



METROPOLITAN PLANNING COMMISSION

MINUTES

October 13, 2022
4:00 pm Regular Meeting

2601 Bransford Avenue

Metro Nashville Public School
Admin Building

MISSION STATEMENT

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

Commissioners Present:

Jeff Haynes
Lilian Blackshear
Edward Henley
Stewart Clifton
Brian Tibbs
Councilmember Brett Withers
Councilmember Burkley Allen

Commissioners Absent:

Greg Adkins, Chair
Jessica Farr, Vice Chair
Mina Johnson
Jim Lawson

Staff Present:

John Houghton, Assistant Director
Lisa Milligan, Planning Manager II
Amelia Lewis, Planner II
Abbie Rickoff, Planner II
Alex Dickerson, Legal

Lucy Alden Kempf

Secretary and Executive Director, Metro Planning Commission

Metro Planning Department of Nashville and Davidson County

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Notice to Public

Please remember to turn off your cell phones.

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

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

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

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

Writing to the Commission

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

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

Speaking to the Commission

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

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

Items set for consent or deferral will be listed at the start of the meeting.
Meetings are conducted in accordance with the Commission's [Rules and Procedures](#).

Legal Notice

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



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

MEETING AGENDA

A: CALL TO ORDER

Mr. Dickerson stated the Chairperson and Vice Chairperson were absent from the meeting and advised the rules require in the absence of both the Chairperson and Vice Chairperson, an interim Chairperson shall be elected from those members present.

Councilmember Withers moved and Councilmember Allen seconded the motion to elect Mr. Haynes as the Interim Chairperson for the meeting. (7-0)

The meeting was called to order at 4:08 p.m.

B: ADOPTION OF AGENDA

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

C: APPROVAL OF SEPTEMBER 22, 2022 MINUTES

Mr. Tibbs moved and Ms. Blackshear seconded the motion to approve the meeting minutes of September 22, 2022. (7-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Taylor spoke in favor of Item 13.

E: ITEMS FOR DEFERRAL / WITHDRAWAL 1, 2a, 2b, 3, 4, 5, 6, 7, 11, 16, 17

Ms. Milligan stated Ms. Blackshear recused herself from Items 2a, 2b and 4.

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

F: CONSENT AGENDA ITEMS 30, 31, 32, 33, 37

Ms. Milligan stated Ms. Blackshear recused herself from Items 9, 15 and 20.

Councilmember Allen moved and Mr. Tibbs seconded the motion to approve the Consent Agenda. (7-0)

Ms. Milligan reminded the audience that the October 27, 2022 and November 10, 2022 meetings will be held at the Metro Nashville Public School Administrative Building at 2601 Bransford Avenue.

CONSENT AGENDA ITEMS

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. 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 Indefinitely.

The Metropolitan Planning Commission deferred 2021S-122-001 indefinitely. (7-0)

2a. 2022CP-003-002
BORDEAUX-WHITES CREEK-HAYNES TRINITY
COMMUNITY PLAN AMENDMENT

Council District 03 (Jennifer Gamble)
Staff Reviewer: Andrea Barbour

A request to amend the Bordeaux - Whites Creek - Haynes Trinity Community Plan by changing from T2-RM Rural Maintenance policy to T2-NC Neighborhood Center policy for property located at 633 W Green Lane, at the corner of W Green Lane and Whites Creek Pike, (78.22 acres), requested by Catalyst Design Group, applicant; West Green Land Partners LLC, owner. (See associated case #2022SP-043-001).

Staff Recommendation: Defer to the October 27, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022CP-003-002-001 to the October 27, 2022, Planning Commission meeting. (6-0-1)

2b. 2022SP-043-001
633 W. GREEN LANE SP

Staff Reviewer: Logan Elliott

A request to rezone from R10 to SP zoning for property located 633 W Green Ln, at the southwest corner of W Green Ln and Whites Creek Pike, (78.22 acres), to permit a mixed-use development, requested by Catalyst Design Group, applicant; West Green Land Partners LLC, owner. (See associated case #2022CP-003-002).

Staff Recommendation: Defer to the October 27, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-043-001 to the October 27, 2022, Planning Commission meeting. (6-0-1)

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 October 27, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-049-001 to the October 27, 2022, Planning Commission meeting. (7-0)

- 4. 2022SP-064-001**
TRISTAR CENTENNIAL MEDICAL CENTER - BELLEVUE
Council District 22 (Gloria Hausser)
Staff Reviewer: Logan Elliott

A request to rezone from SP to SP on properties located at 7730 and 7734 Highway 70 South, at the corner of Highway 70 South and Harpeth Valley Road, (3.42 acres), to permit a hospital (free standing emergency department), requested by Ragan Smith, applicant; HCA Health Services of Tennessee, INC., owner.

Staff Recommendation: Defer to the October 27, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-064-001 to the October 27, 2022, Planning Commission meeting. (6-0-1)

- 5. 2018SP-064-002**
CUBBY HOLES SP
Council District 03 (Jennifer Gamble)
Staff Reviewer: Logan Elliott

A request to amend a Specific Plan on property located at Westcap Road (unnumbered), approximately 58 feet north of Old Hickory Boulevard, zoned R15 and SP (7.9 acres), to include additional parcel (03100008100), requested by SWS Engineering, INC., applicant; Cubby Holes, GP and Larry A. Patterson & Connie S. Bryant, owners.

Staff Recommendation: Defer to the October 27, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2018SP-064-002 to the October 27, 2022, Planning Commission meeting. (7-0)

- 6. 2022SP-040-001**
2631 & 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 2631 and 2635 Gallatin Avenue at the corner of Carolyn Avenue and Gallatin Pike (0.19 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 October 27, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-040-001 to the October 27, 2022, Planning Commission meeting. (7-0)

- 7. 2022S-221-001**
HAWK'S HAVEN
Council District 23 (Thom Druffel)
Staff Reviewer: Abbie Rickoff

A request for concept plan approval to create four lots, including one duplex lot, for a total of 5 units on property located at 1008 Salyer Drive and a portion of property located at 1011 Salyer Drive, west of Rodney Drive, zoned R40 (4.7 acres), requested by Dewey Engineering, applicant; Andrew Marshall, LLC, and Howard & Edna Salyer, Community Property Trust, owners.

Staff Recommendation: Defer to the October 27, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022S-221-001 to the October 27, 2022, Planning Commission meeting. (7-0)

**8. 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 55 multi-family units, requested by RJX Partners, LLC, applicant; RJX Partners, LLC, owners

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

APPLICANT REQUEST

SP Amendment to permit up to 55 multi-family residential units.

SP Amendment

A request to amend a Specific Plan (SP) on property located at 2433 Buena Vista Pike, approximately 721 feet west of East Ln, zoned Specific Plan (SP) (5.01 acres), to permit 55 multi-family residential units.

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-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.*

BORDEAUX – WHITES CREEK – HAYNES TRINITY 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.

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

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

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 an alley through the site.

SITE CONTEXT AND PLAN DETAILS

The 5.01 acre site is located on the north side of Buena Vista Pike, west of the Buena Vista Pike, and West Trinity Lane intersection. The surrounding area consists of SP, R8, and R10 zoning, with uses consisting of single-family and multi-family residential. Buena Vista Pike is classified as an Arterial Boulevard in the Major and Collector Street Plan (MCSP).

Plan Details

The SP amendment proposes to remove the use of religious institution and increase the permitted multi-family units from 23 to 55. The plan proposes to have units fronting Buena Vista Pike, with the remaining units oriented toward an internal drive. Units are proposed to consist of a split height design of 3 and 4 stories, and 20 units include an attached garage. For units with no garage there is surface parking provided. The plan proposes to have access on Buena Vista Pike, with a cross access proposed to the east and west.

ANALYSIS

The site is located in multiple policy areas and a supplemental policy. The CO portion of the site is due to slopes greater than 20% located throughout the site. While in new rezonings, these features are considered, the currently approved SP would impact these areas in a similar amount as the proposed SP. There are some slopes to the north that remain untouched, but a large portion would be disturbed. The supplemental policy on the site calls for an alley to be located through the site; however, the network would not be feasible due to the current development pattern approved to the west. Although an alley network is not provided, the connections to the east and west will be beneficial for connectivity in this area.

With the T3NE and T4NE portions of the site, these policies call for increased density, increased connectivity, and variety in housing type as compared to the surrounding area. The surrounding area includes both single-family and a 66-unit multi-family development to the west. With the proposal for increased density, increasing connectivity, and additional housing types for the area, the proposed SP amendment is consistent with the T3NE and T4NE policies.

FIRE DEPARTMENT 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.

WATER SERVICES RECOMMENDATION

Approve with conditions

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

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. Additional road comments forthcoming at final.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Parking for the development shall be per metro code.
- Based on the proposed 55 units, a TIS will not be required.
- Prior to final SP approval, document adequate sight distance at project.
- Indicate the available and required sight distance at the project entrance for the posted speed limit per AASHTO standards.
- Comply with Roads comments.

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)	5.01	-	23 U	124	8	11

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
Religious Institution (560)	5.01	-	250 S	553	127	0

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)	5.01	-	55 U	298	19	25

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
-	-	-	-	-379	-116	+14

METRO SCHOOL BOARD REPORT

Projected student generation existing SP-MU district: 4 Elementary 2 Middle 1 High

Projected student generation proposed SP-R district: 9 Elementary 4 Middle 4 High

The proposed SP-R zoning is expected to generate 10 more students than the existing SP-MU zoning district. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. All 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 55 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.
2. Units visible from ROW will be required to have a facade directed toward the ROW.
3. 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.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. The Final SP 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.
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. (7-0)

Resolution No. RS2022-272

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-048-001 is approved with conditions and disapprove without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 55 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.
2. Units visible from ROW will be required to have a facade directed toward the ROW.
3. 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.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. The Final SP 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.
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.

9. 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: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Preliminary SP to permit 39 single-family lots.

