filed would amend Section 17.16.060 of the Zoning Code to delete the limitations on veterinarian facility size and the number of veterinarian establishments per lot in zoning districts where the veterinarian use is permitted conditionally.

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

Section 1. That Section 17.16.060 of the Metropolitan Code, Zoning Regulations, is hereby amended by deleting subsection B in its entirety and substituting with the following new subsection B:

B. Veterinarian.

1. Animal boarding shall occur within completely enclosed structures.
2. Landscape Buffer Yard. Outdoor exercise yards shall be completely fenced and used only between seven a.m. and seven p.m. Where such outdoor activities abut a residential zone district or district permitting residential use, landscape buffer yard Standard B shall apply along common property lines. A six-foot opaque vertical fence may substitute for landscaping; however, the buffer yard width of landscape buffer yard Standard B shall still apply along common property lines.
3. Boarding Kennel. Kennels for the boarding of companion animals not undergoing medical treatment are permitted as an ancillary use subject to the following conditions.
 - a. No more than thirty percent of the gross floor area of the veterinary clinic may be used as a boarding kennel.
 - b. No outdoor kennels or runs are permitted.
 - c. No part of any building or structure in which animals are housed shall be closer than fifty feet from any existing residence located on an adjacent parcel.
 - d. Cages. For a kennel, each animal shall have sufficient space to stand up, lie down and turn around without touching the sides or top of cages. Cages are to be of material and construction that permits cleaning and sanitizing. Cage floors of concrete, unless radiantly heated, shall have a resting board or some type of bedding.
 - e. Watering of Animals. All animals shall have fresh water available at all times. Water vessels shall be mounted or secured in a manner that prevents tipping and shall be of the removable type.
 - f. On-Site Waste Collection. All on-site waste shall be housed either within the kennel building or an accessory structure, and all waste shall be disposed of in a sanitary fashion no less frequently than one time per week. The drainage of all liquid by-products from the kennel shall be discharged into a permitted sanitary sewer line or septic tank and shall not be disposed of by way of storm sewers, creeks, streams, or rivers.
 - g. Building Temperature. Enclosures must be provided which shall allow adequate protection against weather extremes. Floors of buildings, runs, and walls shall be of an impervious material to permit proper cleaning and disinfecting.
 - h. Security Residence. The building footprint of an accessory security residence, if provided, shall be in addition to the maximum permitted building footprint of the veterinary clinic. All standards of Section 17.16.030(C) shall be met.

BACKGROUND

The Zoning Code currently limits the building footprint of veterinary offices and facilities to two thousand five hundred square feet with no more than two establishments per lot in districts where the use is permitted with conditions. CL, CS, CA, CF, and DTC are the only districts that permit the use by right and feature no such restrictions. There are about 70 veterinary offices in Davidson County. Where they are not limited by the size restriction referenced above, their average size is approximately 4,300 square feet. Within the urban core of Nashville the ratio of veterinary offices to population is only 70% of what it is in the rest of the county. The market is also underserved generally, however, because, The number of veterinary offices could stand to double or more countywide, based on a professional veterinarian association's estimation that each office can serve 1,000 to 1,500 homes.

ANALYSIS

The bill as filed proposes to remove the building footprint size restriction and number of establishments per lot restriction in those districts where veterinary offices and facilities are permitted with conditions. The substitute alters this by proposing that instead of removing the footprint size restriction that it instead be raised to 4,000 square feet and that the use be allowed by right in more zoning districts (all of the zoning districts in which it is currently allowed with conditions except for the neighborhood-oriented zoning districts: MUN, ON, CN, and SCN). As the rate of animal and pet ownership increases, there is a growing demand for veterinarian services across the county. The size and number restrictions placed on the use up to this point provide little benefit to the surrounding community—veterinarian uses, when operated properly, have few noxious spillover effects, and the number of such uses on a lot is rarely a problem. However, the current restrictions do place burdens on owners of such uses and likely have restricted the efficient provision of veterinary services in the county and specifically within the urban core despite growing market demand. The modification of these restrictions will help veterinarians better provide these services and increase access to them for their customers, with few, if any, ill effects to neighboring property owners. For these reasons, planning staff recommends approval of the proposed text amendment with a substitute.

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. BL2022-1328

An Ordinance amending Section 17.08.030 of the Metropolitan Code, Zoning Regulations to allow Veterinarian as a use by right in various zoning districts and amending Section 17.16.060 to modify the limitations on veterinarian facility size and delete the limitation on the number of veterinarian establishments per lot in zoning districts where the veterinarian use is permitted conditionally (Proposal No. 2022Z-010TX-001).

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

Section 1. That Section 17.08.030 of the Metropolitan Code, Zoning Regulations, is hereby amended by modifying subsection D as follows:

Section 2. That Section 17.16.060 of the Metropolitan Code, Zoning Regulations, is hereby amended by modifying subsection B as follows:

B. Veterinarian. The building footprint of veterinary offices and facilities shall be limited to ~~two thousand five hundred~~ four thousand square feet ~~with no more than two establishments per lot~~. The following shall apply:

1. Animal boarding shall occur within completely enclosed structures.
2. Landscape Buffer Yard. Outdoor exercise yards shall be completely fenced and used only between seven a.m. and seven p.m. Where such outdoor activities abut a residential zone district or district permitting residential use, landscape buffer yard Standard B shall apply along common property lines. A six-foot opaque vertical fence may substitute for landscaping; however, the buffer yard width of landscape buffer yard Standard B shall still apply along common property lines.
3. Boarding Kennel. Kennels for the boarding of companion animals not undergoing medical treatment are permitted as an ancillary use subject to the following conditions.
 - a. No more than thirty percent of the gross floor area of the veterinary clinic may be used as a boarding kennel.
 - b. No outdoor kennels or runs are permitted.
 - c. No part of any building or structure in which animals are housed shall be closer than fifty feet from any existing residence located on an adjacent parcel.
 - d. Cages. For a kennel, each animal shall have sufficient space to stand up, lie down and turn around without touching the sides or top of cages. Cages are to be of material and construction that permits cleaning and sanitizing. Cage floors of concrete, unless radiantly heated, shall have a resting board or some type of bedding.
 - e. Watering of Animals. All animals shall have fresh water available at all times. Water vessels shall be mounted or secured in a manner that prevents tipping and shall be of the removable type.

- f. On-Site Waste Collection. All on-site waste shall be housed either within the kennel building or an accessory structure, and all waste shall be disposed of in a sanitary fashion no less frequently than one time per week. The drainage of all liquid by-products from the kennel shall be discharged into a permitted sanitary sewer line or septic tank and shall not be disposed of by way of storm sewers, creeks, streams, or rivers.
- g. Building Temperature. Enclosures must be provided which shall allow adequate protection against weather extremes. Floors of buildings, runs, and walls shall be of an impervious material to permit proper cleaning and disinfecting.
- h. Security Residence. The building footprint of an accessory security residence, if provided, shall be in addition to the maximum permitted building footprint of the veterinary clinic. All standards of Section 17.16.030(C) shall be met.

Section 3. 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 4. 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.

Approve with a substitute. (8-0)

Resolution No. RS2022-213

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-010TX-001 is approved with a substitute. (8-0)

**11. 2018SP-068-003
0 BUENA VISTA PIKE SP (AMENDMENT)**

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Seth Harrison

A request to amend a Specific Plan on property located at 2222 Buena Vista and 500 B Cliff Circle, approximately 179 feet west of Kirk Avenue, zoned R8 and SP (3.34 acres), to add an additional parcel to the existing Specific Plan to permit 15 multi-family residential units for a total of 73 multi-family residential units, requested by Catalyst Design Group, applicant; Buena Vista Amigos, LLC, owner.

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

APPLICANT REQUEST

SP Amendment to permit an additional 15 multi-family residential units.

SP Amendment

A request to amend a Specific Plan on property located at 2222 Buena Vista and 500 B Cliff Circle, approximately 179 feet west of Kirk Avenue, to add 0.64 acres and add an additional 15 multi-family units for a total of 72 multi-family units, zoned One and Two-Family Residential (R8) and Specific Plan (SP) (3.34 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. This Specific Plan includes residential uses in addition to office and/or commercial uses.

Proposed Zoning

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

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

T4 Urban Neighborhood Center (T4 NC) is intended to maintain, enhance, and create urban neighborhood centers that serve urban neighborhoods that are generally within a 5 minute walk. T4 NC areas are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, residential, and institutional land uses. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

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

Supplemental Policy

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

SITE CONTEXT AND PLAN DETAILS

The 3.34 acre site is located at the northeast corner of Buena Vista Pike and Cliff Drive. Currently the northern portion of this site is approved to begin construction of the mixed-use portion of the SP. The surrounding area consists of CN, CL, R8, and RM15-NS zoning, with uses consisting of one and two-family, multi-family and commercial uses. Buena Vista Pike is classified as an Arterial Boulevard in the Major and Collector Street Plan (MCSP) and Cliff Drive is a local street.

Plan Details

The SP amendment proposes to increase the area by 0.64 acres to permit an additional 15 multi-family units. The 15 units will all be oriented toward an internal courtyard, similar in design as the approved site plan to the north. All units are proposed to be up to 3 stories with a first-level garage located in the rear of each unit. Access for the additional area will consist of 2 access points from the original design, one being main entrance and the secondary access being for emergency use only. A private alley is proposed along the southern portion to provide vehicular access for the southern most units. Additional parking is provided off the approved private drive to the north and some parking located adjacent to the courtyard.

ANALYSIS

This site is located within two policies, T4 NC and T4 NE, but the proposed addition to the SP is located within the T4 NE portion. T4 NE is intended to enhance the existing character of the surrounding neighborhood through diversity of housing types and additional density. With the proposed development adding an additional 15 multi-family units, the policy goals of T4 NE. The supplemental policy for the Haynes Trinity area envisioned that this portion of the study area would accommodate additional intensity in concert with the installation of infrastructure, specifically an integrated alley network that would begin to establish a block structure along this portion of Buena Vista Pike. The supplemental policy included a conceptual layout of potential vehicular connections, with alley alignments to be established based on detailed site-specific analysis completed at the time of development. Due to the locations of existing intersecting streets along this portion of Buena Vista Pike, it is not possible to locate a new alley connection on this site and comply with NDOT standards. The proposed SP amendment is consistent with the underlying policy and supplemental policy with the increase in density and housing types in the area.

FIRE DEPARTMENT RECOMMENDATION

Approve with conditions

- Minimum required width for fire apparatus access roadway is 20'. The 18' fire access road provided is a shared access easement in the original SP and was previously approved as a fire access drive. The extension of that same road is simply being provided into the amendment area and it not meant for fire to setup for aerial access or anything like that. Additionally, by providing the fire access drive we were trying to follow through with the spirit of the original conversations with the fire marshal at the time of the original SP approval.
- Units greater than 30' in height must meet aerial fire apparatus access requirements. Provide recorded easements prior to construction. Noted. If we determine that units 66-72 are to be taller than 30' to the eave, then we will find a way to provide aerial apparatus access. We will provide access easement for the alley prior to construction as requested.

WATER SERVICES RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. A private hauler will be required for waste/recycle disposal. Any ROW dedications associated with phase 2 site plan, will need to be recorded and a copy sent to NDOT.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Submit fully designed and detailed plans at Final SP.
- Install 6' sidewalk and 8' grass strip on Buena Vista Pike per BL2018-1414.
- Install 5' sidewalk and 4' grass strip on Cliff Drive per BL2018-1414.
- Coordinate with WeGo on an appropriate design and location for bus stop platform on Buena Vista Pike prior to final SP approval.
- Ensure final design and parking follows the codes and requirements of all Metro agencies.

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
Multi-Family Residential 3-10 (221)	2.70	-	58 U	314	20	26

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
Retail (820)	2.70	-	1,640 SF	62	2	6

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	3.34	-	73 U	396	26	33

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
Retail (820)	3.34	-	1,640 SF	62	2	6

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+82	+6	+7

METRO SCHOOL BOARD REPORT

Projected student generation existing SP-MU district: 12 Elementary 6 Middle 5 High
 Projected student generation proposed SP-MU district: 15 Elementary 7 Middle 6 High

The proposed amendment is expected to generate five more students than the existing zoning district. Students would attend Cumberland, 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 with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses in District 1 shall be limited to uses permitted by the MUN-A zoning district. The following uses are prohibited: cash advance, check cashing, title loan, auction house, pawnshop, radio/TV/satellite tower, satellite dish, waste water treatment, water treatment plant, medical waste, recycling collection center, country club, cemetery, power/gas substation, reservoir/water tank, water/sewer pump station, wind energy facility, driving range and golf course. Permitted uses in District 2 shall be limited to uses permitted by the RM20-A zoning district. Permitted uses in Phase 2 shall be limited to a maximum of 15 multi-family residential units as identified on the proposed SP plan. Short term rental properties, owner occupied, and short term rental properties, not-owner occupied shall be prohibited in District 2 and Phase 2.
2. All conditions from the previously approved bill, BL2018-1414, will still apply.
3. The final site plan shall label all internal drives as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
4. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the phase 2 portion of the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. 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.
7. 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.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

Resolution No. RS2022-214

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-068-003 is approved with conditions and disapproved without all conditions. (8-0)

CONDITIONS

1. Permitted uses in District 1 shall be limited to uses permitted by the MUN-A zoning district. The following uses are prohibited: cash advance, check cashing, title loan, auction house, pawnshop, radio/TV/satellite tower, satellite dish, waste water treatment, water treatment plant, medical waste, recycling collection center, country club, cemetery, power/gas substation, reservoir/water tank, water/sewer pump station, wind energy facility, driving range and golf course. Permitted uses in District 2 shall be limited to uses permitted by the RM20-A zoning district. Permitted uses in Phase 2 shall be limited to a maximum of 15 multi-family residential units as identified on the proposed SP plan. Short term rental properties, owner occupied, and short term rental properties, not-owner occupied shall be prohibited in District 2 and Phase 2.
2. All conditions from the previously approved bill, BL2018-1414, will still apply.
3. The final site plan shall label all internal drives as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
4. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the phase 2 portion of the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. 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.

7. 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.

8. 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.

12. 2021SP-091-001
PIN HOOK RIDGE

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

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

Staff Recommendation: Defer to the September 8, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-091-001 to the September 8, 2022, Planning Commission meeting. (7-0-1)

13. 2021SP-097-001
469 CHESTNUT STREET

Council District 17 (Colby Sledge)
Staff Reviewer: Dustin Shane

A request to rezone from IR to SP zoning for property located at 469 Chestnut Street, approximately 315 feet southwest of Martin Street (0.94 acres), to permit a 5-story mixed-use development, requested by Fulmer Lucas Engineering, applicant; Chestnut Street Properties, owner.

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

APPLICANT REQUEST

Preliminary SP to permit a mixed-use development.

Zone Change

A request to rezone from Industrial Restrictive (IR) to Specific Plan-Mixed Use (SP-MU) zoning for property located at 469 Chestnut Street, approximately 315 feet southwest of Martin Street (0.94 acres), to permit a mixed-use development, requested by Fulmer Lucas Engineering, applicant; Chestnut Street Properties, owner.

Existing Zoning

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

Proposed Zoning

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

SITE CONTEXT AND PLAN DETAILS

The site is located on the south side of Chestnut Street, approximately 95 feet east of the intersection with Humphreys Street. The property has frontage on the south side with Humphreys Street and an alley. The site consists of one parcel that currently contains a one-story brick 13,920-square foot light manufacturing building built in 1963. The building covers most of the site and features shallow setbacks. The site slopes up slightly to the west. Surrounding uses include another light manufacturing building to the east, vacant commercial and industrial land to the north across Chestnut Street, a railyard to the northeast across Chestnut Street, and a single family home adjacent to the west, all zoned IR. A terminal distribution warehouse and a single-family home are located across the alley to the southwest and are zoned CS. Vacant CS-zoned commercial land lies across Humphreys Street to the south.

Site Plan

The SP is intended to create a mixed-use development to be completed in one phase. The plan limits residential units to 129 multi-family (86,644 square feet), common/open space to 8,986 square feet, and non-residential square footage to 8,764 square feet. The SP includes a site plan as well as bulk standards, architectural renderings, and parking. The bulk standards consist of a cap on height of 60 feet (in four stories on the higher end of the site and in five stories on the lower end), a 2.5 max FAR, 0.9 max ISR, a 0-5-foot build-to zone, a 0-10-foot build-to zone on Humphreys, and 5-foot side setbacks.

According to the Zoning Code, parking provision is not required along multi-modal corridors such as Chestnut Street; however, 108 parking spaces are being proposed at a ratio of 0.67 spaces per bed or 0.83 spaces per unit. The MCSP also requires ROW dedications along Chestnut Street, Humphreys Street, and the rear alley. A total of 6.5 feet is being dedicated along Chestnut Street to provide room for a two-foot bikeway buffer, a six-foot bikeway, a four-foot planting strip, an eight-foot sidewalk, and a four-foot frontage zone. Access is limited to the rear alley, where parking entrances for residents and for the non-residential uses will be separated. Short-term parking will be located above ground while long-term resident parking will be located partially below ground. A note indicates that all requirements of Section 17.24 pertaining to landscaping shall be met. A note indicates that a bioretention pond will be installed to handle stormwater runoff, with a place indicated along the southwest property boundary for its location.

The architecture proposed is mostly brick with sections of phenolic vertical siding and EIFS. The large segmentally arched windows on the second floor evoke early twentieth century industrial buildings and contribute to the desired ambiance of the Wedgewood-Houston and Chestnut Hill neighborhoods. The building's height will read four stories at the higher western end of the site and five stories at the lower eastern end. The ground floor will be occupied by the brewery, retail space (with several 353-square foot smaller shop spaces), a maintenance and utility area with space for bike storage, and a trash area.

SOUTH NASHVILLE COMMUNITY PLAN

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

SUPPLEMENTAL POLICY

The site is located within the Wedgewood-Houston Chestnut Hill (WHCH) Small Area Plan, specifically the SPA 11-WHCH-1 supplemental policy area. The WHCH Plan describes this area, called North Wedgewood-Houston, as containing a wide variety of commercial and small-scale light industrial uses. In line with the neighborhood's long-term vision, this area is home to a rising number of houses and small and larger scale artisan and maker uses. The urban grid, variety of uses, and new dense housing, create a vibrant walkable commercial neighborhood that adds services to the broader community.

ANALYSIS

The T4 MU policy is intended to maintain, enhance, and create urban, mixed-use neighborhoods with a diverse mix of moderate- to high-density residential, commercial, office, and light industrial land uses. The proposed uses and intensity are consistent with the T4 MU Policy. An additional feature of the policy is high levels of connectivity with complete street networks, sidewalks, and bikeways. The policy states that there will be clearly distinguishable boundaries identified by block structure, street and alley networks, and building placement.