Preliminary SP

A request to rezone from Agricultural/Residential (AR2a) to Specific Plan-Residential (SP) zoning for property located at 3834 Pin Hook Road, approximately 390 feet west of Lakewood Village Drive, to permit 39 single family residential lots (10.2 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. *AR2a would permit a maximum of 5 lots with 1 duplex lot for a total of 6 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-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 10.2-acre site is located on the north side of Pin Hook Road, west of Lavergne Couchville Pike. Pin Hook Road is identified as a collector-avenue on the Major and Collector Street Plan (MCSP). The site is vacant and has previously been graded. Many of the surrounding properties have previously been subdivided and contain single-family residential lots, including adjacent properties to the east and west. There are also larger parcels scattered throughout the area, including adjacent parcels to the north and south.

Site Plan

The plan proposes 39 single-family lots that are accessed from proposed public streets. The street network wraps a large common open space proposed at the center of the site before stubbing to the northern boundary. Lot sizes generally range from approximately 5,000 square feet to 6,000 square feet, with slightly larger lots located towards the center.

Pedestrian access is provided from the public sidewalks proposed along the new streets. The sidewalks will wrap onto to Pin Hook Road, which will be improved per the MCSP requirements. Approximately 2.99 acres are proposed as open space, including stormwater management areas and landscape buffer yards proposed around the perimeter of the site. The formal open space located at the center of the site is approximately 0.69 acres and is accessed via the public sidewalks.

The buildings are proposed with maximum heights of 3 stories in 35 feet, as measured per the Metro Zoning Ordinance. Architectural standards, including materials and glazing, are included in the plan. Conceptual architectural renderings have also been incorporated into the preliminary SP.

ANTIOCH-PRIEST LAKE 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 street network stubs to the northern property line, setting up the opportunity for future connectivity to the existing street network to the east. The plan includes landscape buffers around the perimeter, including along the shared boundaries with the adjacent subdivisions. Additional screening is also proposed behind Lots 19 and 20, where the rear of the lots front the central open space, and between lots 3 and 4, where the rear property line of Lot 4 is pulled forward at an angle, adjacent to the side of Lot 3.

FIRE MARSHAL RECOMMENDATION

Approve

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

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Comply with Roads (NDOT) comments.

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)	10.1	0.5 D	5 U	66	8	6

*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)	10.1	-	39 U	437	32	41

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
-	-	-	+34 U	+371	+24	+35

METRO SCHOOL BOARD REPORT

**Projected student generation existing AR2a district: 1 Elementary 1 Middle 1 High
 Projected student generation proposed SP-R district: 9 Elementary 6 Middle 7 High**

The proposed SP-R zoning is expected to generate 19 more students than the existing AR2a zoning district. Students would attend Mt. View Elementary School, J.F. Kennedy Middle School, and Antioch 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 39 single-family residential lots. Short term rental property, not owner occupied, shall be prohibited.
2. On the corrected copy, add note to the landscape plan: Landscaping and TDU Requirements shall be provided per the Metro Zoning Ordinance.
3. On the corrected copy, update the maximum height language: Maximum height shall be measured to the tallest point of the roof.
4. Units 19 and 20 shall include additional glazing on the rear facades. Units 1 and 4 shall include additional glazing on the street-facing side façades.
5. Parking shall be provided per the requirements of the Metro Zoning Code.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. 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.
8. 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.
9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RS5 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. 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.
11. 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.
12. 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.
13. 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. (6-0-1)

Resolution No. RS2022-273

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-091-001 is approved with conditions and disapprove without all conditions. (6-0-1)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 39 single-family residential lots. Short term rental property, not owner occupied, shall be prohibited.
2. On the corrected copy, add note to the landscape plan: Landscaping and TDU Requirements shall be provided per the Metro Zoning Ordinance.
3. On the corrected copy, update the maximum height language: Maximum height shall be measured to the tallest point of the roof.
4. Units 19 and 20 shall include additional glazing on the rear facades. Units 1 and 4 shall include additional glazing on the street-facing side façades.
5. Parking shall be provided per the requirements of the Metro Zoning Code.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. 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.
8. 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.
9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RS5 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. 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.
11. 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.
12. 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.
13. 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.

10. 2022SP-046-001

WALTON STATION

Council District 08 (Nancy VanReece)

Staff Reviewer: Jason Swaggart

A request to rezone from RS10 to SP zoning on a portion of property located at 3300 and 3344 Walton and on properties located at 3302, 3304, 3306, 3308, 3312, Walton Lane and Walton Lane (unnumbered), approximately 211 feet west of Slate Drive, (18.36 acres), to permit 217 residential units, requested by Alfred Benesch & Co., applicant; Alcorn, Carrie A. S.(LE) & Suggs, Evelyn, Dodson, Percy M.,Dodson, Percy M. & Harbut, Mary D., Donelson, Albender, Dotson, Beulah M., Faith is The Victory Church, Inc., Jenkins, Michael Allen & Benson, Arnithea Dorcel, Jenkins, Vivian & Michael A., Ridley, May Alice, Threalkill, Meccie L. & Brooks, James R. et al, owners.

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

APPLICANT REQUEST

SP to permit 217 residential units.

Zone Change

A request to rezone from Single-Family Residential (RS10) to Specific Plan (SP) zoning on a portion of property located at 3300 and 3344 Walton Lane and on properties located at 3302, 3304, 3306, 3308, 3312, Walton Lane and Walton Lane (unnumbered), approximately 211 feet west of Slate Drive, (18.36 acres), to permit 217 residential units.

Existing Zoning

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 80 residential units.*

Proposed Zoning

Specific Plan-Mixed Residential (SP-MR) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes a mixture of housing types.

SITE CONTEXT AND PLAN DETAILS

The approximately 18-acre site is located near the northern end of Walton Lane approximately half a mile north of Broadmoor Drive. Adjacent zoning includes RS10 and a commercial PUD, zoned CS abuts the western site boundary. Surrounding uses include single single-family, a church and vacant commercial land. The terrain on the site various and Metro records does not indicate any large areas with steep slopes. A stream bisects the property and runs northeast to southwest. The site includes some areas of open field and dense tree canopy.

Site Plan

The site plan includes a total of 217 residential units with a density of approximately 12 units per acre. Units include a mixture of attached and detached units and flats. The plan specifies the following unit types and count:

- Townhomes: 22
- Carriage Homes: 150
- Flats: 45

Townhomes and carriage homes front onto private streets and or open space. Elevations are not provided, but the SP includes design standards pertaining to entry ways, glazing, materials, foundations, and porches. As proposed, the plan includes the following height standards:

- Townhomes: 3 stories in 45'
- Carriage Homes: 3 stories in 45'
- Flats: 4 stories in 60'

Access into the site is from two points from Walton Lane. All drives are private. Parking includes a mixture of surface and garage spaces. An internal sidewalk network is provided, and a new public sidewalk is provided along Walton Lane. Landscaping and tree density are per Metro Zoning requirements. Buffer yards are provided and specified on the plan.

The stream that bisects the site is located within Stormwater buffers and should be left undisturbed with the exception of two stream crossings for private drives and pedestrian paths.

EAST 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.

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

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

As proposed, staff finds that the plan is consistent with the T4 NE and T4 CC land use policies that apply to the site. The plan provides for a mixture of housing types. Attached and detached townhomes are located in the T4 NE policy area while the flats are located in the T4 CC area. The plan provides ample open space with many units fronting onto the open space areas providing for immediate outdoor recreational opportunities. The plan also preserves the stream and utilizes it as an asset. The plan allows for walkability through an internal sidewalk network which connects to the new public sidewalk proposed along Walton Lane and the project will extend the public sidewalk down Walton Lane to an existing sidewalk that extends to Maplewood High School and further to Broadmoor Drive. Staff considered a new public street connection to the west; however, the adjacent parcel is in a commercial Planned Unit Development (PUD) and the connection would require an amendment to the PUD which likely may not happen. The topography on the adjacent parcel would also make a public road connection difficult. Stream buffers associated with the CO policy are located within buffer yards as required by Metro Stormwater. Limited disturbance of these areas is permitted.

It is important to note that the Fire Marshal has recommend approval with conditions. The current plan does not meet Fire Code requirements for access. The Fire Marshal's condition requires any final site plan to provide access per Fire Code requirements. The applicant has indicated that the project will obtain additional access to meet Fire Code requirements through the adjacent church property. At this time, the church has not agreed to allow access but has indicated that it is under consideration. While the SP is for 217 residential units, the outcome of not providing adequate access could be a significant reduction in density.

FIRE MARSHAL RECOMMENDATION

Approved with conditions

- Secondary access via access easement agreement with Faith In Victory Church to be provided as part of Final SP.

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approved 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. A minimum of 30% W&S Capacity fees must be paid before issuance of building permits. (Water & Sewer Capacity Fee Permit No's. T2022032593 & T2022032599).

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. Submit SSD exhibits for intersections.
- Note: A private hauler will be required for waste/recycle disposal.
- Prior to final, Coordinate w/ NDOT on ST-251 road section transitioning into Walton Lane (Curved)-stop control, sight distance, etc.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Parking is to be per metro code.
- At each approach on Walton Ln (Road A), traffic control signs and pavement marking shall be installed at appropriate locations per MUTCD guidance.
- Internal traffic control signs and pavement markings will be required, per MUTCD guidance.
- The applicant shall construct 200 ft of additional offsite sidewalk from the development's Southern property line to the existing sidewalk that is on the West side of Walton Ln. The applicant shall also install a pedestrian crossing on Walton Ln near the location of Maplewood High School that shall be per MUTCD guidance. The exact location can be determined at Final SP and adjustments to existing striping may be required.
- At final confirm the intersection movements/operations for the Broadmoor Dr and Dickerson Pike intersection, signal retiming may be required.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	18.36	4.356 D	80 U	719	52	70

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)	18.36	-	217U	1,197	74	95

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+137 U	+478	+22	+25

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 217 multi-family residential units although this number is not guaranteed and is dependent upon the final site plan providing adequate access per Metro Fire Code; otherwise the number of permitted units shall be reduced such that the final site plan does comply with Metro Fire Code. Final determination will be made with submittal of the final site plan. Short term rental property, owner occupied and short-term rental property, not-owner occupied shall be prohibited.
2. If the final site plan does not provide adequate access per Metro Fire Code, then the number of permitted units shall be reduced. Final determination will be made with submittal of the final site plan.
3. A public sidewalk connection to the existing sidewalk along Walton Lane shall be provided and shall meet the local street standard.
4. Generally, all units on the final site plan shall front an internal private drive or open space and not be oriented to a property line.
5. 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.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. 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 RM20 zoning district as of the date of the applicable request or application.
8. 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.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

Resolution No. RS2022-274

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-046-001 is approved with conditions and disapprove without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 217 multi-family residential units although this number is not guaranteed and is dependent upon the final site plan providing adequate access per Metro Fire Code; otherwise

the number of permitted units shall be reduced such that the final site plan does comply with Metro Fire Code. Final determination will be made with submittal of the final site plan. Short term rental property, owner occupied and short-term rental property, not-owner occupied shall be prohibited.