The WHCH plan includes more specific guidance to achieve the goals of the small area plan. The WHCH Plan includes standards for building typologies, height guidance, and zoning in the districts of the plan. The building typologies include plex or manor, house court, townhouse, flats, live/work, mixed use, and industrial buildings. The plan is proposing a mixed-use structure, which according to the plan, should range from three to four stories. Character area 1 includes provisions for additional height when: 1) providing active uses and enhanced streetscaping; 2) combined with adaptive reuse of other parts of the site; 3) accompanied by urban industrial uses; and 4) located in lower lying areas. The proposed height of the structure on the site ranges from four stories to five stories. To justify the increased height, the proposed plan includes the provision of active uses along the Chestnut Street frontage and an urban industrial use (a brewery) on the ground floor. The five-story portion is also located on the lower elevation portion of the site, reducing the visual impact.

Overall, many features of the proposed plan are consistent with the policy, including: providing for a mix of uses including retail and residential in close proximity, contributing to walkability with street improvements per the MCSP, provision of active uses along the streetscape, and provision of an urban industrial use. The proposed structure has large massing, consistent with older industrial structures that could be found in the Wedgewood Houston area. Given that adaptive reuse is not an option on this site, as it may be for some other properties in this area, the development is proposing a large structure encompassing much of the block.

Architectural standards have been included on the plan to provide interest and massing differentiations to address the size of the proposed structures. For these reasons, Staff recommends approval.

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.
- Update C/D Note to plans:
(Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15' RCP).)

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. Public and/or private Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. A minimum of 30% 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.
 - Call out paving, per ST-263 along alley frontage.
 - Provide new alley ramp.
- Add note: 'There are to be no vertical obstructions in new public sidewalks.'
- Call out relocation of any utility poles where applicable.
- A private hauler will be required for site waste/recycle disposal.
- Confirm alley width proposed is ok with fire. Fire may need full 20 ft. alley width.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Continue to coordinate with NDOT on finalizing the TIS.
- Based on existing needs within the Wedgewood Houston area, contributions for future improvements may be required.

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)	0.94	0.6 F	24,568 SF	84	4	4

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)	0.46	3 F	60 U	325	20	28

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.24	3 F	31,363 SF	1,184	29	119

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.24	3 F	31,363 SF	3,518	311	306

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+4,943	+354	+449

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed SP-MU district: 12 Elementary 7 Middle 6 High

The proposed SP-MU zoning district is expected to generate 25 more students than what is typically generated under the existing IR zoning district. Students would attend Fall-Hamilton Elementary School, Cameron College Prep Middle School, and Glenclyff High School. Fall-Hamilton Elementary School and Glenclyff High School have been identified as having additional capacity while Cameron College Prep Middle School has been identified as being over capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 129 multi-family residential units and ground level non-residential uses. Non-residential uses shall be limited to all uses permitted by the MUG-A zoning district except for the following use shall be prohibited: hotel/motel uses. Short term rental property, owner occupied, and short term rental property, not owner occupied shall be prohibited in the entire development.
2. 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.
3. 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.
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. Comply with all conditions and requirements of Metro reviewing agencies.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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.

Mr. Shane presented the staff recommendation to approve with conditions and disapprove without all conditions.

Greg Fusaro stated he was a partner with CIG Communities and the developer of the proposed development. He spoke in favor of the application.

Patrick Napier, 710 Frida Villa, stated he was with Fulmer Lucas Engineering and spoke in favor of the application.

Shawn Henry, 500 11th Avenue North, stated he represented the developer. He spoke in favor of the application.

Ms. Milligan stated Councilmember Sledge was not at the meeting but sent a letter with his concerns related to consistency to the Wedgewood Houston Chestnut Hill plan and the amount of parking provided.

Ms. Farr closed the Public Hearing.

Mr. Tibbs said he appreciated Councilmember Sledge's concern but thought this was a good solution for this site and was in support of this project.

Ms. Johnson stated that because of utilizing the location and topography, the additional height was justifiable. She thought that the applicant and Councilmember can continue to meet regarding the right amount of parking but stated as far as the plan as presented, it met policy and location utilizing topography. Ms. Johnson said she was in support of the staff recommendation.

Councilmember Withers thought there were a lot of great features with this project but was bothered that Councilmember Sledge's concerns seemed not to have been addressed, which made him hesitant to support approval.

Mr. Henley stated he also had concerns due to Councilmember Sledge's comments but liked the plan and supported the plan as presented.

Mr. Clifton said this was an intensification of use and was needed there. He asked about what happens when property has gobbled up parts of the city that have been places people could live with moderate incomes without having to move outside of the county.

Ms. Kempf responded that from a big picture policy perspective, they are looking at things around housing delivery, what the housing policy was from a land use perspective, utilization of Metro owned land with respect to affordable housing and partnering with developers who deliver affordable housing. She thought that as a Commission, by mission and approach, they have a real care for this issue, and understand that talking about supply side and increasing the supply of housing was not the only answer, and so there was a whole policy framework to respond to. Ms. Kempf further explained the state has specifically prohibited them from taking affordable housing into account as part of a rezoning and gave firm guidance not to consider whether they were delivering affordable housing as part of the rezoning deliberation. She reassured that as a city and department they were committed to finding every single other tool in the toolbox, outside of rezoning, that will help as a community address the issue that Mr. Clifton brought up.

Mr. Clifton thanked Ms. Kempf and stated he understood that this met what the staff would want to approve although it was a change from the law. He said he was in support but very interested in how the Councilmember felt about this.

Mr. Haynes said that getting parking correct in a mixed-use project was challenging. He thought that, opposed to Councilmember Sledge, this was under parked and was curious, from the applicant, the number of bedrooms within the 129 units.

Greg Fusaro said of the 129 units, there were a few two-bedroom units, but the majority were studio and one bedroom.

Mr. Haynes stated that for the retail, restaurant, brewery to be successful there must be some baseline parking, as not everyone was going to Uber or walk to there, plus there needed to be parking for the residents. He thought this was a good project. Mr. Haynes asked if the garage was going to be screened on all three sides so that it wasn't noticed that it was a garage.

Patrick Napier responded that all three sides of the garage would be screened.

Mr. Haynes asked if the garage was open to the public and not gated.

Greg Fusaro answered that there will not be public parking.

Mr. Haynes asked about restaurant patrons parking with no public parking.

Greg Fusaro responded that one of the issues was with overall parking requirements. He said they want to provide enough parking for the residents so there was enough street parking for commercial business patrons and those visiting the residents.

Mr. Haynes asked if there was a way to make a portion of the parking open to the public.

Greg Fusaro answered that they could do that and was happy to have that discussion.

Mr. Haynes recommended to staff that they add a condition to make a percentage of the parking spaces open to the public.

Mr. Haynes moved and Mr. Tibbs seconded the motion to approve with conditions and disapprove without all conditions including prior. (6-1) Councilmember Withers voted against. Ms. Blackshear recused herself.

Resolution No. RS2022-215

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-097-001 is approved with conditions and disapproved without all conditions including prior to final site plan approval applicant will prepare a shared parking agreement between commercial and residential uses per NDOT. (6-1)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 129 multi-family residential units and ground level non-residential uses. Non-residential uses shall be limited to all uses permitted by the MUG-A zoning district except for the following use shall be prohibited: hotel/motel uses. Short term rental property, owner occupied, and short term rental property, not owner occupied shall be prohibited in the entire development.
2. 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.
3. 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.
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. Comply with all conditions and requirements of Metro reviewing agencies.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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.

**14. 2022SP-047-001
PENNINGTON MILLS SP**

Council District 15 (Jeff Syracuse)
Staff Reviewer: Dustin Shane

A request to rezone from R15 to SP zoning for property located at 2600 Pennington Bend Road, approximately 110 feet south of Lock Two Road, (11.64 acres), to permit 42 single-family lots, requested by CSDG, applicant; St. Mina Coptic Orthodox Church of Tennessee, owner.

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

APPLICANT REQUEST

Preliminary SP to permit 42 single-family lots.

Preliminary SP

A request to rezone from Single-Family Residential (R15) to Specific Plan-Residential (SP-R) zoning for property located at 2600 Pennington Bend Road, approximately 110 feet south of Lock Two Road, to permit 42 single-family lots (11.64 acres).

Existing Zoning

Single-Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots. *R15 would permit a maximum of 35 lots with 8 duplex lots for a total of 43 units based on acreage alone.*

Proposed Zoning

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

SITE CONTEXT AND PLAN DETAILS

The 11.64-acre site is located on the southwest side of Pennington Bend Road, south of the split between said road and Lock Two Road. Pennington Bend Road is identified as a collector-avenue on the Major and Collector Street Plan (MCSP). The site is vacant with scattered trees and understory foliage. Many of the surrounding properties have previously been subdivided and contain single-family residential lots, including properties to the east and south. The property to the north is vacant and in similar condition. To the west is the Briley Parkway TDOT right-of-way.

Site Plan

The plan proposes 42 single-family lots that are accessed from proposed public streets. The street network provides one entrance into the subdivision, traverses the center of the site, and includes a close and a cul-de-sac. Lot sizes generally range from approximately 6,100 square feet to 11,600 square feet, with slightly larger lots located towards the property boundaries.

Pedestrian access is provided from the public sidewalks proposed along the new streets. The sidewalks will wrap onto Pennington Bend Road, which will be improved per the MCSP requirements. A ten-foot multi-use path linking The Sound apartments on Pennington Bend Road to the south with Lock Two Park on the Cumberland River to the north has been studied. It is a condition of approval that flexibility regarding the route this path takes through the property be shown with possible alignments and an explanatory note in line with NDOT comments. Approximately 3.39 acres are proposed as open space, not including stormwater management areas and landscape buffer yards proposed around the perimeter of the site which add further greenspace. The formal open space areas are accessed via the public sidewalks.

Work will also be done off-site to create a tee-intersection between Lock Two Road and Pennington Bend Road. In addition, the sidewalk along the western edge of Lock Two Road will be extended north to Riverbend Drive.

Conceptual architectural elevations have been incorporated into the preliminary SP. It is a condition of approval that heights measured per the Metro Zoning Ordinance and labeled accordingly on the plans. Architectural standards will be included in the plan per the conditions of approval.

DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

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

ANALYSIS

The SP is consistent with the T3 NE policy at this location. The site is located in between two adjacent subdivisions that have developed with a similar development pattern that includes single-family residential lots accessed from public streets. The proposed unit count is comparable to what would be allowed under current zoning, the difference being that no two-family lots are proposed with this application. The proposed street network does not provide any opportunities for future connectivity, but the street lengths involved are short enough that stub-outs are not necessary. The plan includes landscape buffers around the perimeter, including along the shared boundaries with the adjacent subdivisions. Proposed buffer yards exceed the minimum required by Code.

The ten-foot multi-use path linking The Sound apartments on Pennington Bend Road with Lock Two Park on the Cumberland River to the north will need to enter the site either along Pennington Bend Road ROW, along the western property line from the TDOT ROW along Briley Parkway, or at another point from the south or

west. The open space shown abutting the neighboring property to the south will therefore be shifted to the west if one of the latter two options is selected. It is a condition of approval that flexibility regarding the route this path will take through the property be shown with possible alignments and an explanatory note in line with NDOT comments.

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. Full set of civil site plans, including utility plan and current fire hydrant flow test report is needed for review. Architectural elevations of the intended plans are required for review.

STORMWATER RECOMMENDATION

Approved with conditions

- Revise C/D Note to plans to say RCP, not CMP pipe: "Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15' RCP)."
- Add Project (Case) Number to Cover Sheet i.e. 2022SP-047-001
- Must comply with all regulations in the Stormwater Management Manual at the time of final submittal.

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only.
- Label Water Main in Pennington Bend Road 10' W. Make these changes before Final SP submittal.
- Public and/or private Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. A minimum of 30% W&S Capacity must be paid before issuance of building permits. (Water & Sewer Capacity Fee Permit No's. T2021017286 & T2021017290).

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- See Traffic comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

Approval with the condition that the following be shown at Final SP:

- On the corrected plans, show the 10' multi-use path in two potential configurations [A&B] with one to be selected at Final SP approval: [A] Show the 10' multi-use path along the frontage of Pennington Bend Rd within the ROW (supplements MCSP requirement). [B] Show the 10' multi-use path with a 12' wide pedestrian access easement through the property's open space and will run parallel along the back side of the property through the 20' land scape buffer. Further coordination with NDOT and Parks/Greenways will be required.
- Driveways are to be 30 feet apart where applicable but shall still meet an appropriate spacing. Each driveway and garage should be at least 17 feet wide for a two-car garage.
- Provide ramps and detectable warning mats at all sidewalk corners. Identify on site plan.
- Include internal stop control.
- Include stop sign and bar for Lock 2 Road entering Pennington Bend Road.
- Coordinate with NDOT on installing enhanced crosswalk infrastructure at Pennington Bend Road and Lock 2 Road. Show dimensioned plan for the Lock 2 Road realignment.

PARKS AND RECREATION RECOMMENDATION

Approve with conditions

Comply with all Metro Parks requirements regarding greenway dedication, construction, and maintenance:

- Coordinate with Parks Greenways staff to determine extent of the Greenway easement and delineate and note it on the final plat, project plans and submittals to Metro.
- Greenway easement to be dedicated and memorialized in a Conservation Greenway Easement Agreement with exhibits providing a legal description and boundary survey of the easement. Utilize Metro Parks' Conservation Greenway Easement Agreement template, attached.
- Easement agreement must be approved by Metro Parks Board and Metro Council . Coordinate with Metro Parks Greenway staff on approval process.
- Conservation Greenway Easement Agreement to be recorded with property deed after Metro Council approval and after final plat has been recorded.
- Construct and maintain a 10' minimum width asphalt greenway trail with 2' shoulders per Metro Parks standard details.

- Trail design and construction must comply with ADA standards and approved by Metro General Services ADA staff prior to Use and Occupancy permit.
- Greenway street crossing to meet ADA and NDOT requirements.
- Provide greenway trailhead sign structure and sign graphics per Metro Parks standards. Location to be approved by Parks staff.
- Greenway easement landscaping to be maintained by the HOA for this project. Maintenance of paved trail to be provided by Metro Parks.
- Greenway must be open to the public during standard operating hours, unless temporarily closed for maintenance.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	11.64	2.904 D	35 U	396	29	37

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	11.64	-	42 U	468	35	44

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+7 U	+72	+6	+7

METRO SCHOOL BOARD REPORT

Projected student generation existing R15 district: 3 Elementary 2 Middle 2 High

Projected student generation proposed SP-R district: 3 Elementary 2 Middle 2 High

The proposed SP-R zoning is expected to generate no more students than the existing R15 zoning district. Students would attend Pennington Elementary School, Two Rivers Middle School, and McGavock High School. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 42 single-family residential lots. Short term rental property, not owner occupied, shall be prohibited.
2. On the corrected copy, comply with all NDOT requirements regarding the Pennington Bend Road cross-section and the proposed multi-use path route.
3. Comply with all Metro Parks requirements regarding greenway dedication, construction, and maintenance.
4. On the corrected copy, calculate total open space including stormwater areas and buffer yards.
5. On the corrected copy, label proposed building heights based on the provided elevations and measured per the Metro Zoning Ordinance.
6. On the corrected copy, change the purpose note to read that the fallback zoning shall be RS5.
7. On the corrected copy, clarify the soil determination in Note 9 and in the Soils Note on the Grading and Drainage Plan.
8. On the corrected copy, provide a buffer yard along Pennington Bend Road per Code.
9. On the corrected copy, provide estimated total square footage.
10. Final architectural elevations shall substantially match those provided with the preliminary submission.
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 RS5 zoning district 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. 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.
18. 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.

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

Resolution No. RS2022-216

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-047-001 is approved with conditions and disapproved without all conditions. (8-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 42 single-family residential lots. Short term rental property, not owner occupied, shall be prohibited.
2. On the corrected copy, comply with all NDOT requirements regarding the Pennington Bend Road cross-section and the proposed multi-use path route.
3. Comply with all Metro Parks requirements regarding greenway dedication, construction, and maintenance.
4. On the corrected copy, calculate total open space including stormwater areas and buffer yards.
5. On the corrected copy, label proposed building heights based on the provided elevations and measured per the Metro Zoning Ordinance.
6. On the corrected copy, change the purpose note to read that the fallback zoning shall be RS5.
7. On the corrected copy, clarify the soil determination in Note 9 and in the Soils Note on the Grading and Drainage Plan.
8. On the corrected copy, provide a buffer yard along Pennington Bend Road per Code.
9. On the corrected copy, provide estimated total square footage.
10. Final architectural elevations shall substantially match those provided with the preliminary submission.
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 RS5 zoning district 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. 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.

18. 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.

**15. 2022SP-048-001
MODERA NATIONS**

Council District 20 (Mary Carolyn Roberts)
Staff Reviewer: Amelia Lewis

A request to rezone from IR to SP zoning for property located at 1650 54th Avenue North, at the current terminus of 54th Avenue North (10.09 acres), to permit a mixed-use development, requested by Mill Creek Residential Trust, applicant; AJ Land Company, LLC, owner.

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

APPLICANT REQUEST

Preliminary SP to permit a mixed-use development.

Zone Change

A request to rezone from Industrial Restrictive (IR) to Specific Plan (SP) zoning for property located at 1650 54th Avenue North, at the current terminus of 54th Avenue North (10.09 acres), to permit a mixed-use development.

Existing Zoning

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

Proposed Zoning

Specific Plan - 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 non-residential uses in addition to residential uses.*

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.

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

SITE CONTEXT AND PLAN DETAILS

The 10.09 site is located at the northwest terminus of 54th Avenue North. The site is bounded by the Cumberland River along the northern property line and CSX rail line along the southern property line. Across the rail line, the properties are zoned IR and SP and have been developed with industrial and multi-family uses. The site and surrounding property to the north is zoned IR and Industrial General (IG) and has primarily been used for industrial uses. To the south, along 54th Avenue North, is an 11 acre SP that permitted 361 multi-family residential uses in various unit types.

The proposed plan includes an extension of 54th Avenue North to the northwest, through the site. The site plan contains three structures which permit a maximum of 398 multi-family uses and 5,500 square feet of non-residential uses. Two structures, identified as Building A and Building B on the site plan, are located on the north side of the 54th Avenue North extension, adjacent to the river. Buildings A and B are six story multi-family structures. Building C is located on the south side of 54th Avenue North. This structure is five stories with a ground floor non-residential component and multi-family units throughout the structure. All three buildings are

oriented to the extension of 54th Avenue North. For buildings A and B, a ten foot building setback is proposed for the portions of the structures along 54th Avenue North.

Buildings A and B each contain two levels of structured parking. Vehicular access to the garages is located between the two structures, and one garage entrance from Building A is available from 54th Avenue. Building C is primarily served by surface parking behind the building. Two curb cuts, one to the north of the building and one to the south of the building are shown on the site plan. An emergency vehicle access is located via an existing access easement, adjacent to and parallel the CSX line, along the southern property line.