2. If the final site plan does not provide adequate access per Metro Fire Code, then the number of permitted units shall be reduced. Final determination will be made with submittal of the final site plan.
3. A public sidewalk connection to the existing sidewalk along Walton Lane shall be provided and shall meet the local street standard.
4. Generally, all units on the final site plan shall front an internal private drive or open space and not be oriented to a property line.
5. 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.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. 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 RM20 zoning district as of the date of the applicable request or application.
8. 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.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

11. 2022SP-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 47 multi-family residential units, requested by Joseph Haddix, applicant; Flowers, John David, owner.

Staff Recommendation: Defer to the November 10, 2022, Planning Commission meeting.

12. 2022SP-067-001

EDWIN GREENS PHASE II

Council District 05 (Sean Parker)

Staff Reviewer: Amelia Lewis

A request to rezone from RS5 to SP zoning on properties located at 504, 508, 512, 516, and 520 Edwin Street, approximately 129 feet east of Jones Avenue, (4.67 acres), to permit 49 multi-family residential units, requested by Alfred Benesch & Company, applicant; Advent Investco LLC, Best Street, Cruzen Street Partners, Harris, William Tracy & Cara Louise, William G Wallis SR., owners.

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

APPLICANT REQUEST

Preliminary SP to permit 49 multi-family units

Zone Change

A request to rezone from Single-Family Residential (RS5) to Specific Plan (SP) zoning on properties located at 504, 508, 512, 516, and 520 Edwin Street, approximately 129 feet east of Jones Avenue, (4.67 acres), to permit 49 multi-family residential units.

Existing Zoning

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 34 single-family lots based on acreage alone. Compliance with the Subdivision Regulations may result in fewer units.*

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 plan includes one unit type, detached townhomes.*

EAST NASHVILLE COMMUNITY PLAN

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

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

The site is located within the Highland Heights Small Area Plan. The Highland Heights Plan 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 Building Regulating Plan established subdistricts to provide specific guidance on the type of development for each subdistrict.

SITE CONTEXT AND PLAN DETAILS

The 4.67 acre site is located on the north side of south side of Edwin Street, east of the intersection of Jones Avenue and Edwin Street. The site is comprised of five contiguous parcels, all developed with single-family residential structures. The surrounding properties are zoned RS5, SP, Industrial Warehousing/Distribution (IWD), and multi-family residential (RM20). The land uses in the surrounding area are primarily residential.

The proposed SP would permit up to 49 detached residential structures. Two vehicular entrances are located at the northeast and northwest corners of the site. Fifteen units are located between the two entrances, fronting Edwin Street. Along the interior of the site, a private drive abuts the east, west, and south property lines. A private drive bisects the site east-west to provide vehicular access to the rear of the units fronting Edwin Street. The remaining units are located interior to the site, arranged around a common open space area. These units are also rear loaded, with front entrances facing the open space. All units are limited to three stories and 45 feet in height. Five foot wide sidewalks are located internal to the site, connecting the front units, rear units, and providing pedestrian access to Edwin Street. Edwin Street is classified as a local street in the Major and Collector Street Plan (MCSP), with 8 foot wide sidewalks and 4 foot wide planting strips. This is proposed with the site plan.

ANALYSIS

The site is located within the Urban Neighborhood Maintenance (T4 NM) and Urban Neighborhood Evolving (T4 NE) policies and within the Highland Heights Small Area Plan. The Highland Heights Small Area Plan includes detailed guidance on building form through subdistricts as well as mobility within the study area through a planned mobility component of the plan. The westernmost parcel is within the T4 NM policy and the R3 subdistrict. The other four parcels are within the T4 NE policy and the R4 subdistrict area.

The proposed plan is consistent with the goals of the T4 NM and T4 NE policy to create dense, residential development. Building typologies supported in the R4 subdistrict range from detached single-family up to house court and low rise townhomes, while the R3 subdistrict supports detached single-family structures up to plex or manor house, in certain situations. The adjacent properties to the west front Jones Avenue. These properties have recently redeveloped as single-family structures. The site is on this edge of the two policy areas. However, because of the orientation of the units along Jones, and the westernmost parcel being a part of the larger SP site, it is a part of creating a unified development front along Edwin Street. The proposed units are detached, which reflects the preference in this area for the built form to reflect more of a one and two-family residential pattern as opposed to large mixed-use or stacked flat buildings.

The mobility study included a planned alley connection that would run east-west through these parcels and diverge south at the western property line. This would provide rear loaded access for properties fronting Jones, limit curb cuts

along Edwin Street and provide for rear loaded access for future development along Edwin. While a public alley is not provided with the plan, a proposed private drive is able to mimic a very similar function. The proposed plan includes two curb cuts to consolidate access across the extensive frontage of the site. Given the existing development to the east of the site at the eastern terminus of Edwin Street, a through alley to provide connectivity by public alleys within this block is limited. In order to still address the policy for interconnectivity, the site plan has been updated to include a shared access easement along the eastern drive and into the parcel to the east, 524 Edwin Street. This wouldn't be constructed until if in the future this adjacent property were to redevelop. Additionally, the proposed plan meets the goals to enhance pedestrian connectivity with the inclusion of the Major and Collector Street Plan sidewalks.

HISTORIC STAFF RECOMMENDATION

Approve

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. Architectural elevations and flow test report not included.

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

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

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Sidewalk is to be built from the sidewalk end at 530 B Edwin Street (other part of the development) west to the corner with Jones Avenue. If adequate ROW is not available, coordinate with NDOT on alternative options for sidewalk connectivity prior to Final SP submittal.
- Add crosswalks to all legs of the intersection Jones Avenue and Edwin Street. Also add detectable warning mats where missing.
- Add pedestrian crossing warning signs on Jones Avenue where currently missing.
- Note all off-site improvements on the Final SP submittal package.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	4.67	8.712 D	40 U	448	33	43

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 (220)	-	-	49 U	359	25	32

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+9 U	-89	-8	-11

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 district: 4 Elementary 3 Middle 3 High

Projected student generation proposed SP-R district: 16 Elementary 10 Middle 9 High

The proposed SP-R zoning is expected to generate 25 more students than the existing RS5 zoning district. 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 with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited a maximum of 49 multi-family units. Short term rental property, owner occupied and short term rental property, not owner occupied shall be prohibited.
2. A 20 foot wide shared public access easement shall be provided along the eastern property line in the event the adjacent parcel, 07108037300, develops and vehicular access can be provided through this SP site. The connection is not required to be constructed until the adjacent property develops.
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 RM15 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 label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association
7. The 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.
8. 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.
9. 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.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

Resolution No. RS2022-275

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-067-001 is approved with conditions and disapprove without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited a maximum of 49 multi-family units. Short term rental property, owner occupied and short term rental property, not owner occupied shall be prohibited.
2. A 20 foot wide shared public access easement shall be provided along the eastern property line in the event the adjacent parcel, 07108037300, develops and vehicular access can be provided through this SP site. The connection is not required to be constructed until the adjacent property develops.
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 RM15 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 label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association
7. The 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.
8. 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.
9. 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.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**13. 2022SP-068-001
PARTHENON AVE SP**

Council District 21 (Brandon Taylor)
Staff Reviewer: Amelia Lewis

A request to rezone from RM20 to SP zoning for a portion of property located at 3138 and property at 3140 Parthenon Avenue, approximately 119 feet east of Oman Street (0.26 acres), to permit 10 multi-family residential units, requested by Councilman Brandon Taylor, applicant; Metro Gov't P Park Board, owner.

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

APPLICANT REQUEST

Preliminary SP to permit 10 multi-family units

Zone Change

A request to rezone from Multi-family Residential (RM20) to Specific Plan (SP) zoning for a portion of property located at 3138 and property at 3140 Parthenon Avenue, approximately 119 feet east of Oman Street (0.26 acres), to permit 10 multi-family residential units.

Existing Zoning

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. *RM20 would permit a maximum of 5.2 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.

GREEN HILLS - MIDTOWN COMMUNITY PLAN

Open Space (OS) is intended to preserve and enhance existing open space in the T2 Rural, T3 Suburban, T4 Urban, T5 Center, and T6 Downtown Transect areas. The OS Policy is intended to preserve and enhance existing open space in the T2 Rural, T3 Suburban, T4 Urban, T5 Center, and T6 Downtown Transect areas. OS policy includes public parks and may also include private land held in conservation easements by land trusts and private groups or individuals.

Supplemental Policy

The site is within the Midtown supplemental policy which provides more detailed guidance for specific areas. The supplemental policy, 10-MT-OS-01, is Centennial Park on West End Avenue. In this area, the following Special Policies apply. Where the Special Policy is silent, the guidance of the T5 Center Open Space policy applies. Improvements to Centennial Park are guided by the Centennial Park Master Plan.

SITE CONTEXT AND PLAN DETAILS

The 0.26 acre site is located on the north side of Parthenon Avenue, east of the intersection of Oman Street and Parthenon Avenue. The parcels are currently owned by Metro Parks and are undeveloped. To the northeast of the site

is Centennial Park. The properties on the south side of Parthenon Avenue are zoned RM40 and have been primarily developed with residential land uses.

There is an existing parcel, 3136 Parthenon Avenue, to the east of the subject site, currently owned by a private property owner. The proposed parcels to be rezoned to SP, part of 3138 Parthenon Avenue and 3140 Parthenon Avenue, are currently owned by Metro Parks. Metro Parks has been working with the property owner to facilitate a land swap in order to have property immediately adjacent to the existing park boundaries. The acreage would be equal with the existing parcel sizes, but ownership would be transferred between the two property owners.

The proposed SP would permit a maximum of 10 multi-family units. The development would be regulated by the standards of the 31st Avenue and Long Boulevard Urban Design Overlay (UDO). The specific subdistrict would be G-4, which includes building standards, required setbacks, height, glazing, massing, and material standards.

ANALYSIS

The proposed SP is consistent with the guidance in the supplemental policy as well as the goals of the Open Space (OS) Policy. While the proposed SP would permit residential development, which is not consistent with the policy, it would facilitate the land swap to allow for more park area to be added to the existing Centennial Park area. Without this land swap, proposed development would interrupt the park area and Metro Parks would own property on either side of the residential development.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

- All projects in or draining to the combined sewer are required to have a CSEP Pre-Application meeting with Courtney Larson prior to Final SP Approval.
- Must comply with all regulations in the Stormwater Management Manual at the time of final submittal.

WATER SERVICES RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions:

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions.
- In general, on final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards.
- Dimension ROW pavement widths for clarity.
- Note: A private hauler will be required for site waste/recycle disposal.
- Alley access available, therefore site access shall be provided via alley. Provide alley improvements (paving and dedication) per NDOT ST-263.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Parking for this development is to be per Metro Code.
- Access to this development is to meet the requirements set by NDOT.
- The MCSP on all frontages of this property is required to be shown.
- Ensure final designs follow the codes and requirements of all metro agencies.

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

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)	0.26	20 D	5 U	26	1	3

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)	0.26	-	10 U	53	4	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+27	+3	+2

METRO SCHOOL BOARD REPORT

Projected student generation existing RM20 districts: 0 Elementary 0 Middle 0 High

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

The proposed zoning is not expected to generate any additional students than the existing RM20 zoning district. Students would attend Eakin Elementary School, West End Middle School, and Hillsboro High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited a maximum of 10 multi-family units. Short term rental property, owner occupied and short term rental property, not owner occupied shall be prohibited.
2. The final plat shall be recorded, and ownership changes completed prior to the issuance of building permits.
3. With the final SP and final plat, the minimum right-of-way dedications along Parthenon Avenue and Alley 702 shall be met.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. 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.
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 RM40 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
7. 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.
8. 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.
9. 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.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

Mr. Haynes asked if it was fair to assume that the city and Councilmember Taylor are the applicants or was there another applicant in the room.

Ms. Milligan stated Councilmember Taylor was the applicant.

Mr. Tibbs asked if Metro Parks agreed to this land swap.

Ms. Milligan responded that Councilmember Taylor is the applicant and Metro Parks has been in discussion. She asked Ms. Lewis to pull up the slide showing the policy. Ms. Milligan pointed out on the slide that the green areas are owned by Metro Parks and the two insertions are privately owned, so the idea is to get all of the Metro Parks property on either end and to get what is available for private development in the middle. Ms. Milligan confirmed that Metro Parks has been part of this conversation.

Mr. Haynes advised this Item is on the Metro Parks Board agenda for the November meeting after the Commission acts.

Jon Cooper, Waller Law Firm, 511 Union Street, Ste 2700, stated he was there representing the owner of the property shown to the north that is directly next to the park. He spoke in favor of the application.

Charlie Phillips stated he is the owner of the property in discussion. He spoke in favor of the application.

Female, no name or address given, spoke in opposition to the application.

William Henry, 3180 Parthenon Avenue, spoke in opposition to the application.

Alex Hosch, 3163 Parthenon Avenue, spoke in opposition to the application.

Benjamin Brown, 3140 Parthenon Avenue, spoke in opposition to the application.

Chelsea Hanson, 3143 Parthenon Avenue, spoke in opposition to the application.

Mr. Haynes asked Ms. Milligan to clarify anything the neighbors' asked relative to the size of the parcels and what the landowner can do on the existing one parcel.

Ms. Milligan explained that regarding the size, the property that is currently owned, the northern most property, with the RM20 label as shown on the slide, is .26 acres in size. The smallest of the two properties is .17 acres and the part of the property is to get to the .26 acre size. The land that is proposed to be rezoned is .26 acres and the land currently owned is .26 acres. It is a parcel and a part of a parcel because there wasn't an exact parcel that was .26 acres, so that is why there is a parcel and a part included in the application. She said the property that is currently zoned RM20 is permitted today to get a permit to build on the property without Planning Commission approval. They could build five units and it would go to Codes to get a building permit to begin construction. The properties on the south side of Parthenon Avenue are within an Urban Design Overlay and has some design standards that are not present on the north side, on the two privately owned pieces that are interspersed within the park land and would not have the same design standards if they were to build under the RM20 as are located across the street. Ms. Milligan stated the zoning is different, RM40 on the south side and RM20 on the north side.

Mr. Haynes closed the Public Hearing.

Mr. Henley recognized those who came to speak in opposition and said he was well aware of the struggles with the park system. He pointed out that Parks Department approached the applicant and facilitated this through Councilmember Taylor. Mr. Henley said the Parks Department does not have ample resources to continue to make acquisitions and has to be very litigious on how they utilize those resources and be creative in those ways to do what they feel is best to enable or preserve the functionality and use of the parks. He thought it would be helpful to articulate that there will be some elevated design requirements versus just going to Codes and pulling permits.

Ms. Milligan said Planning felt it was important to have the same level of design standards applied to this property as have been applied to the south side of Parthenon Avenue. She explained the applicant likely would have potentially just applied for RM40. She said the Councilmember wanted to restrict and not allow Short Term Rentals. Ms. Milligan stated there was a bit of a trade off with a little bit more density but higher design standards; density that was consistent with the south side of Parthenon Avenue but also consistent with the design standards on the south side. She said this will be reviewed against the same standards that were reviewed, with this SP, across the street.

Mr. Henley emphasized that development would ensue and Parks Department took the steps they felt able to and appropriate to create a more cohesiveness on that street and corridor. He said Planning was taking the steps to ensure a more beneficial design and final product and felt that understanding the present case is important as they move forward.

Mr. Clifton stated he has seen the accelerated change in the area and does not blame the neighbors for their concerns. He believed this would be better for the city and ultimately better than the only real option.

Mr. Haynes interrupted a male individual who continued to shout from the audience. He told the individual the public hearing was closed and to be respectful of the Commissioners' time to speak.

Mr. Tibbs thought it would be wonderful if the Parks Department could own all the property but since they do not, this solution was the best they can do at this point. He said if left as is, the property owner has a right to build five units and felt it would be better if this land swap could happen and it would have some contiguous back to it. Mr. Tibbs asked what happens if Parks changed their minds.

Mr. Haynes said one of the conditions was the Parks Board has to approve this for it to be enacted.

Mr. Tibbs understood the community concerns but based on the ownership, felt this was the best way to go.

Councilmember Withers said it has been established there is a parcel that is developable and there would be five housing units added versus the base zoning. He stated the project is not large enough to warrant a traffic impact study and the staff analysis suggests the increase in traffic is not zero but is not overwhelming. Mr. Withers felt having the park space more contiguous is better from a green standpoint and seems to be better from an environmental and water management standpoint. He understands the neighbors' concerns but the benefits of the land swap that is proposed with a little more density but adding design guidelines and eliminated Short Term Rentals, is a net positive for the community over what could happen in the existing entitlements.

Councilmember Allen stated it seems that Metro Parks had a long term plan having bought up all the land and hoped when Parks takes it up that they talk about the Centennial Park master plan and how this part fits into it. She felt to be consistent with the conversation they had on the last item, this is not consistent with the Open Space Policy. She said in the last item, they felt like a compelling argument had been made in how the design that was proposed improved or moved things closer to that policy and does not feel that case has been made here. Ms. Allen said what is being proposed is an increase in density, which troubles her. From a planning standpoint, she is confused why the land swap made five units not good enough anymore. She asked if it is zoned RM20 and they were going to build five units, why are they now building ten units and does that give them a reason to do the end around on not being consistent with the policies.

Ms. Blackshear asked Ms. Milligan to speak to policy.

Ms. Milligan explained Open Space Policy is to recognize existing Metro owned properties, which are parks, and Civic Policy is to recognize Metro owned properties that may be something other than a park; for example, their office complex is Civic Policy. She further explained that if there was a land swap, there would be a swap of the policy also, because they would then have the northern most piece of property which is currently not an Open Space Policy, but if it came under the ownership of Metro Parks, it would need to become Open Space Policy.

Ms. Blackshear asked if the increase in intensity was meant to incentivize the land swap or was it to stay consistent with surrounding zoning.

Ms. Milligan responded that the SP, which includes the increase in design standards and prohibition of Short Term Rentals, would not be present under the current zoning. She thought those were considerations Councilmember Taylor, as the applicant, was taking into account and they reviewed it as applied.

Ms. Blackshear stated if they disapprove, the developer builds five units in the middle of Parks property which doesn't seem to be an ideal result. She said speaking to the neighbors' concerns about storm water drainage and soil degradation, thought it would occur if any type of development would happen and asked what addressing those concerns look like from Metro's perspective.

Ms. Milligan responded that lot coverage permitted under RM20 would be similar to coverage permitted under RM40. She explained the amount of building permitted under RM40 is very similar to the amount of building permitted under RM20, it's just the number of units that is placed within that bulk and mass. Under RM20, Metro Stormwater would be flagged when a building permit came in and would review against the adopted Stormwater regulations which requires there be no more water run off after development than before development. If it was an SP, it would be reviewed at a different time and a final site plan is required, which is when the construction documents would come in. The construction documents include those same standards and are reviewed against the Stormwater regulations, and the standards are the same, no more run off after than before.