At the southeast corner of Building C is a retail plaza and the ground floor non-residential space. The area between this portion building and the street is intended to be used as a plaza with landscaping and ample seating. An additional courtyard is shown along the frontage of Building C which provides a break in the extended building façade. The courtyards associated with Buildings A and B are located along the northern facades, oriented towards the river front and greenway. Additional architectural standards are included in the plan including pedestrian entrances, glazing requirements, and material differentiations to provide visual interest.

ANALYSIS

The intent of the Urban Mixed Use Neighborhood (T4 MU) Policy is to maintain, enhance, and create urban, mixed use neighborhoods with a diverse mix of moderate to high density residential, commercial, office, and light industrial land uses.

The T4 MU Policy outlines that the structures in these policy areas will have a mixture of building heights, with mixed-use, non-residential, and multi-family structures generally up to five stories in height but may be taller. Considerations for building heights above five stories include, but are not limited to the following factors: proximity to other policy areas, pedestrian-friendly streetscapes, plazas, open space, public art, relationship of the height of the building to the width of the street and sidewalks, with wider streets and sidewalks generally corresponding to taller building heights, the use of increased building setbacks and/or building setbacks to mitigate increased building heights, ability to provide light and air between buildings and in the public realm of streets, sidewalks, internal walkways, multi-use paths, and open spaces.

The northern portion of the site is bounded by 54th Avenue North and the river. A public greenway is proposed between structures A and B and the river. For the facades of the structures fronting the greenway, art installations are proposed to line the building façade, and screen the structured parking, in order to provide an engaging façade along the proposed greenway. The greenway would be designed and constructed in accordance with Metro Parks guidelines, including a 12 foot wide multi-use path. The greenway is accessed by a shared fire access and pedestrian path south of building A as well as between Buildings A and B where a plaza is located that leads into the greenway.

The proposed extension of 54th Avenue North includes a cross section to match the existing development to the southeast. The total right-of-way is 70 feet wide and includes 5 foot wide bike lanes, six foot wide sidewalks, on street parking, and street trees. With a wide cross section, buildings can be taller without providing a canyon like affect along the street. Additionally, the building setback above five stories keeps the policy guidance for five stories at the building setback line, and provides additional height beyond. These aspects of the proposed development are consistent with the policy guidance for increased height above five stories.

The northern portion of the site adjacent to the river is within the Conservation (CO) Policy due to the 75 foot buffer associated with the river. This portion of the site is used for open space and the greenway, which is the intent of the policy to preserve and enhance natural features.

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.

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

METRO PARKS RECOMMENDATION

Approve with conditions

- Coordinate with Parks Greenways staff to determine extent of the Greenway easement and delineate and note it on the project plans and submittals to Metro.
- Greenway easement to be dedicated and memorialized in a Conservation Greenway Easement Agreement with exhibits providing a legal description and boundary survey of the easement. Coordinate with and utilize Metro Parks' Conservation Greenway Easement Agreement template.
- Easement agreement must be approved by Metro Parks Board and Metro Council. Coordinate with Metro Parks Greenway staff on approval process.
- Conservation Greenway Easement Agreement must be recorded with property deed after Metro Council approval and prior to issuance of Use and Occupancy permit.
- Construct and maintain a 12' minimum width asphalt greenway trail with 2' shoulders per Metro Parks standard details.
- Trail design and construction must comply with ADA standards and approved by Metro General Services ADA staff prior to Use and Occupancy permit.
- Provide greenway sign graphics per Metro Parks standards. Location to be approved by Parks staff.
- Greenway easement and trail to be maintained by the HOA for this project.
- Greenway must be open to the public during standard operating hours, unless temporarily closed for maintenance.

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.
- Pull back on-street parking to provide clear sight triangles at all ramps.
- CSX access into building C parking area shall be gated for emergency access only.
- Show adequate loading bay depth for loading/unloading bays, as not to encroach into public sidewalks.
- Note: A private hauler will be required for onsite waste/recycle disposal.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

Approval with conditions that the following be submitted/addressed at Final SP:

- The existing Landscape Driveway (secondary access) across from the Marathon Driveway is to be gated emergency access only at each end (@ parking lot & 54th) and will have to meet the requirements set by the fire marshal.
- Parking shall be per metro code. All on-street parking stalls are to be (8'x23'). Provide detailed parking calculations showing bedroom counts for the entire development.
- Ensure all on-street parking spaces are a minimum of 35' from each driveway/intersection.
- The bike-lanes on 54th are to be the required minimum width of 5' through the entire street section.
- The Building B loading/unloading only access on 54th Ave can remain.
- At final SP, submit a full signal warrant analysis for the intersection of 54th Ave & Centennial Blvd that studies the capacity, safety, and overall operations of this intersection, coordinate with NDOT on historical data for this intersection. Since the counts for the original study were not conducted during the school year, NDOT is requiring updated counts at this intersection be collected to capture that increase in traffic volumes.
- The applicant shall continue to coordinate with NDOT and CSX for the railroad crossing on 54th Ave, to ensure that the appropriate countermeasures are implemented to guarantee safe operations for the public as well as the locomotives.

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)	10.09	0.6 F	263,712 SF	462	45	51

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	10.09	-	398 U	2,167	132	167

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)	10.09	-	2,750 SF	104	3	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
Restaurant (932)	10.09	-	2,750 SF	308	27	27

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+2,117	+117	+153

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed SP-MU district: 31 Elementary 23 Middle 19 High

The proposed SP is anticipated to generate 73 additional students beyond what is generated under the current IR zoning. Students would attend Cockrill Elementary, McKissack Middle School, and Pearl-Cohn High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 398 multi-family units and 5,500 square feet of non-residential uses. Non-residential uses are limited to all uses of MUG-A, community garden, mobile vendor, artisan distillery, micro brewery, and tasting room. Short term rental property owner-occupied and short term rental property not owner-occupied shall be prohibited in the entire development.
2. Prior to the approval of the final site plan, the applicant shall provide documentation that the existing deed restriction has been terminated and the site has undergone all necessary remediation from the previous industrial uses to be used for residential development.
3. Bicycle parking per Metro Code shall be provided on the final site plan.
4. The ground level building facades along 54th Ave shall be lined with active uses as shown in the preliminary SP, prominent building entrances and glazing consistent with the architectural standards in the preliminary SP.
5. The proposed extension of 54th Ave N shall be platted and bonded for prior to the issuance of building permits.
6. No more than two levels of structured parking shall be located above grade. For any structured parking above grade, architectural screening shall be provided that is consistent with the materials utilized for the main structures, building facades fronting the greenway shall fully screen any structured parking with interior amenity areas, units, or substantial art and design.
7. Prior to final site plan approval, the greenway easement shall be approved by Greenways and Open Space Commission, Parks Board, and Metro Council.
8. A corrected copy of the plan set with the following changes to the development standards chart on page 21: Parking requirements shall be per Metro Code; building heights shall be identified per building, Building A and B are limited to 6 stories in 85 feet, Building C is limited to 5 stories in 65 feet.
9. A corrected copy revising the labels on page 21 shall be changed from "10 foot building setback" to "10 foot building setback" on buildings A and B.

10. A corrected copy of the plan set with the following changes to page 22: Revise Note 16, "All parking regulations to meet Metro Code requirements and standards."
11. On the corrected copy of the plan set, revise condition 11 under architectural standards to read, "Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, and glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.
12. Comply with all conditions and requirements of Metro reviewing agencies.
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 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. 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.
18. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

Resolution No. RS2022-217

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-048-001 is approved with conditions and disapprove without all conditions. (8-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 398 multi-family units and 5,500 square feet of non-residential uses. Non-residential uses are limited to all uses of MUG-A, community garden, mobile vendor, artisan distillery, micro brewery, and tasting room. Short term rental property owner-occupied and short term rental property not owner-occupied shall be prohibited in the entire development.
2. Prior to the approval of the final site plan, can be approved conditionally with the condition that prior to the issuance of the building permit, an approved soil management plan for the stie remediation process from TDEC is provided.
3. Bicycle parking per Metro Code shall be provided on the final site plan.
4. The ground level building facades along 54th Ave shall be lined with active uses as shown in the preliminary SP, prominent building entrances and glazing consistent with the architectural standards in the preliminary SP.
5. The proposed extension of 54th Ave N shall be platted and bonded for prior to the issuance of building permits.
6. No more than two levels of structured parking shall be located above grade. For any structured parking above grade, architectural screening shall be provided that is consistent with the materials utilized for the main structures, building facades fronting the greenway shall fully screen any structured parking with interior amenity areas, units, or substantial art and design.
7. Prior to final site plan approval, the greenway easement shall be approved by Greenways and Open Space Commission, Parks Board, and Metro Council.
8. A corrected copy of the plan set with the following changes to the development standards chart on page 21: Parking requirements shall be per Metro Code; building heights shall be identified per building, Building A and B are limited to 6 stories in 85 feet, Building C is limited to 5 stories in 65 feet.
9. A corrected copy revising the labels on page 21 shall be changed from "10 foot building setback" to "10 foot building stepback" on buildings A and B.
10. A corrected copy of the plan set with the following changes to page 22: Revise Note 16, "All parking regulations to meet Metro Code requirements and standards."
11. On the corrected copy of the plan set, revise condition 11 under architectural standards to read, "Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, and glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.

12. Comply with all conditions and requirements of Metro reviewing agencies.
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 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. 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.
18. 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.

16. 2022SP-051-001

12610 BUSINESS PARK

Council District 33 (Antoinette Lee)

Staff Reviewer: Abbie Rickoff

A request to rezone from AR2a to SP zoning for properties located at 12610 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), approximately 655 feet east of Hobson Pike, (9.38 acres), to permit a nonresidential development with warehouse and office uses, requested by Dale & Associates, applicant; Walia, LLC, owner.

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

APPLICANT REQUEST

Preliminary SP to permit warehouse and office uses.

Preliminary SP

A request to rezone from Agricultural/Residential (AR2a) to Specific Plan (SP) zoning for properties located at 12610 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), approximately 655 feet east of Hobson Pike, (9.38 acres), to permit a nonresidential development with warehouse and office uses.

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 4 lots with 1 duplex lot for a total of 5 units. Application of the Subdivision Regulations may result in fewer units. Metro Codes would provide a final determination on duplex eligibility.*

Proposed Zoning

Specific Plan-Mixed Industrial (SP-MI) 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 industrial uses and a mix of office, commercial, and/or residential uses.

SITE CONTEXT AND PLAN DETAILS

The 9.38-acre site includes two parcels located on the north side of Old Hickory Boulevard, east of Hobson Pike. Both parcels are vacant. A stream and stream buffers span the northern boundary, bisecting the southeastern corner of the site. This section of Old Hickory Boulevard is classified as a collector-avenue on the Major and Collector Street Plan (MCSP). Hobson Pike, located approximately 650 feet to the west, is identified as an arterial-boulevard on the MCSP. Surrounding properties on the south side of Old Hickory

Boulevard are zoned for and have developed with industrial and non-residential uses. Properties on the north side of Old Hickory Boulevard include a mix of larger single-family residential properties and nonresidential uses. The site is adjacent to the Starwood Town Center SP to the north, which is approved for a mixed use development with nonresidential and residential uses.

Site Plan

The plan proposes two equally sized buildings containing a combined total area of 92,500 square feet, with 80,500 square feet allocated for warehouse uses and 12,000 square feet allocated for office uses. Each individual building is identified with 40,250 square feet of warehouse uses and 6,000 square feet of office uses. Two access points are proposed from Old Hickory Boulevard. The western access is identified between the two buildings, where an internal driveway extends to the north and includes areas for truck access and loading docks. The western access also leads to surface parking areas for standard vehicles, which are provided in front of the western building along Old Hickory Boulevard, and on the northern end of the truck loading area. The eastern access is provided near the southeastern corner of the site, where an internal drive will lead to a surface parking area that spans the side of the eastern building. The eastern and western drives do not connect internally due to the stream buffer area that spans approximately 30 feet in width along the northern boundary. The plan notes that all existing vegetation within this buffer area will be retained.

Old Hickory Boulevard will be improved with a sidewalk and planting strip per the MCSP requirements. Private sidewalks will connect internally to the development, and a separate walking trail is proposed to wrap around the buildings, south of the stream buffer areas. Stormwater management areas are identified on either side of the eastern drive. Landscaping has been incorporated along Old Hickory Boulevard and around the periphery of the site, along the walking trail.

Maximum building height is proposed to be 45 feet. Architectural standards, including materials and glazing, are included in the plan.

ANTIOCH-PRIEST LAKE COMMUNITY PLAN

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

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 SP is consistent with the D IN policy at this location. The predominant use proposed in the plan is warehouse, consistent with the development expectations and land uses of D IN policy areas. Several surrounding properties in this policy area have recently developed or are developing with similar uses under their Industrial zoning district entitlements. The proposed SP demonstrates compatibility with those uses and also with the Conservation policy present at the back of the site, as the development footprint is pulled away from the northern boundary due to the stream buffer areas.

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

Approved with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match

the Final Site Plan/SP plans. A minimum of 30% of W&S Capacity must be paid before issuance of building permits.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, on final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Dimension ROW pavement widths along frontage for clarity. Call out any roadway widening, per ST-260 paving schedule w/ 1-1/2' mill & overlay to cover extents of widening section and utility trenching. Submit SSD exhibit for East access, left turns out from stop condition. Comply w/ any traffic conditions.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Include widening plans for Old Hickory from site to Hobson Pike in site plan with building permit submittal. This should include planned signage prohibiting truck traffic from/to Murfreesboro pike.

Maximum Uses in Existing Zoning District: **AR2a**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	9.38	0.5 D	6 U	78	9	7

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	9.38	-	80,500 SF	173	14	15

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	9.38	-	12,000 SF	136	37	15

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+231	+42	+23

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a total maximum of 92,500 square feet of warehouse and office uses.
2. The minimum width of all internal sidewalks shall be 5 feet.
3. On the corrected copy, update the maximum height language: Height shall be measured per the Metro Zoning Ordinance. Maximum height shall be measured to the tallest point of the roof.
4. On the corrected copy, add note to the landscape plan: Landscaping and TDU Requirements shall be provided per the Metro Zoning Ordinance.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. 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.
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. 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 IWD zoning

district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

9. 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.

10. 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.

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.

12. 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.

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

Resolution No. RS2022-218

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-051-001 is approved with conditions and disapproved without all conditions. (8-0)

CONDITIONS

1. Permitted uses shall be limited to a total maximum of 92,500 square feet of warehouse and office uses.

2. The minimum width of all internal sidewalks shall be 5 feet.

3. On the corrected copy, update the maximum height language: Height shall be measured per the Metro Zoning Ordinance. Maximum height shall be measured to the tallest point of the roof.

4. On the corrected copy, add note to the landscape plan: Landscaping and TDU Requirements shall be provided per the Metro Zoning Ordinance.

5. Comply with all conditions and requirements of Metro reviewing agencies.

6. 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.

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. 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 IWD zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

9. 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.

10. 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.

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.

12. 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.

17. 2022SP-052-001
RHYTHM & RHYMES SP
Council District 15 (Jeff Syracuse)
Staff Reviewer: Amelia Lewis

A request to rezone from R8 to SP zoning for property located at 114 Cottage Lane, at the corner of Cottage Lane and Lebanon Pike, (1.09 acres), to permit a daycare center, requested by Barge Cauthen & Associates, applicant; Phyllis Craighead, owner.

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

APPLICANT REQUEST

Preliminary SP to permit a daycare center.

Zone Change

A request to rezone from One and Two-Family Residential (R8) to Specific Plan (SP) zoning for property located at 114 Cottage Lane, at the corner of Cottage Lane and Lebanon Pike, (1.09 acres), to permit a daycare center.

Existing Zoning

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of five lots with one duplex lots for a total of six units based on acreage alone. This does not account for compliance with the Subdivision Regulations.*

Proposed Zoning

Specific Plan-Institutional (SP-INS) 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 one institutional use, daycare center.*

DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

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.

Supplemental Policy

The site is within a supplemental policy which provides more detailed guidance for specific areas. The Lebanon Pike Corridor Supplemental Policy which is to ensure development along Lebanon Pike appropriately transitions to the established single family Suburban Neighborhood Maintenance area to the north. Where higher-intensity policy categories are adjacent to lower-intensity policies the scale, intensity, and uses should sensitively transition to minimize land use conflicts.

SITE CONTEXT AND PLAN DETAILS

The 1.09 acre site is located at the northeast intersection of Lebanon Pike and Cottage Lane. The site has frontage along both Lebanon Pike and Cottage Lane. The site is developed with an existing one story daycare center. The surrounding properties are zoned R8, single-family residential (RS10), and several Specific Plan (SP) districts. The properties on the north side of Lebanon Pike are primarily residential land uses. On the south side of Lebanon Pike there is a mix of residential and non-residential land uses.

The existing structure on the site is currently being used as a day care center. The requested SP would permit the continued use of a day care for up to 61 individuals. This would be classified as a Class III Day Care Center in the Zoning Code. The zoning code has several use classifications for day care centers (up to 75 and over 75) and day care home, small, and day care home, large. Within the R8 zoning district, a day care center (up to 75) is a special exception use. In order to be granted a special exception, the following conditions would need to be met: 1. The minimum lot size shall be one and one half acre; 2. At a minimum, driveways shall have access on a collector street; and 3. Where the day care center abuts a residential zone district or district permitting residential use, there shall be screening in the form of landscape buffer yard Standard C along common property lines. The existing lot size is 1.09 acres which is below the required yard area and the site is accessed via Cottage Lane, a local road as opposed to Lebanon Pike, which is classified as an arterial road. There are two existing curb cuts along Cottage Lane. No changes to access are proposed with the plan. Additionally, no changes to the existing structure are proposed with the plan. Staff's conditions below include permitting the use to be up to 75 individuals to be consistent with the definition in the zoning code and provide for flexibility in the uses.

ANALYSIS

The proposed plan is consistent with the guidance in the supplemental policy as well as the goals of the Transition (TR) Policy. 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. Institutional land uses are supported by this policy. In this case, the institutional use is located within an existing single-story structure, not intending to change with the proposed SP. The TR policy is largely focused on anticipating future development along the Lebanon Pike Corridor that may cause conflict with the existing neighborhoods off of the corridor. The proposed use is within an existing single-story structure, which has a building form consistent with the surrounding development pattern. The site is over one acre with ample space to serve the proposed use. The proposed day care center use, while an institutional use, is still limited in hours of operation as opposed to many non-residential uses, and provides a services to residents within the community.

FIRE MARSHAL RECOMMENDATION

Approve

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. A private hauler will be required for waste/recycle disposal.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Parking shall be per code

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	1.09	5.445 D	6 U	78	9	7

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Daycare 75 (565)	1.09	-	3,250 SF	314	58	57

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+236	+49	+50

METRO SCHOOL BOARD REPORT

The proposed SP is not anticipated to generate any additional students.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to day care center for a maximum of 75 individuals.
2. The requirement for the final site plan shall be waived.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the R8 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. 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.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

John Gore, Barge Cauthen & Associates, spoke in favor of the application.