Councilmember Allen asked when the Park Board's approval and a specific SP, including the UDO guidelines, get added as an official part of this.

Ms. Milligan responded that those are included on page 62 of the staff report. She advised this is a regulatory plan but includes a regulatory document that has those standards and that plan with the standards would be attached and become part of the ordinance. Ms. Milligan said the Commission is making a recommendation to Council and any sort of rezoning is ultimately a Council decision, but the plan is the regulatory document and includes those standards. She stated a preliminary SP is setting up the entitlements, what would be permitted, such as the number of units and standards that are followed. When a final site plan comes in, construction documents, including any sort of stormwater plans, building elevations, building plans, would get reviewed against all of those standards.

Mr. Haynes felt long term, this is in the best interest of the park and city, even though it will cause short term angst for the neighborhood.

Ms. Blackshear moved and Mr. Henley seconded the motion to approve with conditions and disapprove without all conditions. (5-1-1) Ms. Allen voted against. Mr. Clifton abstained.

Resolution No. RS2022-276

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-068-001 is approved with conditions and disapprove without all conditions. (5-1-1)

CONDITIONS

1. Permitted uses shall be limited a maximum of 10 multi-family units. Short term rental property, owner occupied and short term rental property, not owner occupied shall be prohibited.
2. The final plat shall be recorded, and ownership changes completed prior to the issuance of building permits.
3. With the final SP and final plat, the minimum right-of-way dedications along Parthenon Avenue and Alley 702 shall be met.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. 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.
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 RM40 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
7. 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.
8. 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.
9. 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.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

14. 2022SP-072-001

2830 Gallatin Pike SP

Council District 07 (Emily Benedict)

Staff Reviewer: Jason Swaggart

A request to rezone from MUL-A to SP zoning for property located at 2830 Gallatin Pike, at the southeast corner of Gallatin Pike and Litton Avenue and located in the Gallatin Pike Urban Design Overlay(0.36 acres), to permit all uses permitted by MUL-A and liquor sales, requested by Sherif Roufail, applicant; Anki Hanna & Walid, owners.

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

APPLICANT REQUEST

SP to a permit all uses permitted by MUL-A and liquor sales.

Zone Change

A request to rezone from Mixed Use Limited-Alternative (MUL-A) to Specific Plan (SP) zoning for property located at 2830 Gallatin Pike, at the southeast corner of Gallatin Pike and Litton Avenue and located in the Gallatin Pike Urban Design Overlay (0.36 acres), to all uses permitted by MUL-A and liquor sales.

Existing Zoning

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

Proposed Zoning

Specific Plan-Mixed Use 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 approximately 0.36 acre site is located at the south east intersection of Gallatin Pike and Litton Avenue. The site is currently developed and is classified as a strip shopping center. Adjacent zoning districts to the north, south and west are zoned MUL-A. The adjacent zoning to the east is SP and is approved for multifamily residential.

Site Plan

This SP is a regulatory document and includes development and land use standards. The intent of the SP is to maintain the existing MUL-A zoning development and use standards with the addition of liquor sales as a permitted use. Any redevelopment of the site would have to meet the standards for the existing MUL-A zoning district. Any redevelopment would also have to meet any applicable standards of the Gallatin Pike Urban Design Overlay (UDO).

EAST NASHVILLE COMMUNITY PLAN

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

ANALYSIS

As proposed staff finds that this SP is consistent with the T4 CC land use policy. The intent of this SP is to allow for the relocation of an existing liquor store to the neighboring property. While liquor stores are not permitted under the existing MUL-A zoning district, these uses are found in T4 CC policy areas and are appropriate at the appropriate location. Given the nature of Gallatin Pike, a liquor store at this location is supported by the T4 CC land use policy. The SP maintains all development standards of the existing MUL-A zoning district which will ensure that any redevelopment of the site will be consistent with the T4 CC land use policy.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approved with conditions

- Public and/or private water and sewer construction plans must be submitted and approved prior to Final SP approval. These 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 capacity fees 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.

TRAFFIC AND PARKING RECOMMENDATION

Approve

- Ensure final designs follow the codes and requirements of all Metro agencies.

A traffic table was not prepared as the traffic demand will not change given the nature of this SP.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to all uses permitted by MUL-A and liquor sales.
2. Any redevelopment of the site or expansion of the existing building shall require final site plan approval. All development standards per Metro Zoning Code for MUL-A and the Gallatin Pike Urban Design Overlay.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application.
6. 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.
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.

Ms. Milligan advised the applicant involved with Item 14 raised his hand to acknowledge his presence at the meeting and not to oppose Item 14; therefore, Item 14 can be put back on the Consent Agenda.

Mr. Henley moved and Ms. Blackshear seconded the motion to place Item 14 on the Consent Agenda. (7-0)

Resolution No. RS2022-277

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-072-001 is approved with conditions and disapprove without all conditions. (7-0)

1. Permitted uses shall be limited to all uses permitted by MUL-A and liquor sales.
2. Any redevelopment of the site or expansion of the existing building shall require final site plan approval. All development standards per Metro Zoning Code for MUL-A and the Gallatin Pike Urban Design Overlay.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application.
6. 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.
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.

15. 2022SP-061-001
1603 & 1605 HAMPTON STREET SP
Council District 02 (Kyonzté Toombs)
Staff Reviewer: Jason Swaggart

A request to rezone from CL to SP zoning on property located at 1603 and 1605 Hampton Street, at the corner of Hampton Street and Avondale Circle, zoned CL (0.66 acres), to permit up to 60 multifamily residential units, requested by Openworks, LLC, applicant; Sai Ram Krupa, LLC, owner.

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

APPLICANT REQUEST
SP to permit up to 60 multifamily units.

Zone Change

A request to rezone from Commercial Limited (CL) to Specific Plan (SP) zoning on property located at 1603 and 1605 Hampton Street, at the corner of Hampton Street and Avondale Circle, zoned CL (0.66 acres), to permit up to 60 multifamily residential units

Existing Zoning

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

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 approximately 0.66 acre site is located on the northeast corner of Hampton Street and Avondale Circle which is approximately 122 feet west of Brick Church Pike. The site is developed with a hotel building and surface parking. Surrounding zoning districts include RS7.5, CL and SP. Surrounding land uses include vacant commercial land, parking lots and multi and single family residential.

Site Plan

The proposed SP is a regulatory document and includes development and land use standards. The intent of the SP is to allow for the existing hotel rooms to be converted into studio/efficiency apartments. The SP limits the density to 60 residential units. The SP also allows for future expansion or redevelopment of the site. Any expansion or redevelopment would have to meet all standards of RM40-A-NS and would be limited to a maximum of 60 units. The SP does allow for minor changes to the site that would not trigger compliance with RM40-A-NS. The SP does not permit owner-occupied or not owner-occupied short-term rentals.

BORDEAUX – WHITES CREEK – HAYNES TRINITY 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.

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 improvement of the existing street, sidewalk, bikeway, and stormwater infrastructure to T4 Urban Transect standards through new private-sector development.

ANALYSIS

As proposed, staff finds that this SP is consistent with the T4 NM land use policy and the Haynes Trinity Small Area Plan. This SP permits the existing commercial building to be converted to multifamily and would also permit redevelopment as multifamily. The existing commercial use is not consistent with the T4 NM policy and this SP will

bring the use into compliance with the T4 NM policy. The SP provides a transition from the residential area to the commercial area along Brick Church Pike and provides additional density to support commercial uses along Brick Church Pike. This SP also includes standards to implement the Haynes Trinity special policy including the mobility plan consistent with the policy.

FIRE MARSHAL RECOMMENDATION
Approved

STORMWATER RECOMMENDATION
Approved

WATER SERVICES RECOMMENDATION
Approved with conditions

- Public and/or private water and sewer construction plans must be submitted and approved prior to Final SP approval. These 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 capacity fees 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.

TRAFFIC AND PARKING RECOMMENDATION
Approve with conditions

- A traffic study maybe required once more information has been provided.
- Parking shall be per metro code.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.66	0.6 F	17,250 SF	651	16	66

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)	0.33	1.0 F	61 U	201	12	36

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-450	-4	-30

METRO SCHOOL BOARD REPORT

Projected student generation existing CL district: 0 Elementary 0 Middle 0 High
 Projected student generation proposed SP-R district: 18 Elementary 10 Middle 9 High

The proposed SP-R zoning is expected to generate 47 more students than the existing CL zoning. Students would attend Alex Green 1 Elementary School, Brick Church College Prep Middle School, and Whites Creek High School. All schools were 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 60 multifamily residential units and all uses permitted by RM40-A-NS. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. Any redevelopment of the site or expansion of the existing building shall require final site plan approval. All development standards per Metro Zoning Code for RM40-A. Minor site changes necessary to construct sidewalks and/or address on the ground site constraints can be addressed with the final site plan and may not trigger compliance with all standards of RM40-A-NS.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40-A zoning district as of the date of the applicable request or application.
6. 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.
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.

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

Resolution No. RS2022-277

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-061-001 is approved with conditions and disapprove without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to 60 multifamily residential units and all uses permitted by RM40-A-NS. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. Any redevelopment of the site or expansion of the existing building shall require final site plan approval. All development standards per Metro Zoning Code for RM40-A. Minor site changes necessary to construct sidewalks and/or address on the ground site constraints can be addressed with the final site plan and may not trigger compliance with all standards of RM40-A-NS.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40-A zoning district as of the date of the applicable request or application.
6. 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.
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.

16. 2022Z-081PR-001

Council District 28 (Tanaka Vercher)
Staff Reviewer: Dustin Shane

A request to rezone from AR2A and R10 to CL zoning for property located at 436 Ezell Pike, approximately 627 feet east of Bush Road (1.17 acres), requested by Tony L. Carlew, applicant and owner.

Staff Recommendation: Defer to the November 10, 2022, Planning Commission meeting.