William Welch stated he lived on June Drive. He felt they did not have enough notice between the mailer and the letter that went out. He said he was concerned about work being done on land directly behind his property. Mr. Welch said he would like to have more time to talk to his neighbors to see if they were in favor of this.

Mr. Gore stated they still have a two-month process to go through Council before they get to the second hearing and said he would be glad to have a public meeting to answer questions.

Councilmember Syracuse said he had a community meeting with the neighbors and it was well accepted and well-intended.

Ms. Farr closed the Public Hearing.

Ms. Blackshear asked about how notices go out.

Ms. Milligan explained that for any application received for a public hearing, a post card is mailed within nine days of receipt of the application. Then, notices of public hearings go out ten days in advance of the hearing. There are also signs that are posted on the property. Further, there is a statutory required public hearing at the Council level, so if this was approved tonight, it would be filed for introduction at the October 4th Planning Commission meeting which would be for public hearing on November 1st. The requirement for notification on the Council level is 21 days in advance, by sign and mailed notice. These notices go to properties within 1,000 feet if the boundary of the property that is requested for rezoning.

Ms. Blackshear said she would be in favor of approval with conditions added by staff.

Ms. Johnson felt the Planning Department does a great job with transparency. She encouraged citizens to check the Metro website for the tool, Development Tracker, so they are aware of what is coming to their neighborhood and in what stage. She stated she was in support of the staff recommendation.

Councilmember Withers thought this was a good plan and an appropriate use for an emerging residential area.

Mr. Henley said he was in favor of staff recommendation.

Mr. Clifton asked about the allowance of number of children at the day care.

Ms. Lewis answered that it currently permits 50 children and the request was to go from 50 to 61 children. Due to the way the zoning code classified it, 51 to 75 children were in the same grouping, so 61 children were in the same category as up to 75. She further explained that this was a legal use now and that according to site history, it received a conditional use permit from Board of Zoning Appeals in 1987 and has been operating consistently since then with some requests to increase the number of kids throughout the years.

Mr. Clifton asked that if it were to be destroyed by a tornado, for example, then what was the remedy, since they seemed to be putting a condition on that it was this very structure.

Ms. Milligan responded it would fall under non-conforming. If it were to be destroyed, the SP says that this was the building that was permitted, then it was likely that it would be considered non-conforming and they could rebuild while meeting current codes.

Mr. Clifton thought childcare was needed in our neighborhoods and not just in high intensity areas. He said he does not have a problem with this but appreciated the neighbors' concerns.

Mr. Haynes had no comment.

Mr. Tibbs moved and Mr. Haynes seconded the motion to approve. (8-0)

Resolution No. RS2022-219

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-052-001 is approved. (8-0)

CONDITIONS

1. Permitted uses shall be limited to day care center for a maximum of 75 individuals.
2. The requirement for the final site plan shall be waived.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the R8 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. 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.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**18. 2022SP-053-001
6111 COWDEN AVENUE SP**

Council District 20 (Mary Carolyn Roberts)
Staff Reviewer: Jason Swaggart

A request to rezone from R6 to SP zoning for property located at 6111 Cowden Avenue, approximately 215 feet west of Marcia Avenue, (0.29 acres), to permit a surface parking lot, requested by Barge Cauthen & Associates, applicant; JJZ Realty Partnership, GP, owner.

Staff Recommendation: Disapprove.

APPLICANT REQUEST
SP to permit a surface parking lot.

Zone Change

A request to rezone from One and Two-Family Residential (R6) to Specific Plan-Commercial (SP-C) zoning for property located at 6111 Cowden Avenue, approximately 215 feet west of Marcia Avenue, (0.29 acres), to permit a surface parking lot.

Existing Zoning

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 7.71 dwelling units per acre including 25 percent duplex lots. R6 would permit a maximum of two duplex lots for a total of four residential units.

Proposed Zoning

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

SITE CONTEXT AND PLAN DETAILS

The approximately quarter acre site is landlocked and is undeveloped. Adjacent zoning and land uses are as follows:

- North: CS/Automobile sales (used)
- East: R6/Residential
- South: OR20/Surface parking lot
- West: CS/Office

Site Plan

The site plan includes a surface parking lot with approximately 22 spaces. The proposed lot is an expansion of the existing lot to the south. Access is provided through the adjacent parcel to the west. A Standard C-5 Landscape Buffer Yard is shown along the eastern property boundary adjacent to an existing residential property. In addition to vegetation, the Standard C-5 Landscape Buffer Yard requires a minimum 6' tall masonry wall.

WEST NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The proposed surface parking lot is associated with adjacent commercial uses. The T3 NE land use policy is a residential policy and does not support commercial uses. Since the proposed surface parking lot is not consistent with the land use policy, staff recommends disapproval.

In July of 2021, the applicant filed to change the land use policy to Suburban Mixed Use Corridor (2021CP-007-003) and rezone to OR20 (2021Z-077PR-001). On February 13, 2022, based on neighborhood opposition, the Planning Commission disapproved the policy amendment. The associated zone change application, was deferred indefinitely.

FIRE MARSHAL RECOMMENDATION

Approve

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

NASHVILLE DOT RECOMMENDATION
Approve

TRAFFIC AND PARKING RECOMMENDATION
Approve

STAFF RECOMMENDATION
Staff recommends disapproval.

Mr. Swaggart presented the staff recommendation to disapprove.

John Gore, Barge Cauthen & Associates, spoke in favor of the application.

Bernard Pickney, 4604 Dakota Avenue, spoke in opposition to the application.

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

Will Stout, 6107 Cowden Avenue, spoke in opposition to the application.

Ms. Farr closed the Public Hearing.

Mr. Haynes said this was straightforward but challenged staff and the Commission that as employers were trying to motivate their employees to return to the office, not work from home, that they may have those challenges in other areas of the city to balance, versus forcing Zander Insurance to potentially relocate due to insufficient parking, but in this case, he supported staff recommendation.

Mr. Clifton said he could not add any more and thought staff recommendation was correct.

Mr. Henley stated he was inclined to agree with his fellow Commissioners. He commended the applicant for the efforts made to make concessions.

Councilmember Withers recalled from the last time this was before them, there was a policy change amendment proposed and asked why that was not reconsidered this time along with this application.

Ms. Milligan answered that the Planning Commission disapproved the policy change at the last request. She said the assumption was that likely they were not going to get a different response because the Commission has already taken an action on a policy amendment.

Councilmember Withers said they will not have a policy change recommendation this time so it will not be found to meet policy but it was worth if the Councilmember were able to meet with the community to continue conversation and decide to bring it to Council, regardless of the policy recommendation, if there was community support it could make sense under the unique circumstances that this might be an appropriate compromise that does not just blanket open up the parcel to random commercial uses, but has a better site plan than last time. He said based on that, he was willing to support staff recommendation.

Ms. Johnson stated she recalled that this does not have access to Charlotte Pike, but only to the neighborhood residential street. She said was still in support of the staff recommendation to disapprove but saw an improvement with the landscaping buffer.

Ms. Blackshear stated she had no further comment.

Mr. Tibbs moved and Mr. Haynes seconded the motion to disapprove. (8-0)

Resolution No. RS2022-220

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-053-001 is disapproved. (8-0)

19. 2022SP-054-001
1622 ROSA L PARKS BLVD
Council District 19 (Freddie O'Connell)
Staff Reviewer: Dustin Shane

A request to rezone from OR20 to SP zoning for property located at 1622 Rosa L Parks Blvd, at the southeast corner of Garfield Street and Rosa L Parks Blvd, (0.71 acres), to permit 95 multi-family residential units and institutional uses, requested by Alfred Benesch & Co., applicant; Southeastern Synod of the Evangelical Lutheran Church, owner.

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

APPLICANT REQUEST

Preliminary SP to permit 95 multi-family residential units.

Zone Change

A request to rezone from Office/Residential (OR20) zoning to Specific Plan (SP) zoning for property located at 1622 Rosa L Parks Blvd, at the southeast corner of Garfield Street and Rosa L Parks Blvd (0.71 acres), to permit 95 multi-family residential units.

Existing Zoning

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. OR20 would permit a maximum of 14 units.

Proposed Zoning

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

NORTH NASHVILLE COMMUNITY PLAN

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

SITE CONTEXT AND PLAN DETAILS

The application consists of one parcel (Map 081-12, Parcel 321) totaling 0.71 acres in size located at the southeastern corner of the intersection of Rosa L. Parks Boulevard and Garfield Street. It contains a small church that is National Register Eligible and a parsonage. Surrounding uses include multi-family residential, vacant residential land, a single-family home, a duplex, another church, MDHA housing, and vacant commercial land, variously zoned SP, R6-A, OR20, RM9, MUG-A, and CS.

The application proposes to rezone the property from OR20 to SP. The proposed SP is regulatory and includes MUG-A as a base zoning. The uses are further limited to 95 multi-family residential units and accessory institutional uses (gathering/classroom spaces, a food bank/pantry; kitchen facilities for residents and beneficiaries of the religious institution's services; and associated office space for social service programs), and height is restricted to 5 stories in 75 feet within the build to zone and 6 stories in 90 feet at the setback line. Short-term rentals are prohibited, and standard SP architectural requirements are included. A note also indicates that all requirements of the MCSP will be met.

ANALYSIS

The property is within the T4 Urban Neighborhood Evolving (T4 NE) policy area. T4 NE policy is intended to enhance neighborhoods by including greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques. Moderate- to high-density residential development is appropriate, as are shallow setbacks, alley access, and high levels of complete street connectivity. MUG-A zoning is not typically appropriate for the T4 NE policy area; however, the site is unique because it is located along a wide Immediate Need Multi-Modal Corridor. Buildings are normally one to three stories in this policy area, but up to five stories are mentioned as possible in appropriate locations, such as abutting or adjacent to corridors such as Rosa L. Parks Boulevard. The 95 units to be constructed will require six stories, just over the normal maximum height for the policy area but permissible here because of the

general intensity of the corridor. Institutional uses that provide social services are permitted as accessory to the multi-family use.

Allowing more units and greater height at this location supports the intent of the existing policy guidance in this highly sought-after part of Nashville’s core. For these reasons, staff recommends approval of the rezoning.

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.

HISTORIC COMMISSION STAFF

No exception taken

STORMWATER RECOMMENDATION

Approve with conditions

- All projects in or draining to the combined sewer are required to have a CSEP Pre-Application meeting with Courtney Larson prior to Final SP Approval.

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. Public and/or private Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. A minimum of 30% 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. Label any ROW dedications. Provide Waste management plan. Note: A private hauler will be required for waste/recycle disposal. Accesses to be coordinated with NDOT roads and traffic at scoping of TIS. Additional road comments will follow scoping and TIS review by NDOT traffic.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Coordinate with NDOT to scope and conduct a Traffic Study for this development prior to Final SP submittal.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential(221)	0.36	20 D	7 U	36	3	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.35	0.8 F	12,197 SF	138	38	15

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (221)	0.71	-	95 U	516	32	42

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+342	-9	+24

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed SP district: 2 Elementary 2 Middle 1 High

The proposed SP zoning is expected to generate five more students than the existing OR20 zoning. Students would attend Jones Elementary School, John Early Middle School, and Pearl-Cohn High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to 95 multi-family residential units and institutional uses as identified on the plan. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. Correct the SP Number in the Development Summary table to "2022SP-054-001."
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. The Final SP plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Mr. Shane presented the staff recommendation to approve with conditions and disapprove without all conditions.

Mick Nelson, Nelson Community Partners, stated he was the co-developer with Inspiritus. He spoke in favor of the application.

Janet Arning, Empowerment Services with Inspiritus, 1622 Rosa Parks Blvd., spoke in favor of the application.

Samuel Davis, 1558 Delta Avenue, spoke in favor of the application.

Jeremiah Wooten, 1828 Wild Oaks Court, spoke in favor of the application.

Jenny Black, 1418 9th Avenue North, spoke in favor of the application.

Gloria Albert, 1536 Delta Avenue, spoke in favor of the application.

John Moeller, 1628 Rosa Parks Blvd., President and CEO of Inspiritus, spoke in favor of the application.

Emily Forsythe, 1400 Rosa Parks Blvd., stated she was not against the development but opposed the high density this will bring in. She expressed concerns with parking, street congestion and emergency services.

Evan Gracey, 1314 7th Avenue North, said he was not against affordable housing or the development, but expressed concerns regarding congestion, parking and the tax on the infrastructure of the community.

Christine Kiesling, 706 Buchanan Street, spoke in opposition to the application.

Patty Marsh, 704 Buchanan Street, spoke in opposition to the application.

Mick Nelson stated they have been working with traffic engineers and NDOT who have looked at the traffic impact of the development given that this was mostly a senior population, mostly without cars, that were not going to be traveling at peak hours. He said property management was going to have a lot more oversight and maintain a much higher standard than the typical market rate development.

Ms. Farr closed the Public Hearing.

Mr. Henley thought this was a great opportunity for both land use policy and built in environment to serve the needs of the community and was happy to support staff recommendation.

Mr. Clifton said he would be honored to vote for this as this was a fascinating opportunity.

Mr. Haynes stated that a nonprofit was trying to provide much needed services on a very small site. He felt this was much needed and supported the height and density.

Councilmember Withers stated this institutional use was an appropriate way of doing it. He felt this contributed to density in a way that has the least possible impact on the neighborhood but understood the concerns of the neighbors. Mr. Withers said this was an exciting proposal in which he was inclined to support.

Ms. Johnson stated as far as policy and application, the specific location, proposed usage, height and unit count were appropriate and she was in support of staff recommendation.

Ms. Blackshear said the neighborhood has been transforming to meet the needs of those who were in the neighborhood and who would like to stay there. She stated she was in support of this Item.

Mr. Tibbs moved and Mr. Haynes seconded the motion to approve with conditions and disapprove without all conditions. (8-0)

Ms. Farr called for a ten-minute break.

Mr. Haynes and Mr. Henley left the meeting.

Resolution No. RS2022-221

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-054-001 is approved with conditions and disapprove without all conditions. (8-0)

CONDITIONS

1. Permitted uses shall be limited to 95 multi-family residential units and institutional uses as identified on the plan. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. Correct the SP Number in the Development Summary table to “2022SP-054-001.”
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. The Final SP plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.

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

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

20. 2022SP-055-001

BELLEVUE TOWNHOMES

Council District 23 (Thom Druffel)

Staff Reviewer: Amelia Lewis

A request to rezone from R40 and RM4 to SP zoning for property located at 6842 Highway 70 S, approximately 1,500 feet west of Brookmont Terrace, (11.77 acres), and partially within a Planned Unit Development Overlay District, to permit 54 multi-family residential units, requested by Joseph Haddix, applicant; Flowers, John David, owner.

Staff Recommendation: Defer to the September 8, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-055-001 to the September 8, 2022, Planning Commission meeting. (8-0)

21. 2022Z-068PR-001

Council District 19 (Freddie O'Connell)

Staff Reviewer: Abbie Rickoff

A request to rezone from R6-A to RM20-NS zoning for property located 5 Decatur Street, approximately 50 feet north of Meredith Avenue (0.12 acres), requested by Randall B. Knight Sr., applicant; Randall B. Knight, owner.

Staff Recommendation: Approve RM20-A-NS.

APPLICANT REQUEST

Zone change from R6-A to RM20-NS.

Zone Change

A request to rezone from One and Two-Family Residential-Alternative (R6-A) to Multi-Family Residential-No STRP (RM20-NS) zoning for property located 5 Decatur Street, approximately 50 feet north of Meredith Avenue (0.12 acres).

Existing Zoning

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

Proposed Zoning

Multi-Family Residential-No STRP (RM20-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. The -NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property - Not-Owner Occupied uses from the district. *RM20-NS would permit a maximum of two units.*

SOUTH NASHVILLE COMMUNITY PLAN

T4 Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate to high density development patterns with shallow setbacks and minimal spacing between buildings. T4 NE areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. T4 NE policy may be applied either to undeveloped or substantially under-developed

“greenfield” areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors.

SITE AND CONTEXT

The vacant site comprises 0.12 acres and is located on the east side of Decatur Street, south of Fain Street. Existing rear alley #709 forms the rear property line, connecting to Meredith Avenue to the south. A CSX rail line runs parallel with Meredith Avenue, separating the residential neighborhood from industrial uses located to the south. Surrounding uses located north of the CSX line include single-family and two-family residential properties mixed in with a moderate concentration of vacant properties.

ANALYSIS

The site has been zoned for single- and two-family residential uses, R6, since at least 1974, with the adoption of Metro’s comprehensive zoning ordinance. In 2018, the larger area, including this site, was rezoned from R6 to R6-A. Staff supported the 2018 rezone due to the area’s urban development pattern and existing alley network, as the ‘A’ district development standards require rear alley access only, if existing, with future development.

The site is located in an area with a higher concentration of vacant properties, where a slight increase in intensity could provide additional housing opportunities intended by the existing two-family residential zoning that has been in place since at least 1974. While the existing R6-A zoning district permits two-family residential uses, the property does not meet the minimum lot size required by Zoning for establishment of a duplex. The proposed RM20-NS district would permit 2 units at this site, based on the parcel’s acreage, which is in keeping with two-family residential uses permitted by R districts. However, alley access would not be required without the ‘A’ district classification. Therefore, staff recommends approval of RM20-A-NS. Staff would note that several surrounding properties located on the east side of Decatur Street, along the block face, are similarly sized to the subject property. Should future rezonings be requested for these properties, staff would expect any increase in entitlements to include the provision for alley access, consistent with T4 development patterns and with the ‘A’ District standards.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.12	7.260 D	1 U	28	7	2

*Based on two-family lots

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)	0.12	20 D	2 U	15	5	1

Traffic changes between maximum: **R6-A and RM20-NS**

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

METRO SCHOOL BOARD REPORT

Projected student generation existing R6-A zoning districts: 0 Elementary 0 Middle 0 High
 Projected student generation proposed RM20-NS district: 1 Elementary 1 Middle 1 High

METRO SCHOOL BOARD REPORT

The proposed RM20-NS zoning is expected to generate 3 additional students beyond the existing R6-A zoning. Students would attend Napier Elementary School, Two Rivers Middle School, and McGavock 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 of RM20-A-NS.

Approve RM20-A-NS. (8-0)

Resolution No. RS2022-222

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-068PR-001 is approved RM20-A-NS. (8-0)

22. 2022Z-071PR-001

Council District 28 (Tanaka Vercher)

Staff Reviewer: Jason Swaggart

A request to rezone from AR2a to RS7.5 zoning for a portion of property located at 4544 Highland Ridge Drive, approximately 260 feet northeast of Winton Drive (0.21 acres), requested by McGuigan Appraisal LLC, applicant; Eldest Son LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from AR2a to RS7.5.