- 17. 2022Z-082PR-001**
Council District 20 (Mary Carolyn Roberts)
Staff Reviewer: Jason Swaggart

A request to rezone from R8 to OR20 zoning for property located at Spencer Avenue (unnumbered), approximately 27 feet southeast of Foundry Drive (0.71 acres), requested by TTL, Inc, applicant; Kurio Properties, LLC, owner.

Staff Recommendation: Defer to the October 27, 2022, Planning Commission meeting.

- 18. 2022Z-091PR-001**
Council District 05 (Sean Parker)
Staff Reviewer: Amelia Lewis

A request to rezone from RS10 to R10 zoning for property located at 515 E Trinity Lane, approximately 446 feet east of Jones Avenue (0.31 acres), requested by Melinda A. Bascom-Harvey, applicant and owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS10 to R10.

Zone Change

A request to rezone from Single-Family Residential (RS10) to One and Two-Family Residential (R10) zoning for property located at 515 E Trinity Lane, approximately 446 feet east of Jones Avenue (0.31 acres).

Existing Zoning

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

Proposed Zoning

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

EAST NASHVILLE COMMUNITY PLAN

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

SITE AND CONTEXT

The 0.31 acre site is located on the north side of E Trinity Lane. The site has been developed with a single-family residential use. The adjacent properties along the north side of E Trinity Lane are zoned RS10, RM15-A-NS and OL. The properties on the south side of E Trinity Lane are zoned RS5. The adjacent properties have primarily been established with single-family residential uses. The property to the west was recently rezoned to RM15-A-NS. Some non-residential properties are located at the corner of E Trinity Lane and Jones Avenue to the west.

ANALYSIS

The intent of the T4 RC policy is to maintain, enhance, and create urban residential corridors that support predominantly residential land uses and are compatible with the general character of urban neighborhoods. E Trinity Lane is classified by the Major and Collector Street Plan (MCSP) as an arterial-boulevard. The policy indicates support for increased residential density along these major corridors due to their location and access to multiple modes of transit. The proposed rezoning would permit a small increase in intensity that is proportional to the size of the site. The proposed R10 district is consistent with the policy guidance to provide high density on smaller lots and a more diverse mix of housing types.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.31	4.356 D	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.31	4.356 D	2 U	28	7	2

*Based on two-family lots

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

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

METRO SCHOOL BOARD REPORT

Projected student generation existing RS10 districts: 0 Elementary 0 Middle 0 High

Projected student generation proposed R10 district: 0 Elementary 0 Middle 0 High

The proposed zoning is not expected to generate any additional students than the existing IWD zoning district. Students would attend Tom Joy Elementary School, Jere Baxter Middle School, and Maplewood High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2022-278

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-091-001 is approved. (7-0)

19. 2022Z-096PR-001

Council District 31 (John Rutherford)

Staff Reviewer: Amelia Lewis

A request to rezone from SP to MUL-A zoning for property located at 6220 Nolensville Pike, approximately 395 feet southeast of Bienville Drive (3.23 acres), requested by Lenox Grove, LLC, applicant and owner.

Staff Recommendation: Disapprove MUL-A and recommend approval of MUL-A-NS.

APPLICANT REQUEST

Zone change from SP to MUL-A.

Zone Change

A request to rezone from Specific Plan (SP) to Mixed Use Limited – Alternative (MUL-A) zoning for property located at 6220 Nolensville Pike, approximately 395 feet southeast of Bienville Drive (3.23 acres), requested by Lenox Grove, LLC, applicant and owner.

Existing 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 permitted only medical and office uses.*

Proposed Zoning

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

SOUTHEAST COMMUNITY PLAN

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

SITE AND CONTEXT

The 3.23 acre site is located on the east side of Nolensville Pike, south of the intersection of Nolensville Pike and Bienville Drive. The parcel is zoned SP, under 2015SP-080-001/BL2015-1258. The SP approved general office and medical office uses. A final site plan for a 9,204 square foot medical office was approved in 2017.

The surrounding properties along Nolensville Pike are zoned Mixed-Use Limited (MUL), Agricultural/Residential (AR2a), and Specific Plan (SP) zoning. These properties along the corridor have been established with multi-family uses, single-family residential uses, and office and medical uses. The site across Nolensville Pike has been developed with May Werthan Shayne Elementary and Henry Oliver Middle School.

ANALYSIS

The intent of the Urban Community Center (T4 CC) policy is to maintain, enhance, and create urban community centers. These areas are envisioned as intense mixed use areas that provide a mix of uses and services to meet the needs of the larger surrounding urban area. Examples of appropriate land uses in this policy include mixed-use, commercial, office, and institutional. The existing zoning on the site limits the uses to medical and office uses exclusively. The SP also included conditions for only one access point to Nolensville Pike, sidewalks to be constructed per the MCSP, and a sidewalk from building entrances to sidewalks along Nolensville Pike. Given the frontage of the site, additional access points would likely not be approved by Nashville Department of Transportation (NDOT). The sidewalk was not constructed with the existing development on the site due to a Tennessee Department of Transportation (TDOT) expansion of Nolensville Pike. Lastly, the Alternative (-A) standard requires prominent building orientation and limited parking between the building and the street.

The requested MUL-A zoning district would permit a wider range of uses than the existing SP, allowing flexibility in uses on the property. Staff is recommending the zoning district be amended to MUL-A-NS in order to prohibit short term rentals. The suggested MUL-A-NS zoning district would still permit the inclusion of all the uses of MUL-A, with the exception of STRPs, which includes many additional uses that are not currently permitted with the SP. The opportunity to provide residential units near the existing non-residential uses is consistent with the intent of the T4 CC policy to provide services to nearby residents.

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
Office (710)	3.23	1.0 F	140,699 SF	1,478	159	157

Maximum Uses in Proposed Zoning District: MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (221)	1.615	1.0 F	70 U	380	24	31

Maximum Uses in Proposed Zoning District: MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.808	1.0 F	35,196 SF	1,329	34	134

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.808	1.0 F	35,196 SF	3,948	349	344

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+4,179	+248	+352

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed MUL-A district: 8 Elementary 7 Middle 6 High

The proposed MUL-A-NS zoning is expected to generate 21 more students than the existing SP zoning district. Students would attend May Werthan Shayne Elementary School, William Henry Oliver Middle School, and John Overton High School. All three schools are 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

Disapprove MUL-A, recommend approval of MUL-A-NS.

Disapprove MUL-A and recommend approval of MUL-A-NS. (7-0)

Resolution No. RS2022-279

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-096-001 is disapproved MUL-A and approved of MUL-A-NS. (7-0)

20. 2022Z-100PR-001

Council District 05 (Sean Parker)

Staff Reviewer: Jason Swaggart

A request to rezone from RS5 to R6-A zoning for property located at 109 Eastmoreland Street, approximately 378 feet east of the corner of Dickerson Pike and Eastmoreland Street and within the Detached Accessory Dwelling Unit Overlay District (0.17 acres), requested by Ryan Eliot Nelson, applicant; Ryan & Kimberly N. Nelson, owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential-Alternative (R6-A) zoning for property located at 109 Eastmoreland Street, approximately 378 feet east of the corner of Dickerson Pike and Eastmoreland Street and within a Detached Accessory Dwelling Unit Overlay District (0.17 acres).

Existing Zoning

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 1 unit.*

Detached Accessory Dwelling Unit Overlay District (DADU) is an overlay district that allows for detached accessory dwelling units under certain conditions.

Proposed 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 duplex lot for a total of two units.*

EAST 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.

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 for this site, T4 NE, did not change with adoption of the Highland Heights plan.

This site is within the R5 Subdistrict of the Building Regulating Plan, which is intended to create and enhance neighborhoods with greater housing choice and improved connectivity by transitioning from Dickerson Pike's higher density mixed use development to the interior residential areas. The R5 Subdistrict supports a range of residential uses, including two-family and multi-family residential, at varying intensities depending on the location, context and infrastructure. The R5 Subdistrict also supports a variety of building forms, including house (2 units), detached accessory dwelling unit, plex or manor house, house court, low rise townhouse, and courtyard flat, low-rise flat, or mid-rise flat.

There is an unbuilt right-of-way associated with Alley #2015 to the rear of this property and other lots on the north side of Eastmoreland Street and south side of Lucile Street, between Meridian Street and Dickerson Pike. The Mobility Plan component of the Highland Heights Study, which was incorporated into the Major and Collector Street Plan (MCSP), calls for this alley right-of-way to be constructed as a public alley with any new development or redevelopment.

Dickerson South Corridor Study

This site is also within the Dickerson South Corridor Study (Study), which was adopted by the Planning Commission on June 13, 2019, and February 27, 2020, after a participatory process with extensive community input. The Study provides supplemental guidance for future development in the Dickerson Pike area by addressing land use, transportation, and community design at the neighborhood scale while also supporting high-capacity transit envisioned by NashvilleNext.

For properties within the Dickerson South Corridor Study area that are also located within the Highland Heights Study Supplemental Policy, such as this site, guidance for future development defers to the Highland Heights Study recommendations.

SITE AND CONTEXT

The 0.17-acre site is located on the north side of Eastmoreland Street, between Meridian Street and Dickerson Pike, an arterial-boulevard designated on the Major and Collector Street Plan. The property contains an existing single-family residential use. The development pattern along Eastmoreland Street is primarily single-family, with one two-family use located east of the site on property that was rezoned to R6-A in 2017. The site is located directly across the street from another R6-A-zoned property at the corner of Eastmoreland Street and Joseph Avenue, to the south. The majority of the properties on the north side of the unbuilt alley, oriented towards Lucile Street, are also zoned RS5, with the exception of a multi-family residential development located behind the subject site and a parcel to the east of the multi-family development that was recently rezoned to R6-A. Commercial uses and parking are located along Dickerson Pike, approximately 378 feet to the west.

ANALYSIS

The requested R6-A zoning is supported by the T4 NE policy and is appropriate for the R5 Subdistrict of the Highland Heights Study at this site. The proposed zoning allows for one or two-family residential uses, which would increase housing choice in the area. The standards for building placement, parking and access included in the R6-A district would also improve the relationship of development to the street, creating a more walkable neighborhood consistent with the goals of the T4 NE policy and R5 Subdistrict.

The Highland Heights Study envisioned that the R5 area would accommodate additional density in concert with the installation of infrastructure, specifically at an integrated road and alley network. The Mobility Plan provides a blueprint for this road and alley network and identifies unbuilt alley #2015 as part of the future network. The existing

right-of-way associated with Alley #2015 is approximately 10 feet in width, where 20 feet is required to meet the Public Works standard. The alley right-of-way does not extend all the way to Meridian Street on the east or Dickerson Pike on the west, but instead turns north and south behind the properties fronting those two corridors.

The R6-A zoning district requires access to be taken from the alley if an improved alley exists, but construction of an unimproved alley is not a requirement of the zoning district. Additionally, for the alley to meet all Metro Public Works standards and be acceptable for public maintenance, the alley would need to be designed, engineered and constructed in a cohesive manner, rather than on a lot-by-lot basis. To ensure that the intent of the policy regarding the alley is met, staff recommends a condition requiring that one-half of the additional alley right-of-way necessary to meet Public Works standards be dedicated prior to building permit. The right-of-way dedication will ensure that the alley can be constructed through this area in the future, as more lots along the block redevelop, implementing the goals of the policy over time.

While the supplemental policy applicable to this site may support additional intensity, policy guidance also explains that additional intensity is appropriate only in concert with construction of public infrastructure to support the development. The requested R6-A district is on the lower end of the range of recommended zoning districts in this area, which is appropriate given the lack of existing infrastructure needed to accommodate additional density. The R6-A district represents a modest increase in intensity compared to surrounding parcels, consistent with the policy goals to establish a framework of public infrastructure that would accommodate the increased capacity of higher intensity residential development and coordinated growth over time.

TRAFFIC AND PARKING RECOMMENDATION

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	0.17	8.712 D	1 U	10	1	1

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
Two- Family Residential* (210)	0.17	7.26 D	2 U	19	2	2

*Based on two-family lots

Traffic changes between maximum: **RS5 and R6-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1 U	+9	+1	+1

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 zoning districts: 0 Elementary 0 Middle 0 High

Projected student generation proposed R6-A district: 0 Elementary 0 Middle 0 High

The proposed R6-A zoning is not expected to generate any additional students beyond the existing RS5 zoning. Students would attend Shwab Elementary School, Jere Baxter Middle School, and Maplewood High School.

STAFF RECOMMENDATION

Staff recommends approval with conditions, as the requested rezoning is consistent with the T4 NE policy and is appropriate for the R5 Subdistrict of the Highland Heights Study at this site.

CONDITIONS

1. Prior to the issuance of building permits, half of the remaining right-of-way for Alley #2015 required to meet the Public Works standard shall be dedicated.

Approve with conditions. (6-0-1)

Resolution No. RS2022-280

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-0100-001 is approved with conditions. (6-0-1)

CONDITIONS

1. Prior to the issuance of building permits, half of the remaining right-of-way for Alley #2015 required to meet the Public Works standard shall be dedicated.

21. 2022Z-101PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Abbie Rickoff

A request to rezone from R8 to RM9-A-NS zoning for property located at 2721 Whites Creek Pike, approximately 400 feet south of Revels Drive (3.75 acres), requested by SWS Engineering, Inc., applicant; Byron Williamson, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from R8 to RM9-A-NS

Zone Change

A request to rezone from One and Two-Family Residential (R8) to Multi-Family Residential-Alternative-No STRP (RM9-A-NS) zoning for property located at 2721 Whites Creek Pike, approximately 400 feet south of Revels Drive (3.75 acres).

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 17 lots with 4 duplex lots for a total of 21 units. Application of Metro’s Subdivision Regulations may result in fewer units at this site. Final determinations on duplex eligibility are provided by Codes.*

Proposed Zoning

Multi-Family Residential-Alternative-No STRP (RM9-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of nine 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. *RM9-A-NS would permit a maximum of 34 units.*

BORDEAUX-WHITES CREEK-HAYNES TRINITY COMMUNITY PLAN

T3 Suburban Neighborhood Center (T3 NC) is intended to enhance and create suburban neighborhood centers that serve suburban neighborhoods generally within a 5 minute drive. They are pedestrian friendly areas, generally located at intersections of suburban streets that contain commercial, mixed use, residential, and institutional land uses. T3 NC areas are served with well-connected street networks, sidewalks, and mass transit leading to surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

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

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.

SITE AND CONTEXT

The 3.75-acre site is located on the east side of Whites Creek Pike, south of Revels Drive. Whites Creek Pike is identified as an arterial-boulevard on the Major and Collector Street Plan (MCSP). Revels Drive is classified a local street west of Whites Creek Pike, transitioning to a collector street east of Whites Creek Pike and proposed to continue further east. The site is currently developed with a single-family residential use. Surrounding properties near the intersection of Whites Creek Pike and Revels Drive have developed with a mix of uses, including a residential subdivision to the east, a multi-family residential development to the south, and commercial uses located across from the site, on the west side of Whites Creek Pike.

ANALYSIS

The requested RM9-A-NS zoning is supported by the T3 NC policy and represents a modest increase in intensity, which is appropriate based on the context of this site. The proposed zoning district reflects a transition between the nonresidential uses that have developed on the west side of Whites Creek Pike, within the T3 NC policy area, and the adjacent residential uses located to the south and east, within the T3 Neighborhood Evolving and T3 Neighborhood Maintenance policy areas. The standards for building placement, parking and access included in the RM9-A-NS district would also improve the relationship of development to the street, enhancing a suburban neighborhood that is meant to evolve into a neighborhood-scale center. The -NS designation prohibits STRPs from the district, which would be in keeping with the residential character established in the adjacent subdivision to the east. The RM9-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: **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)	3.75	5.445 D	21 U	247	20	22

*Based on two-family lots

Maximum Uses in Proposed Zoning District: **RM9-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)	3.75	9 D	34 U	184	12	16

Traffic changes between maximum: **R8 and RM9-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+13 U	-63	-8	-6

METRO SCHOOL BOARD REPORT

Projected student generation existing R8 zoning districts: 3 Elementary 2 Middle 3 High
 Projected student generation proposed RM9-A-NS district: 10 Elementary 5 Middle 5 High

METRO SCHOOL BOARD REPORT

The proposed RM9-A-NS zoning is expected to generate 12 additional students beyond the existing R8 zoning. Students would attend Alex Green Elementary School, Brick Church College Prep Middle School, and Whites Creek High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2022-281

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-101PR-001 is approved. (7-0)

22. 2022Z-103PR-001

Council District 05 (Sean Parker)

Staff Reviewer: Abbie Rickoff

A request to rezone from R6 to MUL-A zoning for a portion of property located at 1019 Thomas Avenue, approximately 200 feet west of Gallatin Pike (approximately 0.06 of 0.35 total acres), requested by Smith Gee Studio, applicant; J.D.P. Properties, owner.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Zone change from R6 to MUL-A.

Zone Change

A request to rezone from One and Two-Family Residential (R6) to Mixed Use Limited-Alternative (MUL-A) zoning for a portion of property located at 1019 Thomas Avenue, approximately 200 feet west of Gallatin Pike (approximately 0.06 of 0.35 total acres).

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. *The portion of property included in this rezone request (0.06 of 0.35 total acres) would not meet the minimum lot size requirement for residential development in the R6 zoning district. The remainder of the property that is not included in this rezone request (0.29 acres) would permit a maximum of two lots, based on the acreage only. Application of Metro's Subdivision Regulations may result in fewer units at this site. Final determinations on duplex eligibility are provided by Codes.*

Proposed Zoning

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

EAST NASHVILLE COMMUNITY PLAN

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

SITE AND CONTEXT

The vacant site includes 0.35 total acres and is located on the north side of Thomas Avenue, west of Gallatin Pike. The portion of property included in this rezone request consists of approximately 0.06 acres, located at the northeast corner of the property. The remainder of the property, approximately 0.29 acres, is not proposed to be rezoned and would retain the existing R6 zoning that is currently in place.

The site is located at the eastern edge of residential uses that have developed on both sides of Thomas Avenue, characterized by single-family and two-family residential properties. The existing residential character present along Thomas Avenue is similar to the character of surrounding residential streets located to the north and south, west of Gallatin pike, interior to the neighborhood. This site is located directly west of adjacent properties which front onto Gallatin Pike, where nonresidential uses line both sides of the corridor. One of the adjacent properties is located at the corner of Thomas Avenue and Gallatin Pike, where the existing commercial development wraps the street corner but is oriented towards the corridor. An unimproved parking lot spans the area behind the building, adjacent to this property.

ANALYSIS

This site is located on the eastern edge of a T4 NM policy area, where surrounding properties have developed with residential uses characterized by moderate to high-density development patterns expected by urban neighborhoods. The property is located on the seam of an established T4 NM policy area present along Thomas Avenue and surrounding residential streets, and a higher intensity policy area, T4 CC, Urban Community Center, present to the east along Gallatin Pike, where properties have previously developed with commercial uses in the MUL-A zoning district. The T4 CC policy area supports mixed use development along prominent streets and corridors, where the intended development character is meant to be more intense to meet the needs of surrounding neighborhoods.

The portion of this site proposed for MUL-A zoning is located at the northeast corner of an R6-zoned property in the T4 NM policy area, behind properties that have developed with nonresidential uses fronting the corridor in the T4 CC policy area. The dividing policy line is intended to separate nonresidential uses present along Gallatin Pike from the interior residential neighborhood. While the MUL-A rezone request includes a small area of the overall property, located nearest the northeast corner adjacent to the existing MUL-A zoning boundary, staff does not find application of MUL-A zoning to be in keeping with the intent of the T4 NM policy area, where nonresidential zoning districts are not supported. The T4 NM policy supports a range of residential zoning districts at varying intensities, depending on the context, but is intended for residential uses only.