Zone Change

A request to rezone from Agricultural and Residential (AR2a) to Single-Family Residential (RS7.5) zoning for a portion of property located at 4544 Highland Ridge Drive, approximately 260 feet northeast of Winton Drive (0.21 acres).

Existing Zoning

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

Proposed Zoning

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

ANTIOCH – PRIEST LAKE COMMUNITY PLAN

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

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

Special Policy Area 13-RH-T3-NE-01

The special policy area applies to undeveloped land within the Rural Hill-Moss Road Neighborhood. The policy supports RS7.5 in this location.

SITE AND CONTEXT

The approximately 9,147 sq. ft. area requested to be rezoned to RS7.5 is a portion of Lot 120 Hickory Highland Place Section 2, Phase 2 and was recorded in 2001. The lot itself is 19,166 sq. ft. The remaining 10,019 sq. ft. of the lot is zoned RS7.5.

ANALYSIS

The proposed RS7.5 zoning district is consistent with the T3 NM policy the special policy and the surrounding zoning pattern. It is unknown why the portion of the site remained AR2a; however, being that it is a portion of a lot of record approved by the Planning Commission, it is appropriate for the entire lot to be RS7.5.

FIRE MARSHAL RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

METRO SCHOOL BOARD REPORT

**Projected student generation existing AR2a district: 0 Elementary 0 Middle 0 High
Projected student generation proposed RS7.5 district: 0 Elementary 0 Middle 0 High**

The proposed RS7.5 zoning district is not expected to generate any additional students than what is typically generated under the existing AR2a zoning district. 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 capacity for additional students. Cane Ridge High School is identified as overcapacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0)

Resolution No. RS2022-223

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-071PR-001 is approved RM20-A-NS. (8-0)

23. 2022Z-075PR-001

Council District 05 (Sean Parker)
Staff Reviewer: Abbie Rickoff

A request to rezone from IWD to RM15-A-NS zoning for property located at 806 Cherokee Avenue, approximately 255 feet east of Jones Avenue (0.27 acres), requested by Yating Hu, applicant and owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from IWD to RM15-A-NS

Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Multi-Family Residential-Alternative-No STRP (RM15-A-NS) zoning for property located at 806 Cherokee Avenue, approximately 255 feet east of Jones Avenue (0.27 acres).

Existing Zoning

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

Proposed Zoning

Multi-Family Residential-Alternative-No STRP (RM15-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. The -NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property - Not-Owner Occupied uses from the district. *RM15-A-NS would permit a maximum of 4 units.*

EAST NASHVILLE COMMUNITY PLAN

T4 Urban Neighborhood Center (T4 NC) is intended to maintain, enhance, and create urban neighborhood centers that serve urban neighborhoods that are generally within a 5 minute walk. T4 NC areas are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use,

residential, and institutional land uses. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

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

Conservation (CO) policy is applied to the eastern half of the site, recognizing potential stream buffer areas associated with a potential stream identified east of the site. The stream has since been reclassified as a wet weather conveyance.

Highland Heights Study Supplemental Policy

The site is within the Highland Heights Study Supplemental Policy which was approved and adopted by the Planning Commission on June 14, 2018. The Highland Heights Study was completed after an extensive community engagement process and resulted in updates to the community character policies for the area, as well as establishment of a supplementary Building Regulating Plan and Mobility Plan for the area. The community character policy present at this site, T4 NC, changed from T4 MU, Urban Mixed Use Neighborhood, with the adoption of the Highland Heights plan.

This site is within the M1 Subdistrict of the Building Regulating Plan, which is intended to enhance and create urban neighborhood centers that provide daily needs and services for surrounding urban neighborhoods, consistent with the goals of the general T4 NC policy. The M1 Subdistrict supports a range of uses, including multi-family residential and non-residential uses, at varying intensities depending on the location and context. The M1 Subdistrict also supports a variety of building forms, including plex or manor house, low-rise townhouse, courtyard flat, low-rise flat, and low-rise mixed use.

The Mobility Plan component of the Highland Heights Study, which was incorporated into the Major and Collector Street Plan (MCSP), identifies a potential east/west alley located to the south, spanning the rear of properties fronting Cherokee Avenue and Chickasaw Avenue. The potential alley ties back into Cherokee Avenue in two locations, including through this site. The Mobility Plan also identifies Jones Avenue, located approximately 250 feet to the west, as a local north-south connector with wider sidewalks than typically required of local streets.

SITE AND CONTEXT

The 0.27-acre site is located on the south side of Cherokee Avenue, a local street, east of Jones Avenue. The property is vacant and includes some existing vegetation and a wet weather conveyance spanning the eastern boundary. The site is located on a seam between primarily single-family residential uses to the south, commercial and two-family residential development to the west, and industrial uses to the east. This land use mix continues along Cherokee Avenue to the east, where previously established industrial uses are mixed in with recently developed multi-family residential properties. Several of these multi-family developments were rezoned to RM20-A between 2015 and 2018.

ANALYSIS

The requested RM15-A-NS zoning is supported by the T4 NC policy and the M1 Subdistrict of the Highland Heights Study. The proposed zoning allows for multi-family residential uses, which would increase housing choice in the area. The standards for building placement, parking and access included in the RM15-A-NS district would also improve the relationship of development to the street, enhancing an urban neighborhood that is meant to evolve into a neighborhood-scale center, consistent with the goals of the T4 NC policy and M1 Subdistrict.

The site is located on the eastern edge of the T4 NC policy and M1 Subdistrict, near the intersection of several different community character policy and subdistrict areas. Properties to the east are located within the T4 Urban Neighborhood Evolving policy and R5 Subdistrict, supporting a range of residential uses at slightly less intensity, including two-family and multi-family residential. Properties to the north are also located within the T4 NE and R5 Subdistrict, transitioning to a T4 Urban Neighborhood Maintenance policy area to the northwest. Adjacent properties to the west share the same T4 NC and M1 policy application as this site and include a mix of residential and nonresidential uses in the MUN-A, Mixed Use Neighborhood-Alternative, zoning district.

The requested RM15-A-NS district is in the middle of the range of zoning districts supported by the T4 NC policy and M1 Subdistrict of the Highland Heights Study, which is appropriate given the site's location on the seam of several different policy areas. The RM15-A-NS zoning district would permit multi-family development at a level of intensity that is in keeping with the goals of the policy.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.27	0.8 F	9,409 SF	60	1	1

Maximum Uses in Proposed Zoning District: **RM15-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	0.27	20 D	4 U	20	1	2

Traffic changes between maximum: **IWD and RM20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-40	-	+1

METRO SCHOOL BOARD REPORT

Projected student generation existing IWD zoning districts: 0 Elementary 0 Middle 0 High
 Projected student generation proposed RM15-A-NS district: 1 Elementary 1 Middle 1 High

METRO SCHOOL BOARD REPORT

The proposed RM15-A-NS zoning is expected to generate 3 additional students beyond the existing IWD zoning. Students would attend Tom Joy Elementary School, Jere Baxter Middle School, and Maplewood High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0)

Resolution No. RS2022-224

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-075PR-001 is approved RM20-A-NS. (8-0)

24. 2022Z-076PR-001

Council District 02 (Kyonzté Toombs)
 Staff Reviewer: Jason Swaggart

A request to rezone from R6 to RM20 zoning for property located at 1718 Pecan Street, approximately 400 feet west of 18th Ave N (0.18 acres), requested by Richard H. Roberts, applicant, Richard H. Roberts and Brittany L. Roberts owners.

Staff Recommendation: Defer to the September 8, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022Z-076PR-001 to the September 8, 2022, Planning Commission meeting. (7-0-1)

25. 2022Z-079PR-001
 Council District 09 (Tonya Hancock)
 Staff Reviewer: Logan Elliott

A request to rezone from RS7.5 to R20 zoning for property located at 313 Delaware Avenue, approximately 130 feet north of Burwood Avenue (0.45 acres), requested by C&H Properties, LLC, applicant and owner.

Staff Recommendation: Approve.

APPLICANT REQUEST
Zone change from RS7.5 and R20.

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to One and Two-Family Residential (R20) zoning for property located at 313 Delaware Avenue, approximately 130 feet north of Burwood Avenue (0.45 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 2 units.*

Proposed Zoning

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots. *R20 would permit a maximum of 1 duplex lots for a total of 2 units.*

MADISON COMMUNITY PLAN

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

SITE AND CONTEXT

The approximately 0.45 acre site is located on the western side of Delaware Avenue, 200 feet to the north of State Route 45 in Madison. Delaware Avenue is a local road and State Route 45 is an Arterial Parkway in the Major and Collector Street Plan. Madison Park is located just east of the subject site. The subject site contains a single-family land use and is surrounded by a multi-family use and other single-family uses.

ANALYSIS

Staff finds the proposed R20 zoning district to be consistent with the guidance provided in the Community Character Manual for the T4 NE policy given the that the site is one parcel removed from State Route 45 corridor. The adjacent parcel that is abutting State Route 45 is zoned OR20, a more intense zoning district than both the existing and requested zoning district. The policy describes that development should transition from corridors as you move more interior to neighborhoods and the proposed zoning district provides this. Also, the proposed zoning does not increase the total development potential of the property with the same number of units being possible under the existing and proposed zoning. The proposed zoning allows the existing unit on the property to remain with an additional unit being constructed behind this unit in a way that could not be realized under the existing zoning that requires a subdivided lot for each unit. Staff recommends approval of the requested R20 zoning district.

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)	0.45	5.808 D	2 U	28	7	2

Maximum Uses in Proposed Zoning District: **R20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.45	2.178 D	2 U	28	7	2

*Based on two-family lots

Traffic changes between maximum: **RS7.5 and R20**

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

METRO SCHOOL BOARD REPORT

Projected student generation existing RS7.5 zoning district: 0 Elementary 0 Middle 0 High Projected student generation proposed R20 districts: 0 Elementary 0 Middle 0 High

The proposed R20 zoning is expected to generate no additional students beyond the existing RS7.5 zoning. Students would attend Amqui Elementary School, Neelys Bend College Preparatory Middle School, and Hunters 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 of the requested R20 zoning district.

Approve. (8-0)

Resolution No. RS2022-225

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-079PR-001 is approved RM20-A-NS. (8-0)

26. 2022Z-080PR-001

Council District 16 (Ginny Welsch)

Staff Reviewer: Jason Swaggart

A request to rezone from RS7.5 to R8 zoning for properties located at 3104 Meade Avenue and 436 Patterson Street, at the northeast corner of Meade Avenue and Patterson Street (0.4 acres), requested by Matthew McKinney, applicant; James B. Jr. et ux Frith and Hollis O'Neal and Peggy Frith, owners.

Staff Recommendation: Disapprove R8 and approve R8-A.

APPLICANT REQUEST

Zone change from RS7.5 to R8.

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to One and Two-Family Residential (R8) zoning for properties located at 3104 Meade Avenue and 436 Patterson Street, at the northeast corner of Meade Avenue and Patterson Street (0.4 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 2 residential units (1 per existing parcel).*

Proposed Zoning

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

SOUTH 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 request pertains to two individual lots: 3104 Meade Avenue and 436 Patterson Street. 3104 Meade is located at the northeast corner of Meade Avenue and Patterson Street. 436 Patterson Street abuts the east side of 3104 Meade Avenue. Nolensville Pike is approximately 1,000 feet to the east. 3104 Meade Avenue is approximately 9,510 sq. ft. in size and 436 Patterson Street is approximately 9,134 sq. ft. Each property is identified as single-family. The surrounding zoning is RS7.5 and adjacent properties are identified as single-family. While the surrounding area is zoned for single-family, there are several duplexes in the area.

ANALYSIS

The T4 NM policy is generally intended to preserve the existing character of the area where it is applied. In this case, the surrounding area consist of a mixture of single and two-family homes. In addition, there is an existing approved alley located at the rear of both properties. Given the existing mixture of single and two-family homes, an existing alley that can be utilized by new development and the proximity to the Nolensville Pike corridor, staff finds that a two-family zoning district is consistent with the T4 NM policy at this location. To ensure that any new development utilize the alley, staff recommends disapproval of R8 and approval of R8-A. The alternative designation will require any new development to utilize the alley.

FIRE MARSHAL RECOMMENDATION

Approve

TRAFFIC AND PARKING 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)	0.40	5.808 D	2 U	28	7	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.40	5.445 D	4 U	54	8	5

*Based on two-family lots

Traffic changes between maximum: **RS7.5 and R8**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+2 U	+26	+1	+3

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed R8 district: 0 Elementary 0 Middle 0 High

The proposed R8 zoning district is not expected to generate any additional students than what is typically generated under the existing RS7.5 zoning district. Students would attend Glenclyff Elementary School, Wright Middle School, and Glenclyff High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends disapproval of R8 and approval of R8-A.

Mr. Swaggart presented the staff recommendation to disapprove R8 and approve R8-A.

Jon Michael stated he was an attorney with Thompson Burton Law Firm and representing the development team on this project. He spoke in favor of the application.

Justin Head, 765 Hill Road, spoke in favor of the application.

Ms. Farr closed the Public Hearing.

Mr. Tibbs moved and Ms. Blackshear seconded the motion to disapprove R8 and approve R8-A. (6-0)

Resolution No. RS2022-226

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-079PR-001 is approved RM20-A-NS. (6-0)

**27. 2020S-179-001
ENTRUST HOMES ON PARAGON MILLS**

Council District 26 (Courtney Johnston)

Staff Reviewer: Jason Swaggart

A request to remove a condition for an eight-lot subdivision, located at 205 Paragon Mills Road, previously approved by the Planning Commission. requested by Entrust Investments, LLC, owner

Staff Recommendation: Reapprove with removal of lot width conditions.

APPLICANT REQUEST

Request to remove a condition for an eight-lot subdivision, previously approved by the Planning Commission.

Final Plat

A request to remove a condition for an eight-lot subdivision, previously approved by the Planning Commission on property located at 205 Paragon Mills Road, approximately 100 feet east of Towry Drive, zoned One and Two-Family (R6) (1.0 acres).

History

The Commission approved an eight-lot final plat on August 26, 2021. A condition of the Commission’s approval was to revise the lot layout so that all lots are at least 50’ wide. The requirement was based on a current regulation that requires lots without alley access in T3 NE policy areas to be at least 50’ wide or provide shared access. At the time the report was written, and heard by the Commission, the requirement was not in effect, thus the Subdivision Regulations did not require the 50’ lot width. This was discussed with the applicant prior to the Commission meeting, and staff agreed that the requirement should not have been included in staff’s recommendation. Staff intended to distribute a memo of correction to the Commission at the August 26, 2021, Commission meeting; however, the memo was not circulated so the approval included the condition despite the error.

This issue was recently brought to staff’s attention. Since the requirement was a condition of the Commission’s approval, then the requirement cannot be removed without the approval of the Commission. Since the regulations in place did not require the lots to be 50’ wide at the time the application was submitted and that staff intended to remove this condition from the recommendation, then staff finds that it is appropriate to remove the requirement. Staff also recommends that the Commission waive the noticing requirements given that the item was previously noticed with the lots as shown and staff did not receive any opposition to the application at the time.

STAFF RECOMMENDATION

Staff recommends reapproval with removal of the lot width requirement.

CONDITIONS

1. Except for the lot width requirement for the previous approval, all other conditions apply.

Reapprove with removal of lot width conditions. (6-0)

Resolution No. RS2022-227

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020S-179PR-001 is reapproved with removal of lot width conditions. (6-0)

CONDITIONS

1. Except for the lot width requirement for the previous approval, all other conditions apply.

**28. 2017S-254-004
RIVERVIEW AT CUMBERLAND HILLS**

Council District 10 (Zach Young)
Staff Reviewer: Dustin Shane

A request for concept plan approval to create 36 lots with 9 two-family lots for a total of 45 units on properties located at 2133 and 2135 B East Hill Drive, East Hill Drive (unnumbered), and Twin Hills Drive (unnumbered), at the current terminus of Cumberland Hills Drive, zoned R20 (19.85 acres), requested by Dewey Engineering, applicant; BP Madison, LLC, owner

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Concept plan to create 36 lots.

Concept Plan

A request for concept plan approval to create 36 cluster lots including 9 two-family lots for a total of 45 units on properties located at 2133 and 2135 B East Hill Drive, East Hill Drive (unnumbered), and Twin Hills Drive (unnumbered), at the current terminus of Cumberland Hills Drive, zoned One and Two-Family Residential (R20) (19.85 acres).

SITE DATA AND CONTEXT

Location: The site is located at the western terminus of Cumberland Hills Drive, south of East Hill Drive.

Street Type: The site has frontage onto Cumberland Hills Drive, which is a local street. The plan proposes an extension of Cumberland Hills Drive and two new local streets which intersect.

Approximate Acreage: 19.85 acres or 864,666 sq. ft.

Parcel/Site History: This site is comprised of five parcels; the parcels were created at various times, ranging from 1969 to 1998.

Zoning History: The site is zoned One and Two-Family Residential (R20). It has been zoned R20 since 1974.

Existing land use: The parcels are identified as vacant residential land, with Parcel 037 featuring a residence.

Surrounding land use and zoning:

- North: One and Two-Family Residential (R20)
- South: One and Two-Family Residential (R20)
- East: Single-Family Residential (RS40)
- West: One and Two-Family Residential (R20)

Zoning: One and Two-Family Residential (R20)

- Min. lot size: 20,000 sq. ft.
- Min. lot coverage: 0.35
- Max. height: 3 stories
- Min. street setback: 30’.

- Min. rear setback for all properties: 20'
- Min. side setback for all properties: 10'

PROPOSAL DETAILS

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

Number of lots: 36 lots including 9 two-family lots for a total of 45 units.

Lot sizes: Lots range in size from 10,004 sq. ft. to 20,272 sq. ft.

Access: The lots have frontage onto the proposed extension of Cumberland Hills Drive and two proposed local streets, and the site draws access from Cumberland Hills Drive.

Open space: 2.91 acres of active open space and 2.24 acres of passive open space are proposed.

Subdivision Variances or Exceptions Requested: None

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 single-family and two-family lots. The concept plan delineates the alternative lot sizes to be employed and describes the land areas required to satisfy open space requirements. The two-family lots are ineligible for alternative lot sizes.

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 R20, which has a minimum lot area of 20,000 sq. ft. The minimum area within a cluster lot subdivision in the R20 district is 200,000 sq. ft. The site contains approximately 864,666 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 19.85 acres or 864,666 sq. ft. The minimum lot size of the existing zoning district, R20, is 20,000 sq. ft.

$$864,666 \text{ sq. ft.} \times 0.15 = 129,699.9 \text{ sq. ft. (15\% of the gross site area reserved for streets)}$$

$$864,666 \text{ sq. ft.} - 129,699.9 \text{ sq. ft.} = 734,966.1 \text{ sq. ft. (85\% of the gross area remaining to yield lots)}$$

$$734,966.1 \text{ sq. ft.} / 20,000 \text{ sq. ft.} = 36 \text{ lots}$$

Open Space Requirements (Section 17.12.090.D)

A minimum of 15 percent of the gross land area of each phase is required to be provided as open space in a cluster lot subdivision. The first and only phase includes approximately 5.15 acres or 25.9% of the total land area as open space. The proposed open space exceeds the minimum requirement.

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 45 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 calls for one active recreational area (a playground in this case) as required by the Code. Passive areas of open space include landscape buffer yards and stormwater facilities.

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 R20. A reduction of two base zone districts would be down to the R10 zone district. The R10 zone district requires a minimum lot size of 10,000 sq. ft. The smallest lot proposed in this subdivision exceeds the minimum 10,000 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, all bulk standards meet 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. No perimeter lots oriented to an existing street are proposed.

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 (R20 to R15) with the installation of a standard B landscape buffer yard located within common open space, or reduced the equivalent of two zoning districts (R20 to R10) with the installation of a standard C landscape buffer yard located within common open space. The smaller lots along the western, northern, and eastern property boundaries meet this second requirement because they abut residential zoning districts. The proposed two-family lots must meet the bulk standards of the base zoning district.

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, and southern property lines are residential (R20). Section 17.24.230 of the Zoning Code dictates the type of buffer yard required. No landscape buffer yards in excess of the cluster lot buffer yards cited above are required. 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. No critical lots are proposed.

Floodplain Development Standards (Section 17.28.40)

This site is not located within the Floodplain Overlay District.

Recreational Facilities (Section 17.12.090.G)

This section establishes the requirements for recreational facilities in subdivisions utilizing the cluster lot option. The concept plan proposes 45 residential units, and recreational facilities (a playground) are provided per the requirements for a cluster lot subdivision of this size.

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 located within the Suburban Neighborhood Maintenance (T3 NM) policy. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For sites within the T3 Suburban transect, the conventional regulations found in Chapter 3 are utilized.

3-1 General Requirements

Staff finds that all standards are met.

3-2 Monument Requirements

Monuments will be placed on property corners or referenced to property lines consistent with the requirements of the subdivision regulations.

3-3 Suitability of the Land

Land which the Planning Commission finds to be unsuitable for development due to flooding, steep slopes, rock formations, problem soils, sink holes, other adverse earth formations or topography, utility easements, or

other features which may be harmful to the safety, health and general welfare of inhabitants of the land and surrounding areas shall not be subdivided or developed unless adequate methods to solve the problems created by the unsuitable land conditions are formulated.

The site contains a wet weather conveyance that will be disturbed. The plan proposes stormwater filtration and drainage for this area, preserving the current function of the conveyance.

3-4 Lot Requirements

All proposed lots comply with the minimum lot size of the Zoning Code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of R20 zoning at the time of building permit. All proposed lots have frontage on a new public street.

3-5 Infill Subdivisions

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

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

3-6 Blocks

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

3-7 Improvements

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

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

Sidewalks are required in association with new streets. The proposed subdivision includes new public streets. The proposed concept plan indicates sidewalks will be provided consistent with the local street standard for the proposed extension of Cumberland Hills Drive and the two proposed local streets. Sidewalks will be required at the time of building permit pursuant to Section 17.20.120 of the Zoning Code.

3-9 Requirements for Streets

The application proposes two local streets perpendicular to one another and intersecting, with both streets dead-ending at two places in the northern boundary of the property. ROW is proposed to be dedicated at these dead-ends. If future development happens on the adjacent parcels, the stubs will connect to provide access. Public street requirements are reviewed by NDOT. NDOT has reviewed the concept plan and found it to be in compliance with the standards of this section subject to several conditions. Those conditions are listed in the recommendations from all agencies section below.

3-10 Requirements for Dedication, Reservations, or Improvements

The application proposes two local streets with 50 feet of right-of-way per NDOT requirements.

3-11 Inspections During Construction

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

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

NDOT reviews street names and signage requirements for public roads and has recommended approval of this concept plan. See comments in the recommendations from all agencies section below.

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

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

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

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

3-16 Sewerage Facilities

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

3-17 Underground Utilities

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

PLANNING STAFF COMMENTS

The proposed subdivision meets the standards of the Metro Subdivision Regulations for a major subdivision and the standards of the Metro Zoning Code. Staff recommends approval with conditions.

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 but may consider policy. Policy information is provided below for consideration.

The Community Character Manual (CCM) policy applied to the site is Suburban Neighborhood Maintenance (T3 NM). T3 areas are predominately residential areas with neighborhoods featuring shallow and consistent setbacks and closer building spacing. T3 NM areas with the suburban transect are intended to maintain and enhance existing suburban neighborhoods.

Moderate levels of connectivity with street networks and sidewalks are expected of T3 areas. The policy speaks to vehicular connections with new development providing for multiple route options to destinations, reducing congestion on primary roads. Lot sizes within the broader policy can vary and zoning districts ranging from RS40 to RS7.5 are supported depending on context. This property is zoned R20 which permits single and two-family. Surrounding properties also include R20 while properties to the east are RS40. Lot sizes are not consistent throughout the area and range from 10,000 square feet to approximately an acre.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- With final: Include proposed public roadway construction drawings(profiles, grades, drainage). Roadway construction drawings shall comply with NDOT Subdivision Street Design Standards. Callout roadway sections, (access and ADA)ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Provide internal stop control at intersections. Provide stopping sight distance exhibits at any relevant intersections and accesses. Note: A private hauler will be required for waste/recycle disposal. Comply w/ NDOT traffic comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- All traffic calming requests are to be filled with NDOT's traffic calming group (<https://www.nashville.gov/departments/transportation/plans-and-programs/traffic-calming>).
- See Roads comments.

WATER SERVICES RECOMMENDATION

Approve 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. A minimum of 30% of Sanitary Sewer Capacity must be paid before issuance of building permits. (See Capacity Permit #T2022037600).
- Water provided by Madison Suburban Utility District.

MADISON SUBURBAN UTILITY DISTRICT RECOMMENDATION

Approve with conditions

- See approval letter dated January 25, 2018.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Pursuant to 2-2.5.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.
2. Pursuant to 2-2.5.f of the Metro Subdivision Regulations, the approval a of concept plan shall be effective for four years from the date of Planning Commission approval to the recording of the final plat or a phase of the plat as described in Section 2-2.5.g.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

RECOMMENDED ACTION

Motion to approve with conditions proposed subdivision Case No. 2017S-254-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, including the Cluster Lot provisions, 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.

Michael Dewey, Dewey Engineering, 2925 Berry Hill Drive, spoke in favor of the application.

Colby Miller, 2513 Val Marie Drive, spoke in opposition to the application. He expressed concerns regarding landscaping buffer and wildlife preservation and safety.

Chris Weigel, 405 Cumberland Hills Drive, spoke in opposition to the application. He expressed concerns with increased traffic, only having one entrance and water drainage with flooding.

Megan Weigel, 405 Cumberland Hills Drive, spoke in opposition to the application. She expressed concerns with traffic issues with having no sidewalks or streetlights.

Ms. Farr closed the Public Hearing.

Ms. Blackshear asked Mr. Dickerson to help understand their role in determining whether a subdivision request should be approved.

Mr. Dickerson advised this has been shaped by recent cases they have had. He explained that they have the prohibition against considering it for straight harmonious and are permitted to consider under the subdivision regulations all the different items that are included within section 3-1.2; which includes one of the issues that may be considered, adopt a general plan including its constituent elements and the major street plan. It also must comply with the regular zoning, subdivision regulations and other items contained within that. He recommended that whatever decision is made, to make clear in the record what the basis for the decision is and how that ties to the items in the subdivision regulations.

Ms. Blackshear stated she agreed with the staff recommendation but has questions about the neighbors who live right along the sole entrance and exit of the subdivision. She asked about traffic calming and how those requests are made.

Ms. Milligan advised that NDOT opens application deadlines during certain times of the year. Generally, neighborhoods can apply for the traffic calming program. Traffic calming can take many different forms depending on the neighborhood and context in what may be appropriate for that location, for example paint on the road for low disruption or actual construction. She said they do not do speed bumps anymore. Ms. Milligan said some creative uses in East Nashville are the use of chicanes. She said they could ask the developer to work with NDOT as a condition of approval, traffic calming solutions outside of that program but part of this development.

Ms. Blackshear thought that would be an appropriate request especially if there were already problems with traffic safety. She inquired about streetlights.

Ms. Milligan said that was within the general services area and was likely why there are no streetlights. She said the standards for streetlights are different within urban services district versus general services.

Ms. Blackshear said it would be nice to get traffic calming measures in the area.

Ms. Johnson asked about the traffic capacity of Cumberland Hills Drive.

Ms. Milligan advised that they spoke with NDOT to ask about traffic generation from the proposed development and they said a development of this size would have around 35 additional peak hour trips and the road capacity can handle those additional trips.

Ms. Johnson asked if this was a connector street.

Ms. Milligan answered that this was a local street. She also stated there were no sidewalks on Cumberland Hills Drive as they were likely not required when that was developed; however, sidewalks were required on both sides of all the new streets within the new subdivision, consistent with the current standards of the subdivision regulations.

Ms. Johnson asked if there would be any landscape buffer to existing north or east of Cumberland Hills Drive.

Ms. Milligan said that there was landscape buffer at the rear of lots 1-5.

Ms. Johnson asked about landscape buffer for lots 26-28.

Ms. Milligan advised that the landscape buffer requirements were based on the size of the adjacent lots as it related to the amount that was clustering down the new lots. It was based on how much the lots are reduced. The developer can add landscaping but was not required per the regulations.

Ms. Johnson asked if this was something they can require.

Ms. Kempf stated the land use policy would support transitions between neighborhoods and they could increase the buffer as currently shown, but not in the sub regulations because it was not required.

Ms. Johnson thought having a landscape buffer, especially since there was no connectivity, to transition from existing to new proposal, seemed appropriate. She asked if the new streets met fire requirements.

Ms. Milligan said that it met Fire standard and Fire has recommended approval.

Ms. Johnson would like the developer to think about the traffic calming measure and to consider a landscape buffer for lots 26-28. She thought the proposal met subdivision requirements.

Councilmember Withers was sympathetic to the neighbors about traffic and shared their concern about lack of sidewalks. He found the plan to meet subdivision regulations.

Mr. Clifton asked if they could put required buffering as a condition of approval of a subdivision.

Ms. Kempf advised that the context with which they review subdivisions has evolved over the last year given several court cases which say they must follow the subdivision regulations, they cannot disapprove subdivisions based on things like harmony or general principals, but they can consider land use policy more broadly than they were doing previously. She further explained, if they wanted to purpose buffers on lots 26, 27 and 28, that they could make that recommendation, but need to say where and on what basis they would make that recommendation, and the basis for that would need to come from the general plan where there was language around appropriate transitions, incorporating greenspaces into urban networks, and the like.

Mr. Dickerson pointed out that if the courts require them to be considering all the different items, then it was appropriate if they have a condition that was specifically tied to a source of law on this list, that if they base it on that, it seems to reason it would cut that way also.

Jackson Nichols, Patterson Company, said one thing their company does differently was landscaping buffers and will be happy to work with the neighbors.

Ms. Johnson moved and Mr. Clifton seconded the motion to approve with conditions including additional conditions that the applicant work with the community on landscape buffer for lots 26-28 and work with NDOT on traffic calming prior to final site plan approval. (6-0)

Resolution No. RS2022-228

“BE IT RESOLVED by The Metropolitan Planning Commission that 2017S-254-004 is approved with condition including conditions that the applicate work with the community on landscape buffer for lots 26-28 and work with NDOT on traffic calming prior to final site plan approval. (6-0)

CONDITIONS

1. Pursuant to 2-2.5.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.
2. Pursuant to 2-2.5.f of the Metro Subdivision Regulations, the approval a of concept plan shall be effective for four years from the date of Planning Commission approval to the recording of the final plat or a phase of the plat as described in Section 2-2.5.g.

**29. 2021S-227-001
RESUBDIVISION PLAT LOT 364 PLAN OF D.T. MCGAVOK**

Council District 21 (Brandon Taylor)
Staff Reviewer: Jason Swaggart

A request for final plat approval to create two lots on property located at 1720 17th Avenue North, at the southeast corner of Century Street and 17th Avenue North, zoned RS5 (0.38 acres), requested by WT-Smith Surveying, applicant; Frank Beasley, owner.

Staff Recommendation: Approve with conditions including an exception to the compatibility requirement for Lot 2 based on the surrounding area.

APPLICANT REQUEST

Request for final plat approval to create two lots.

Final Plat

A request for final plat approval to create two lots on property located at 1720 17th Avenue North, at the southeast corner of Century Street and 17th Avenue North, zoned Single-Family Residential (RS5) (0.38 acres).

SITE DATA AND CONTEXT

Location: The property is located at the southeast corner of Century Street and 17th Avenue North.

Street type: The property has frontage on Century Street and 17th Avenue North. Both streets are classified as local.

Approximate Acreage: 0.38 acres or approximately 16,552 square feet.

Parcel/Site History: This site is comprised of one lot that was created by plat in 1858.

Zoning History: The parcel has been zoned RS5 since at least 1974. The property is also within the Urban Zoning Overlay district.

Existing land use and configuration: The lot is currently in its original configuration.

Surrounding land use and zoning:

- North: Single-Family Residential (RS5)
- South: Single-Family Residential (RS5)
- East: Single-Family Residential (RS5)
- West: Single-Family Residential (RS5)

Zoning: Single-Family Residential (RS5)

Min. lot size: 5,000 square feet

Max. building coverage: 0.50

Min. rear setback: 20'

Min. side setback: 5'

Max. height: 3 stories
Min. street setback: Contextual per Zoning Code

PROPOSAL DETAILS

Number of lots: 2

Lot sizes: Proposed Lot 1 is 0.23 acres (10,213 sq. ft.) and Lot 2, 0.16 acres (6,787 sq. ft.).

Access: Access to Lot 1 will be from the existing driveway on 17th Avenue North. Access to Lot 2 is limited to Alley #542.

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 located within a Suburban Neighborhood Maintenance (T3 NM) policy. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For sites within a T3 Suburban Transect, the conventional regulations found in Chapter 3 are utilized.

3-1 General Requirements

This subdivision is required to meet the standards of Chapter 3. As proposed, the subdivision does not meet Section 3-5.2.

3-2 Monument Requirements

Staff finds that the internal monuments and lot pins comply with monument requirements.

3-3 Suitability of the Land

Not applicable to this case. Based on available data, this site does not contain FEMA floodway or floodplain, steep slopes as identified on Metro's topographical maps, rock formations, problem soils, sinkholes, other adverse earth formations or topography, utility easements, or other features which may be harmful to the safety, health, and general welfare of the inhabitants of the land and surrounding areas.

3-4 Lot Requirements

All lots comply with the minimum standards of the zoning code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of RS5 zoning at the time of building permit. Both proposed lots have frontage on either Century Street and 17th Avenue North.

3-5 Infill Subdivisions

In order to ensure compatibility with the General Plan, the Commission has adopted specific regulations applicable to infill subdivisions, defined as residential lots resulting from a proposed subdivision within the R, R-A, RS, and RS-A zoning districts on an existing street. If a proposed infill subdivision meets all of the adopted applicable regulations, then the subdivision is found to be harmonious and compatible with the goals of the General Plan. An exception to the compatibility criteria may be granted by the Planning Commission for a SP, UDO or cluster lot subdivision by approval of the rezoning or concept plan.

3-5.2 Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Maintenance, except where a Special Policy and/or a Designated Historic District exists. The following criteria shall be met to determine compatibility of proposed infill lots to surrounding parcels.

- a. *All minimum standards of the zoning code are met.*
Complies. All lots meet the minimum standards of the zoning code.
- b. *Each lot has street frontage or meets the requirements of Section 3-4.2.b for fronting onto an open space or meets the requirements of Sections 4-6.3 or 5-3.1 fronting onto an open space.*

Complies. Lot 1 has frontage on Century Street and 17th Avenue North and Lot 2 has frontage on Century Street.

- c. *The resulting density of lots does not exceed the prescribed densities of the policies for the area. To calculate density, the lot(s) proposed to be subdivided and the surrounding parcels shall be used. For a corner lot, both block faces shall be used.*
The T3 NM policy that applies to this site does not specifically identify an appropriate density; however, the policy supports the underlying RS5 zoning district and its prescribed density.
- d. *The proposed lots are consistent with the community character of surrounding parcels as determined below:*
1. *Lot frontage is either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater. For a corner lot, only the block face to which the proposed lots are to be oriented shall be used; and*
The minimum lot width required along 17th Avenue North is 50 feet. There are no lots to compare on Century Street. Lot 1 has approximately 100 feet of frontage along 17th Avenue North (note that the frontage along 17th Avenue North is not changing) and meets the minimum frontage requirement. Since there are no lots to compare along Century Street, the Planning Commission must determine if the lots meet the intent of this section of the regulations.
 2. *Lot size is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than smallest surrounding lot, whichever is greater. For a corner lot, only the block face to which the proposed lots are to be oriented shall be used; and*
The minimum lot size required along 17th Avenue North is 8,276 square feet. There are no lots to compare on Century Street. Lot 1 is approximately 10,213 square feet meeting the minimum lot size requirement along 17th Avenue North.
Since there are no lots to compare along Century Street, the Planning Commission must determine if the lots meet the intent of this section of the regulations.
 3. *Where the minimum required street setback is less than the average of the street setback of the two parcels abutting either side of the lot proposed to be subdivided, a minimum building setback line shall be included on the proposed lots at the average setback. When one of the abutting parcels is vacant, the next developed parcel shall be used. For a corner lot, both block faces shall be used; and*
New homes will be required to meet the contextual setback standards per the Metro Zoning Code.
 4. *Orientation of proposed lots shall be consistent with the surrounding parcels. For a corner lot, both block faces shall be evaluated.*
The existing lot has frontage on both Century Street and 17th Avenue North. The existing home is to remain on Lot 1 and the orientation will not change. There are no lots to compare on the same side of Century Street. There are, however, lots oriented to Century Street on the opposite side of the street.
- e. *The current standards of all reviewing agencies are met.*
All agencies have recommended approval or approval with conditions.

Given that there are no lots with which to compare Lot 2, the Planning Commission may grant an exception to the compatibility requirements by considering a larger area to evaluate general compatibility. Proposed Lot 2 is oriented toward Century Street in a pattern that is mirrored on the opposite side of Century Street. The lot proposed to face Century Street is of a compatible size and frontage to the lots directly across Century Street.

3-6 Blocks

Not applicable to this case. This proposal is for an infill subdivision.

3-7 Improvements

Construction plans for any required private improvements (private stormwater, water and sewer lines and connections) will be reviewed at the time of building permit.

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

Not applicable to this case. Sidewalks are required only in association with new streets. The proposed subdivision is located on an existing street. Sidewalk requirements will be reviewed at the time of building permit, pursuant to Section 17.20.120 of the Zoning Code

3-9 Requirements for Streets

Not applicable to this case. The proposal is for an infill subdivision located on an existing street.

3-10 Requirements for Dedication, Reservations, or Improvements

No additional right-of-way dedication is required.

3-11 Inspections During Construction

Construction plans for any required private improvements (private stormwater, water and sewer lines and connections) will be reviewed at the time of building permit.

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

Not applicable to this case. No new streets are proposed.

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

Not applicable to this case. No new streets are proposed.

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

Public water is available to this site from Metro Water Services. Metro Water Services has reviewed the proposed plat and found it to be in compliance with all requirements of this section. Water Services recommends approval with conditions.

3-16 Sewerage Facilities

Public sewer is available to this site from Metro Water Services. Metro Water Services has reviewed the proposed plat and found it to be in compliance with all requirements of this section. Water Services recommends approval with conditions.

3-17 Underground Utilities

Not applicable to this case. Utilities in subdivisions are required to be located underground whenever a new street is proposed. No new streets are proposed.

PLANNING STAFF COMMENTS

Lot 1 of the proposed subdivision meets the standards of the Metro Subdivision Regulations. Lot 2 of the proposed subdivision has no lots to compare so the Planning Commission must determine if Lot 2 is harmonious and compatible and meets the intent of the infill requirements found in the Subdivision Regulations.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- New driveway connections or access points will require a permit from the Nashville Department of Transportation. Adequate sight distance must be provided per AASHTO for new driveway connections.

TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

- W&S Capacity Fees must be paid before issuance of building permits.

STAFF RECOMMENDATION

Staff recommends approval with conditions including an exception to the compatibility requirements for Lot 2 based on the surrounding area.

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2021S-227-001 with conditions based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions including an exception to the compatibility requirement for Lot 2 based on the surrounding area. (8-0)

Resolution No. RS2022-229

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021S-227-001 is approved with condition including an exception to the compatibility requirement for Lot 2 based on the surrounding area . (8-0)

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission’s approval.

**30. 2022S-095-001
GREEN LANE SUBDIVISION**
Council District 03 (Jennifer Gamble)
Staff Reviewer: Jason Swaggart

A request for concept plan approval to create 22 cluster lots on properties located at 419, 423, 427, 431, 435 Green Lane and Green Lane (unnumbered), approximately 645 feet west of Knight Drive, zoned R10 (11.99 acres), requested by Catalyst Design Group, applicant; Richard Jr & Evonne Machen, Kenneth E. & Marilyn Street, Ray Anthony McClain and Kenneth James & Tracy Cater Machen, owners.

Staff Recommendation: Defer to the September 8, 2022 Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022S-095-001 to the September 8, 2022, Planning Commission meeting. (8-0)

**31. 2022S-132-001
MEADOWS END**
Council District 09 (Tonya Hancock)
Staff Reviewer: Amelia Lewis

A request for concept plan approval create four lots on property located at 417 Nawakwa Trail, approximately 544 feet west of Mohawk Trail, zoned RS15 and RS40 (9.1 acres), requested by William Logan McCraw, applicant; Shelton, Dexter J. & Kay B., owners.

Staff Recommendation: Approve with conditions including a variance to the lot depth for one lot and approval of a private drive per Section 4-2.5.c.

APPLICANT REQUEST
Concept plan to create four lots.

Concept Plan

A request for concept plan approval create four lots on property located at 417 Nawakwa Trail, approximately 544 feet west of Mohawk Trail, zoned Single-Family Residential (RS15 and RS40) (9.1 acres).

SITE DATA AND CONTEXT

Location: The site is located on the south side of Nawakwa Trail, approximately 544 feet west of the intersection with Mohawk Trail.

Street type: The site has frontage onto Nawakwa Trail, which is classified as a local street.

Approximate Acreage: 9.1 acres or 396,396 square feet.

Parcel/Site History: This site is comprised of one lot. This lot was platted in 2007 as a part of a lot line shift with the adjacent lot at 411 Nawakwa Trail (Instrument Number 200704180046297).

Zoning History: The site is split zoned. The site has been zoned RS40 since 1987 (O87-1840) and RS15 since 1998 (O96-555).

Existing land use and configuration: The site has been in this configuration since platted in 2007. According to information on the property, the site has been developed with a residential structure.

Surrounding land use and zoning:

North: Single-Family Residential (RS15)
South: Single-Family Residential (RS40)
East: Single-Family Residential (RS15 and RS40)
West: Single-Family Residential (RS15 and RS40)

Zoning: Single-Family Residential (RS40)

Min. lot size: 40,000 square feet
Max. height: 3 stories
Min. street setback for properties on Nawakwa Trail: 233' (see below)
Min. street setback for properties on private drive: 40'
Min. rear setback for all properties: 20'
Min. side setback for all properties: 15'
Maximum Building Coverage: 0.25

Single-Family Residential (RS15)

Min. lot size: 15,000 square feet
Max. height: 3 stories
Min. street setback for properties on Nawakwa Trail: 233' (see below)
Min. street setback for properties on private drive: 20'
Min. rear setback for all properties: 20'
Min. side setback for all properties: 10'
Maximum Building Coverage: 0.35

PROPOSAL DETAILS

This proposal is for subdivision development under existing zoning entitlements. No rezoning is proposed with this application. This proposal is following the Rural Subdivision Regulations of Chapter 4.

Number of lots: 4 single-family lots

Lot sizes: Lots sizes range from 82,016 square feet (1.88 acres) to 142,358 square feet (3.27 acres). All lots meet the minimum lot size of the RS40 zoning district.

Access: Access is proposed from a private drive that terminates near the southern property line. The proposed private drive is intended to be a shared access road that would provide access to all four lots.

Subdivision Variances or Exceptions Requested: See below for variance on lot depth.

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 - Open Alternative option as described in Section 4-2.5.a.1 of the subdivision regulations.

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. There are no features on this site that require the identification and preservation of Primary Conservation Land.

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.

Complies. See 4-2.1.

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. No Primary Conservation Land identified.

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 joint access easement over a private drive.

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.
 - a. *Building Setback along existing public streets. The required building setback shall be varied between lots. Where the minimum required street setback is less than the average of the street setback of the two parcels abutting either side of the lot(s) proposed to be subdivided, a minimum building setback line shall be included on the proposed lots at the average setback of the abutting parcels. When one of the abutting parcels is vacant, the next developed parcel shall be used. For a corner lot, both block faces shall be used. Where the majority of the abutting parcels are not developed, the minimum building setback shall be two times the amount of lot frontage. However, in no instance shall the minimum building setback be greater than 1,000 feet. Based on the surrounding properties, the building setback for Lot 1 is 233 feet.*
 - b. *Lot Depth along existing public streets. The minimum depth for lots along existing public streets shall be the building setback required by Section 4-2.5(a) plus 300 feet.*

The minimum lot depth for Lot 1 is 533 feet. The proposed lot depth is 432.79 feet. This standard is not met.
 - c. *Lot size along existing public streets.*
 1. *Individual lot sizes shall vary in size to reflect the rural character.*
 2. *The minimum lot size is either equal to or greater than 70% of the lot size of the average size of the surrounding parcels or equal to or larger than smallest of the surrounding parcels, whichever is greater.*
 3. *Flag lots shall not be included in the analysis.*

The minimum lot size for Lot 1 is 103,654 square feet. Lot 1 is proposed to be 142,358 square feet. This requirement is met.
 - d. *Lot frontage abutting existing public streets. Lot frontage is either equal to or greater than 70% of the average frontage of the surrounding parcels or equal to or greater than the smallest of the surrounding parcels, whichever is greater.*

The minimum lot frontage for Lot 1 is 132 feet. The proposed frontage is 250 feet. This standard is met.
 - e. *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.*

The parcel is located within the GSD. No street lights would be required.
 - f. *Cluster lot option. Development through the Countryside (Open Alternative) Character Option may utilize the provisions of Cluster Lot Option (Section 17.12.090 of the Zoning Code) within the Development Footprint area, excluding lots abutting existing public streets. Smaller lot sizes may be appropriate with the application of a Specific Plan (SP) zoning district that addresses building height, architecture, landscaping, building placement and detailed grading plan.*

Not applicable. The cluster lot option is not used with this concept plan.
- b. *Agricultural Character Option*

Not applicable – the Open Alternative option is used.
- c. *Public Road Frontage. The Planning Commission may approve up to ten lots within a Rural Character subdivision without direct frontage on a public street provided there is a joint access easement to the lots.*

The proposed Lot 1 has frontage on Nawakwa Trail. The other four lots are proposed to be accessed via a private road with a joint access easement, and do not have frontage on a public street. Approval from the Planning Commission is required.

- d. *Preservation of Tree Canopy.* Prior to any land disturbance within the Development Footprint, a tree survey shall be undertaken and all recommended canopy trees on the Urban Forestry Recommended and Prohibited Tree and Shrub List that are 12" or greater in diameter shall be identified. No such identified trees shall be removed unless the tree is within the designated building envelope as designated on the final plat or approved for removal by the Urban Forester due to condition, disease or damage.
The site has limited tree canopy. A tree survey shall be provided with the development plan.
- e. *Street Design.* A primary objective of Rural Character Subdivisions is to maintain an open space and environmental network through the uninterrupted connection of Conservation Land. Buildings are often located and oriented on the land to reflect the natural features of the land, and not a standardized streetscape. When creating any new roads in rural policy areas, roads that complement the rural character of existing rural corridors by using a two-lane rural cross section with swale and reflective striping (ST-255) shall be required. It is anticipated that road connectivity in these subdivisions may be less than other parts of the County. However, road connections may be required whenever necessary to further the overall rural character of the area.
There is no Conservation Land on the site. The proposed private drive is located through the site.
- f. Private streets as defined in Section 3-9 3 of these regulations (Requirements for Streets) are appropriate as needed to maintain the rural character of proposed subdivision.
A private street with a joint access easement is not uncommon in rural subdivisions.
- g. Drainage and Storm Sewers. The storm water system within a subdivision shall be designed in accordance with the requirements of Section 3-14 of these regulations and the requirements of the Metropolitan Stormwater Management Regulations. Use of rural appropriate or light impact storm-water management designs is encouraged.
Metro Stormwater has reviewed the proposed concept plan and has recommended approval with conditions.
- h. Public Water Facilities. The public water system shall be designed in accordance with the requirements of Section 3-15 of these regulations and the requirements of the Metropolitan Department of Water Services. Metro Water Services has reviewed the proposed concept plan and has recommended approval with conditions.
- i. Utilities. All utilities shall be located underground in accordance with the provisions of Section 3-17 of these regulations.
- j. Sewerage Facilities. All sewerage facilities shall be designed in accordance with the requirements of Section 3-16 of these regulations.
Metro Water Services has reviewed the proposed concept plan and has recommended approval with conditions.
- k. Areas of Common Sewage Disposal for Individual Sewage Disposal Systems. The location of all operating parts of the individual sewage disposal systems or other sewage disposal system approved by Metro Water Services, situated in lands held in common and any easements shall be shown on the final subdivision plat.
Not applicable to this case.
- l. Lands Set Aside. Land that is dedicated for use for a sanitary sewer disposal, whether for a public system or an individual sewage disposal system or other sewage disposal system approved by Metro Water Services, or land that is dedicated for conventional stormwater management devices, that require a disturbance to the land, shall be set aside for such purposes and not included as Conservation Lands.
Not applicable to this case.

PLANNING STAFF COMMENTS – SUBDIVISION REGULATIONS

The proposed subdivision does not meet the minimum lot depth requirement of the subdivision regulations. Future development will be required to meet the standards of the Metro Zoning Code in regard to setbacks, building standards, etc. In order to approve this subdivision, the Planning Commission will need to approve a variance to the minimum lot depth and the private road access for all lots in accordance Section 4-2.5.c.

Section 4-2.5.c Public Road Frontage. The Planning Commission may approve up to ten lots within a Rural Character subdivision without direct frontage on a public street provided there is a joint access easement to the lots. With the proposed subdivision, only Lot 1 has frontage along the existing public streets. The new three lots would be accessed via a private drive with a joint access easement.

The T2 regulations are intended to maintain a natural, open rural character by minimizing the visual intrusion of development along the primary roadways through the use of setbacks and building placement, existing vegetation and natural topographical features that obscure the view of development from the street. For this specific site, there are limited amounts of existing vegetation and topographical features. However, an existing variation in building setbacks exists along this portion of Nawakwa Trail and would be maintained with this proposed subdivision. Additionally, using the depth of the existing lot to create more lots meets the goals to have development placed off of the street.

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 but may consider policy. 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 this property is T2 RM (Rural Maintenance). The intent 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.

Rural Subdivisions in connection with the T2 RM Policy, identify that vehicular connectivity is low, with the provision of private roads to access lots as a way to preserve environmental features. The policy gives the following guidance on connectivity and access, "Single-access driveways are common. Shared access roads and driveways serving more than two dwellings or otherwise accessing large properties are also common. Driveways are designed and located to preserve environmentally sensitive features." While there are a lack of environmentally sensitive features on the site, the proposed shared road does have additional benefits in this case such as providing an alternative to costly public infrastructure and permits additional lots to be accessed towards the rear of the site preserving the minimal development pattern along the corridor,

If the Commission can find that the proposed concept plan is meeting the intent of the T2 RM policy and supports the use of the private road to serve the four lots, the Commission could place greater weight to this portion of the adopted General Plan (Nashville Next), and the Commission may approve the subdivision.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Turnaround added to revised plan. Building construction details not provided.

STORMWATER RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Per planning, not pursuing public street w/ concept plan.
- Defer to planning in regards to lots, street frontage requirements (sidewalks, grass strips, etc.). Dimension right-of-way and/ or distance to the centerline of pavement.
- Dedicate ROW to accommodate Nawakwa Trail road section, 25 ft. from centerline to property line.
- New driveway connections or access points will require a permit from NDOT. Adequate sight distance must be provided per AASHTO for new driveway connections

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- See NDOT comments.
- Ensure MCSP requirements are being met and appropriate ROW is dedicated if needed. Sidewalks must be included in public ROW.
- Ensure site access driveway is meeting code requirements on proximity to other driveways or intersections as per 17.20.160 (non-arterial), 17.20.170 (arterial).
- Ensure final designs follow the codes and requirements of all metro agencies.

WATER SERVICES RECOMMENDATION

Approve with conditions

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

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. The final site plan/building permit site plan shall depict any 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.
4. Pursuant to 2-2.5.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 the proposed subdivision Case No. 2022S-132-001 including a variance from the lot depth requirements for Lot 1 and approval of the private drive per Section 4-2.5.c..

Approve with conditions including a variance to the lot depth for one lot and approval of a private drive per Section 4.2.5.c. (8-0)

Resolution No. RS2022-230

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-132-001 is approved with condition including a variance to the lot depth for the one lot and approval of a private drive per Section 4.2.5.c . (8-0)

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. The final site plan/building permit site plan shall depict any 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.
4. Pursuant to 2-2.5.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.

32. 2022S-151-001
0 OLD HICKORY BOULEVARD
 Council District 04 (Robert Swope)
 Staff Reviewer: Dustin Shane

A request for concept plan approval to create five lots on property located at Old Hickory Blvd (unnumbered), approximately 84 feet west of Windypine Drive, zoned R15 (2.54 acres), requested by Michael Garrigan, applicant; Tesfaye, Alemayehu, owner.

Staff Recommendation: Defer to the September 22, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022S-151-001 to the September 8, 2022, Planning Commission meeting. (8-0)

33. 2022S-175-001
SHEFFIELD SUBDIVISION
Council District 02 (Kyonzté Toombs)
Staff Reviewer: Jason Swaggart

A request for final plat approval to consolidate three parcels into two lots and remove the reserve status from one of the three existing parcels for properties located at 3223 and 3229 Curtis Street, approximately 250 feet east of Valley Avenue, zoned R10 (0.8 acres), requested by Jason Garrett, applicant; Miss Jenny's Boarding House, LLC, and Lee O, Molette II, owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Request for final plat approval to consolidate three parcels into two lots and remove the reserve status from one of the parcels.

Final Plat

A request for final plat approval to consolidate three parcels into two lots and remove the reserve status from one of the three existing parcels for properties located at 3223 and 3229 Curtis Street, approximately 250 feet east of Valley Avenue, zoned One and Two-Family Residential (R10) (0.8 acres).

SITE DATA AND CONTEXT

Location: The properties are located on the south side of Curtis Street on the block between Valley Avenue and Summitt Avenue.

Street type: The two properties have frontage on Curtis Street. Curtis Street is classified as local.

Approximate Acreage: Total: 0.8 acres or approximately 34,848 square feet; 3223 Curtis St. (Lot 2): 0.41 acres or approximately 16,339 square feet; 3229 Curtis St. (Lot 1): 0.43 acres or approximately 18,425 square feet.

Parcel/Site History: This site is in Sheffield Subdivision and was recorded in 1967. The site consists of Lot 1, Lot 2 and a reserve tract. The reserve tract lies between Lot 1 and Lot 2. In 1979, the reserve tract was split in half with the eastern half being conveyed to Lot 2 and the western half being conveyed to Lot 1. Because of the reserve status, no building permit can be issued on the portions of Lot 1 and Lot 2 that are within the boundary of the original reserve tract. The 1967, plat does not indicate why the reserve tract was put in place so the Planning Commission must approve the removal of the reserve status. It is also important to note that the 1967, plat includes a 25' access easement across the reserve tract. The easement provides access to 3227 Curtis Street, which is situated behind 3223 and 3229 Curtis Street and has no street frontage.

Zoning History: The properties have been zoned R10 since at least 1974.

Existing land use and configuration: 3223 and 3229 Curtis Street are both identified as having a duplex.

Surrounding land use and zoning:

- North: One and Two-Family Residential (R10)
- North: One and Two-Family Residential (R10)
- North: One and Two-Family Residential (R10)
- North: One and Two-Family Residential (R10)

Zoning: One and Two-Family Residential (R10)

Min. lot size: 10,000 square feet

Max. building coverage: 0.40

Min. rear setback: 20'

Min. side setback: 5'

Max. height: 3 stories

Min. street setback: Contextual per Zoning Code

PROPOSAL DETAILS

Number of lots: 2

Lot sizes: Proposed Lot 1 is 0.42 acres (18,482 sq. ft.) and Lot 2, 0.37 acres (16,342 sq. ft.). It is important to note that the two existing parcels (3223 and 3229 Curtis Street) include the same land area and that this plat would officially recognize each parcel as full legal lots.

Access: Both lots are accessed from Curtis Street. The access easement shown on the original plat and provides access to 3227 Curtis Street is provided on this plat.

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 Suburban Neighborhood Evolving (T3 NE) policy. For T3 NE, the conventional regulations found in Chapter 3 are utilized.

3-1 General Requirements

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

3-2 Monument Requirements

Complies. Monuments will be set after plat approval.

3-3 Suitability of the Land

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

3-4 Lot Requirements

All lots comply with the minimum standards of the zoning code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of R10 zoning at the time of building permit.

3-5 Infill Subdivisions

In order to ensure compatibility with the General Plan, the Commission has adopted specific regulations applicable to infill subdivisions, defined as residential lots resulting from a proposed subdivision within the R, R-A, RS, and RS-A zoning districts on an existing street. If a proposed infill subdivision meets all of the adopted applicable regulations, then the subdivision is found to be harmonious and compatible with the goals of the General Plan. An exception to the compatibility criteria may be granted by the Planning Commission for a SP, UDO or cluster lot subdivision by approval of the rezoning or concept plan.

3-5.3 Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Evolving and/or Special Policies, except within Designated Historic Districts:

- f. All minimum standards of the zoning code are met.*
Complies. All lots meet the minimum standards of the zoning code.
- g. Each lot has street frontage or meets the requirements of Section 3-4.2.b for fronting onto an open space or meets the requirements of Sections 4-6.3 or 5-3.1 fronting onto an open space.*
Complies. Both lots front Curtis Street, an existing public street.
- h. Each lot oriented to an existing street shall meet minimum lot frontage requirements as follows:*
 - 1. Within T3 Suburban Neighborhood Evolving policy areas, each lot oriented to an existing street shall have a minimum frontage of 50 feet. Lots oriented to the terminus of an existing permanent dead-end shall have a minimum frontage of 35 feet.*
Complies. Both lots exceed the minimum frontage requirement of 50 feet. Lot 1 has approximately 98 feet of frontage and Lot 2 has approximately 84 feet.
 - 2. Within T4 Urban Neighborhood Evolving policy areas, each lot oriented to an existing street shall have a minimum frontage of 40 feet. Lots oriented to the terminus of an existing permanent dead-end shall have a minimum frontage of 35 feet.*
Not applicable. This site is not located within a T4 Urban Neighborhood Evolving policy area.

The proposed subdivision meets all requirements of subsections a, b, and c, and is therefore found to be harmonious and compatible with the goals of the General Plan. Subsection e of this section of the Subdivision

Regulations applies only in instances where there is any applicable special policy and is therefore not applicable to this case.

3-6 Blocks

Not applicable. No new blocks are being created.

3-7 Improvements

No public infrastructure or improvements are required with this subdivision. Construction plans for any required private improvements (private stormwater, water and sewer lines and connections) will be reviewed at the time of building permit.

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

Not applicable. Sidewalks are required only in association with new streets. The proposed subdivision is located on an existing street. Sidewalks may be required at the time of building permit pursuant to Section 17.20.120 of the Zoning Code.

3-9 Requirements for Streets

Not applicable. No new streets are proposed.

3-10 Requirements for Dedication, Reservations, or Improvements

Not applicable.

3-11 Inspections During Construction

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

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

Not applicable. No new streets are proposed.

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

Not applicable. No private streets are proposed.

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

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

3-16 Sewerage Facilities

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

3-17 Underground Utilities

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

PLANNING STAFF COMMENTS

As proposed both proposed lots meet all zoning and subdivision requirements.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2022S-175-001 with conditions based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions. (8-0)

Resolution No. RS2022-231

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-132-001 is approved with condition. (8-0)

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

34. 2022S-185-001

THE COVE

Council District 12 (Erin Evans)

Staff Reviewer: Logan Elliott

A request for concept plan approval to create 21 lots on property located at Stewarts Ferry Pike (unnumbered), approximately 1,325 feet southeast of Smotherman Lane, zoned RS15 (8.7 acres), requested by Dale & Associates, applicant; Larry Hagar, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Concept plan approval to permit 21 single-family cluster lots.

Concept Plan

A request for concept plan approval to create 21 cluster lots on property located at Stewart Ferry Pike (unnumbered), approximately 1,325 feet southeast of Smotherman Lane, zoned Single-Family Residential (RS15) (8.7 acres).

SITE DATA AND CONTEXT

Location: The site is located on the southern side of Stewarts Ferry Pike, adjacent to the Percy Priest Reservoir.

Street Type: The site has frontage onto Stewarts Ferry Pike, which is classified as a Collector Avenue in the Major and Collector Street Plan.

Approximate Acreage: The proposed area for subdivision is approximately 8.7 acres or 378,972 square feet.

Parcel/Site History: This site is comprised of two parcels. The western parcel has existed since at least 1964 and the eastern parcel has existed since at least 1967.

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

Existing land use and configuration: The site currently vacant.

Surrounding land use/zoning:

North: Residential/Single-Family Residential (RS15)

South: Residential/Single-Family Residential (RS15)

East: Residential/Single-Family Residential (RS15)

West: Residential/Single-Family Residential (RS15)

Zoning: Single-Family Residential (RS15)

Min. lot size: 15,000 square feet

Max. height: 3 stories

Min. front setback: 20'

Min. rear setback: 20'

Min. side setback: 10'

Maximum Building Coverage: 0.35

PROPOSAL DETAILS

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

Number of lots: 21 single-family lots.

Lot sizes: Lot sizes range from 0.17 acres (7,500 square feet) to 0.51 acres (22,117 square feet).

Access: Access to the site is proposed from Stewarts Ferry Pike and the lots are accessed via new public streets.

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 consider the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is within the Suburban Neighborhood Evolving (T3 NE) policy. For T3 NE, the conventional regulations found in Chapter 3 are utilized.

This proposal meets Chapter 3 of the Subdivision Regulations and utilizes the cluster provisions allowed by the Zoning Code.

CLUSTER LOT OPTION

Plan Requirements (Section 17.12.090.A)

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

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

The minimum area within the cluster lot subdivision shall be no less than ten times the minimum lot area for the base zoning district. The site is zoned RS15 and requires a minimum 15,000 sq. ft. lot size so the site would need to be a minimum of 150,000 sq. ft. to be eligible. The site contains approximately 378,972 square feet and exceeds the minimum area requirement to be eligible to utilize the cluster lot option.

Maximum Lot Yield (Section 17.12.090.E)

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

The gross area of this site is approximately 8.7 acres or 378,972 sq. ft. The minimum lot size of the existing zoning district, RS15, is 15,000 sq. ft.

$378,972 \text{ sq. ft.} \times 0.15 = 56,845 \text{ sq. ft.}$ (15% of the gross site area reserved for streets)
 $378,972 \text{ sq. ft.} - 56,845 \text{ sq. ft.} = 322,127 \text{ sq. ft.}$ (85% of the gross area remaining to yield lots)
 $322,127 \text{ sq. ft.} / 15,000 \text{ sq. ft.} = 21 \text{ lots}$

Open Space Requirements (Section 17.12.090.D)

A minimum of 15 percent of the gross land area of each phase is required to be provided as open space in a cluster lot subdivision. The proposed concept plan includes only one phase. The total open space provided is approximately 2.24 acres or 25% of the site. The proposed open space exceeds the minimum requirement.

Alternative Lot Sizes (Section 17.12.090.C)

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

Perimeter lots oriented to an existing street are required to be at least ninety percent of the minimum lot size of the actual zoning of the property. This application does not include any perimeter lots oriented to an existing street. The lots near Stewarts Ferry Pike are oriented towards the proposed new street.

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

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

Landscape Buffer Yard Requirements (Article IV)

When incompatible zoning districts abut, the Zoning Code requires landscape buffer yards between the incompatible districts. The zoning districts abutting the northern and eastern property lines are zoned RS15. The plan provides a buffer yard along all property boundaries except in locations where lots exceed the minimum RS15 base zoning lot size requirement, consistent with the cluster lot option requirements.

Recreational Facilities (Section 17.12.090.G)

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

Hillside Development Standards (Section 17.28.030)

In general, lots created under the cluster lot option shall be clustered on those portions of the site that have natural slopes of less than 20% grade. Areas with natural slopes that are 25% or greater shall be placed outside of building envelopes and preserved to the greatest extent possible. The Planning Commission may authorize lots with natural slopes 25% or greater subject to the concept plan demonstrating that the lots can meet the critical lot standards. These standards generally require building envelopes to be outside of the areas with 25% or steeper slopes. It is important to note that the Subdivision Regulations also includes hillside development standards. The subject property does not contain any slopes as defined by the zoning code.

Floodplain/Floodway Development Standards (Section 17.28.40)

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

SUBDIVISION REGULATIONS – CHAPTER 3

3-1 General Requirements

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

3-2 Monument Requirements

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

3-3 Suitability of the Land

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

3-4 Lot Requirements

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

3-5 Infill Subdivisions

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

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

3-6 Blocks

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

3-7 Improvements

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

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

Sidewalks are required in association with new streets. The proposed subdivision includes new public streets and sidewalks are provided consistent the Metro local street standard.

3-9 Requirements for Streets

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

3-10 Requirements for Dedication, Reservations, or Improvements

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

3-11 Inspections During Construction

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

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

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

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

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

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

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

3-16 Sewerage Facilities

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

3-17 Underground Utilities

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

Subdivision Variances or Exceptions Requested: No variances or exceptions to the Subdivision Regulations are requested with this application.

PLANNING STAFF COMMENTS

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

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 but may consider policy. Policy information is provided below for consideration.

The Community Character Manual (CCM) policy applied to the site is Suburban Neighborhood Evolving (T3 NE). T3 areas are predominately residential areas with neighborhoods featuring shallow and consistent setbacks and closer building spacing. T3 NE areas with the suburban transect are intended to provide greater housing choice and improved connectivity.

Moderate to high levels of connectivity with street networks and sidewalks are a key feature of T3 NE areas. The policy speaks to vehicular connections with new development providing for multiple route options to destinations, reducing congestion on primary roads. Lot sizes within the broader policy can vary and zoning districts ranging from RS7.5 up to RM20-A are supported depending on context.

FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Confirm any street connectivity requirements with the Planning Department (map 110 / parcel 128.00 - 1710 STEWARTS FERRY PIKE)
- Add note: Final construction plans and road grades shall comply with the design regulations established by the Nashville Department of Transportation, NDOT. Slopes along roadways shall not exceed 3:1.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Ensure MCSP requirements are being met and appropriate ROW is dedicated if needed. Sidewalks must be included in public ROW.
- Ensure site access driveway is meeting code requirements on proximity to other driveways or intersections as per 17.20.160 (non-arterial), 17.20.170 (arterial) with building permit submittal.
- Ensure final designs follow the codes and requirements of all metro agencies with building permit submittal.
- New driveway connections or access points will require a permit from the Nashville Department of Transportation. Adequate sight distance must be provided per AASHTO for new driveway connections. Residential driveways must be a minimum of 25' apart and 4' from a property line per traffic code.
- Ensure Lots 1 and 21 driveway access is on Cove Drive.

WATER SERVICES RECOMMENDATION

Approve 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 will need to be submitted before the Final Site Plan/SP plans 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.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

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

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2022S-185-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions. (8-0)

Resolution No. RS2022-232

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-185-001 is approved with condition. (8-0)

CONDITIONS

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

35. 2022S-189-001

LOT #3 OF MRS. J.J. HEER'S LANDS RESUB

Council District 22 (Gloria Hausser)

Staff Reviewer: Jason Swaggart

A request for final plat approval to create three lots on property located at 7421 Sawyer Brown Road, approximately 518 feet south of Old Charlotte Pike, zoned R15 (1.08 acres), requested by Clint Elliott Surveying, applicant; Vivian R. Armstrong, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Request for final plat approval to create three lots.

Final Plat

A request for final plat approval to create three lots on property located at 7421 Sawyer Brown Road, approximately 518 feet south of Old Charlotte Pike, zoned One and Two-Family Residential (R15) (1.21 acres).

SITE DATA AND CONTEXT

Location: The site is located at 7421 Sawyer Brown Road, on the west side of Sawyer Brown Road. It is approximately 500 feet south of Old Charlotte Pike.

Street type: The property has frontage on Sawyer Brown Road.

Approximate Acreage: 1.21 acres or approximately 47,448 square feet.

Parcel/Site History: This site is comprised of one parcel. The parcel dates back to at least the 1960s.

Zoning History: The parcel has been zoned R15 since at least 1996. The property is also within the Floodplain Overlay district.

Existing land use: Metro records classifies the property as a triplex.

Surrounding land use and zoning:

- North: Single-Family/R15
- South: Duplex/R15
- East: Multifamily/SP
- West: Single-Family/R15

Zoning: One and Two-Family Residential (R15)

Min. lot size: 15,000 square feet

Max. building coverage: 0.35

Min. rear setback: 20'

Min. side setback: 5'

Max. height: 3 stories

Min. street setback: Contextual per Zoning Code

PROPOSAL DETAILS

Number of lots: 3

Lot sizes: Lot 1 is 0.36 acres (15,668 sq. ft.); Lot 2, 0.33 acres (14,690 sq. ft.); Lot 3: 0.32 acres (14,289 sq. ft.)

Lots 2 and 3 are less than the minimum 15,000 sq. ft. lot size required for the R15 zoning district. There is existing area for three lots to meet the minimum lot size requirement; however, the plat requires right-of-way (ROW) dedication which reduces the overall size of the existing parcel. Because of the required ROW dedication, the parcel cannot be divided into three lots that are at least 15,000 square feet.

Note 2 under Table 17.12.020A, of the Metro Zoning Code allows for substandard lots in this situation.

Note 2: When a right-of-way dedication is required for an existing lot or parcel along an existing street that meets the minimum lot area or could be subdivided into two or more lots that would each meet the minimum lot area for the zoning district prior to the dedication of right-of-way, the minimum lot area shall be considered to be the area prior to the dedication. The newly created lots shall meet all other bulk standards of the Zoning Code based on the dimensions after the dedication of the right-of-way.

Access: Access is provided from Sawyer Brown 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 Suburban Neighborhood Evolving (T3 NE) policy. For T3 NE, the conventional regulations found in Chapter 3 are utilized.

3-1 General Requirements

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

3-2 Monument Requirements

Complies. Monuments will be set after plat approval.

3-3 Suitability of the Land

Staff finds that the land is suitable for development consistent with this section. All three lots are encumbered with floodway and floodplain. The floodway and floodplain is located at the rear of the lots. Lots are also within the Floodplain Overlay District and all three lots are designated as critical. While the lots include

floodway and floodplain, there is ample space outside of the floodway/floodplain and required buffers to allow for development that meets Metro requirements.

3-4 Lot Requirements

All lots comply with the minimum standards of the zoning code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of R15 zoning at the time of building permit.

3-5 Infill Subdivisions

In order to ensure compatibility with the General Plan, the Commission has adopted specific regulations applicable to infill subdivisions, defined as residential lots resulting from a proposed subdivision within the R, R-A, RS, and RS-A zoning districts on an existing street. If a proposed infill subdivision meets all of the adopted applicable regulations, then the subdivision is found to be harmonious and compatible with the goals of the General Plan. An exception to the compatibility criteria may be granted by the Planning Commission for a SP, UDO or cluster lot subdivision by approval of the rezoning or concept plan.

3-5.3 Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Evolving and/or Special Policies, except within Designated Historic Districts:

- i. All minimum standards of the zoning code are met.*
Complies. All lots meet the minimum standards of the zoning code.
- j. Each lot has street frontage or meets the requirements of Section 3-4.2.b for fronting onto an open space or meets the requirements of Sections 4-6.3 or 5-3.1 fronting onto an open space.*
Complies. All three lots front Sawyer Brown Road, an existing public street.
- k. Each lot oriented to an existing street shall meet minimum lot frontage requirements as follows:*
 - 1. Within T3 Suburban Neighborhood Evolving policy areas, each lot oriented to an existing street shall have a minimum frontage of 50 feet. Lots oriented to the terminus of an existing permanent dead-end shall have a minimum frontage of 35 feet.*
Complies. All three lots have frontage greater than 50 feet.
 - 2. Within T4 Urban Neighborhood Evolving policy areas, each lot oriented to an existing street shall have a minimum frontage of 40 feet. Lots oriented to the terminus of an existing permanent dead-end shall have a minimum frontage of 35 feet.*
Not applicable. This site is not located within a T4 Urban Neighborhood Evolving policy area.

The proposed subdivision meets all requirements of subsections a, b, and c, and is therefore found to be harmonious and compatible with the goals of the General Plan. Subsection e of this section of the Subdivision Regulations applies only in instances where there is any applicable special policy and is therefore not applicable to this case.

3-6 Blocks

Not applicable. No new blocks are being created.

3-7 Improvements

No public infrastructure or improvements are required with this subdivision. Construction plans for any required private improvements (private stormwater, water and sewer lines and connections) will be reviewed at the time of building permit.

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

Not applicable. Sidewalks are required only in association with new streets. The proposed subdivision is located on an existing street. Sidewalks may be required at the time of building permit pursuant to Section 17.20.120 of the Zoning Code.

3-9 Requirements for Streets

Not applicable. No new streets are proposed.

3-10 Requirements for Dedication, Reservations, or Improvements

A right-of-way dedication is provided.

3-11 Inspections During Construction

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

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

Not applicable. No new streets are proposed.

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

Not applicable. No private streets are proposed.

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

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

3-16 Sewerage Facilities

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

3-17 Underground Utilities

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

PLANNING STAFF COMMENTS

As proposed, all three lots meet all zoning and subdivision requirements.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- New driveway connections or access points will require a permit from the Nashville Department of Transportation. Adequate sight distance must be provided per AASHTO for new driveway connections.

TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Not applicable.

HARPETH VALLEY WATER AND SEWER UTILITY DISTRICT

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2022S-189-001 with conditions based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions. (8-0)

Resolution No. RS2022-233

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-189-001 is approved with condition. (8-0)

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

H: OTHER BUSINESS

36. New Employment Contract for Donald Anthony, Christopher Paulsen, Hannah Davis, and Ashley Brown.

Resolution No. RS2022-234

"BE IT RESOLVED by The Metropolitan Planning Commission that the New Employment Contract for Donald Anthony, Christopher Paulsen, Hannah Davis and Ashley Brown is **approved. (8-0)**

37. Employee contract amendment for Angie Hubbard.

Resolution No. RS2022-235

"BE IT RESOLVED by The Metropolitan Planning Commission that the Contract Amendment for Angie Hubbard is **approved. (8-0)**

38. Historic Zoning Commission Report
39. Board of Parks and Recreation Report
40. Executive Committee Report
41. Accept the Director's Report

Resolution No. RS2022-236

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

42. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

September 8, 2022

MPC Meeting

4 pm, 700 President Ronald Reagan Way, Howard Office Building, Sonny West Conference Center

September 23, 2022

MPC Meeting

4 pm, 700 President Ronald Reagan Way, Howard Office Building, Sonny West Conference Center

J: ADJOURNMENT

The meeting adjourned at 7:18 p.m.