Maximum Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.06	7.260 D	0 U	0	0	0

*Based on two-family lots

Maximum Uses in Proposed Zoning District: MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	0.03	1.0 F	1 U	4	0	0

Maximum Uses in Proposed Zoning District: MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.01	1.0 F	436 SF	16	0	2

Maximum Uses in Proposed Zoning District: MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.02	1.0 F	871 SF	98	9	8

Traffic changes between maximum: R6 and MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+118	+9	+10

STAFF RECOMMENDATION

Staff recommends disapproval.

Ms. Rickoff presented the staff recommendation to disapprove.

Scott Morton, Smith Gee Studio, 1005 North 14th Street, spoke in favor of the application.

Lane Weber, 923 Thomas Avenue, spoke in opposition to the application.

Mr. Haynes closed the Public Hearing.

Ms. Blackshear stated they see cases where there is a zoning request where the underlying policy is in conflict and sometimes that is addressed by a policy change for the portion of effected land. She asked if that was discussed.

Ms. Milligan thought they had discussions internally but given the depths that were already existing for the policy, staff did not push in that direction. She said in considering what is going on along the corridors like that, they try not to let things creep too far into the neighborhood regarding policy or zoning. Ms. Milligan advised they have not applied for a policy amendment.

Ms. Blackshear asked if this would be something that could be looked upon favorably by staff if it was presented like an SP.

Ms. Milligan said it will not. She explained that just the use of parking for commercial uses is not supported in residential zoning districts which are the only districts that would be supported by a Neighborhood Maintenance Policy. She stated they would still see that rezoning as being inconsistent with the goals of the Neighborhood Maintenance Policy.

Ms. Blackshear thought it was an interesting point the applicant raised about trying to bring part of the existing commercial use property in conformance by moving the parking to the rear. She said it sounded like just because the residential policy was in place, there was no room from staff's perspective to allow that commercial use on that portion of the property.

Ms. Milligan said they encourage parking, when provided and required, to be located in the rear. She noted on Gallatin Pike, parking would not be required in this location per the zoning code.

Ms. Blackshear stated it is their purview as a Planning body to follow policy. She thought the applicant's presentation was persuasive about the practical effects of this little portion of land being allowed to be rezoned MUL-A. Ms. Blackshear said she understood the neighbor's concerns. She supported staff recommendation but thought the applicant made a compelling case for why this would be appropriate for the area.

Councilmember Allen asked the applicant if this was the only configuration possible and would it require the lot be covered by the building as opposed to putting the parking on the rest of the lot.

Mr. Morton stated the lot width is approximately 40 feet wide and they looked at bending the parking into the site in a 90 degree position; however, there is not enough width to meet a full parking requirement and landscape buffer on the north. He stressed it physically would not work in that configuration which led them to the design solution that has been presented.

Councilmember Allen echoed Ms. Blackshear in what they do is compare things to policy and wondered if the consideration might be to come back and request to change the policy.

Councilmember Withers said it has been a struggle to make Gallatin Pike a walkable, pleasant, safe environment on a number of levels, for at least 20 years, and has had a number of challenges. He felt this plan addresses those challenges very well and presents a good plan and accesses an existing access easement in a way that is appropriate. He said this proposal meets the overall East Nashville Community Plan better than some of the existing options and that he is in support of this plan.

Mr. Clifton said it was compelling enough for him to support it.

Mr. Henley stated when he saw this in his packet, he had to go see it because it is a very unique little sliver of property asking for rezoning. After doing that, he understood it and agreed with the sentiment of his fellow Board members. He said what first came to mind was why this was not at Board of Zoning Appeals requesting some augmentations to the buffer. He felt in the sense of creativity and responsibility, it is addressing that on property owned by the applicant versus encroachment of property owners next to it. He thought one of the greatest things they can do for the city is to start to eliminate some of the shallow small parking lots as they are extremely dangerous. Mr. Henley said he loves the scale of this project. He thought this is a strong solution that is completely contained by the owner and applicant and is inclined to support it.

Mr. Tibbs stated this would not meet the minimum of lot size requirement for residential development anyway and it makes the R6 a little easier to develop without having a little dog leg and makes the proposed mixed use building more compliant. He thought the whole solution was better than trying to keep it R6.

Ms. Blackshear asked if the housekeeping amendment would be to change the underlying policy.

Ms. Milligan answered that it would be for that portion.

Ms. Blackshear said that was the issue for her, as the policy would be incongruent with the land use, and so with that, she would be in favor.

Mr. Tibbs moved and Ms. Blackshear seconded the motion to approve and direct staff to prepare a housekeeping amendment to update the policy consistent with the policy along Gallatin Pike. (7-0)

Resolution No. RS2022-282

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-103PR-001 is approved and direct staff to prepare a housekeeping amendment to update the policy consistent with the policy along Gallatin Pike. (7-0)

23. 2022Z-104PR-001

Council District 05 (Sean Parker)
Staff Reviewer: Dustin Shane

A request to rezone from OL and RS10 to RM20-A-NS zoning for properties located at 525, 527, 529 and 531 E Trinity Lane, approximately 455 feet west of Oakwood Avenue (1.48 acres), requested by Smith Gee Studio, applicant; Joywood Assembly of God Church, Trustees, Joywood Assembly of God, TRS, Joywood Bridge of Hope A.O.G., CH., INC., Joywood Bridge of Hope Asmby of God, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from OL to RM20-A-NS.

Zone Change

A request to rezone from Office Limited (OL) and Single-Family Residential (RS10) to Multi-Family Residential-Alternative-No Short Term Rental (RM20-A-NS) zoning for properties located at 525, 527, 529 and 531 E Trinity Lane, approximately 455 feet west of Oakwood Avenue (1.48 acres).

Existing Zoning

Office Limited (OL) is intended for moderate intensity office uses.

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 2 units.*

Proposed Zoning

Multi-Family Residential-Alternative-No Short Term Rental (RM20-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM20-A-NS would permit a maximum of 30 units based on acreage alone. Short term rental properties are prohibited.*

EAST NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The application consists of four parcels (Map 071-08, Parcels 248-251) totaling 1.48 acres in size, located on the north side of East Trinity Lane, approximately 150 feet west of the intersection with Edwin Street. The property currently contains a church, a parsonage, and two single-family homes. Surrounding uses include a medical office building zoned OL and single-family homes zoned RS10. Across East Trinity are single-family homes zoned RS5. The application proposes to rezone the property from OL and RS10 to RM20-A-NS. The application initially requested RM40 zoning but was amended based on the surrounding context—a reduction in density of 29 units (59 units being allowable under RM40 and 30 allowable under RM20). Rezoning to RM20 have taken place at corners, but mid-block densities have generally seen fewer such rezonings per the policy, with RM15 being the usual district targeted. RM20 mid-block would be greater intensity than normally found at such locations but would still be compatible with the context and vision set by policy. The property is within the T4 Urban Residential Corridor (T4 RC) policy area. T4 RC corridors are intended to develop or redevelop over time to include higher density housing types. The result should be a variety of residential buildings framing corridors with shallow setbacks and minimal spacing between buildings.

The CCM lists RM20-A, which would permit up to 20 units per acre, as an appropriate zoning under T4 RC policy. RM20-A-NS would support the T4 RC policy intent to a greater degree than the current OL and RS10 zonings. Good urban design is ensured through the Alternative district guidelines being sought.

The rezoning request is further supported by the fact that this property is within the transition area between the second-tier centers at the intersection of East Trinity Lane with both Dickerson Pike and Ellington Parkway as

identified in NashvilleNext. Allowing more density at this location will channel density toward centers and multi-modal corridors in accordance with the guidance of the General Plan. For these reasons, staff recommends approval of the rezoning.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.86	0.75 F	28,096 SF	310	52	34

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.62	4.356 D	2 U	28	7	2

Maximum Uses in Proposed Zoning District: **RM20-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 (221)	1.48	20 D	30 U	162	11	14

Traffic changes between maximum: **OL/RS10 and RM20-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-176	-48	-22

METRO SCHOOL BOARD REPORT

Projected student generation existing OL/RS10 districts: 0 Elementary 0 Middle 0 High

Projected student generation proposed RM20-A-NS district: 9 Elementary 6 Middle 6 High

The proposed RM20-A-NS zoning is expected to generate 21 more students than the existing OL and RS10 zoning districts. Students would attend Tom Joy Elementary School, Jere Baxter Middle School, and Maplewood High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2022-283

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-104PR-001 is approved. (7-0)

24. 2022Z-111PR-001

Council District 15 (Jeff Syracuse)

Staff Reviewer: Logan Elliott

A request to rezone from CS to MUL zoning for property located at 2425 Atrium Way, approximately 459 feet northwest of Wanda Drive (2.62 acres), requested by Aerial Properties LLC, applicant; Focus Hospitality III LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from CS to MUL-NS

Zone Change

A request to rezone from Commercial Service (CS) to Mixed Use Limited- No Short Term Rental (MUL-NS) zoning for property located at 2425 Atrium Way, approximately 459 feet northwest of Wanda Drive (2.62 acres).

Existing Zoning

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

Proposed Zoning

Mixed Use Limited (MUL-NS) is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses. Owner occupied, short term rentals and not owner occupied, short term rentals would be prohibited uses.

DONELSON - HERMITAGE - OLD HICKORY COMMUNITY PLAN

D Employment Center (D EC) is intended to enhance and create concentrations of employment that are often in a campus-like setting. A mixture of office and commercial uses are present, but are not necessarily vertically mixed. Light industrial uses may also be present in appropriate locations with careful attention paid to building form, site design, and operational performance standards to ensure compatibility with other uses in and adjacent to the D EC area. Secondary and supportive uses such as convenience retail, restaurants, and services for the employees and medium- to high-density residential are also present.

SITE AND CONTEXT

The approximately 2.62 acre site is located on the western side of Atrium Way, a local street. The site is adjacent to Briley Parkway and is North of Elm Hill Pike. The subject site contains a hotel building with surface parking. The surrounding area contains office use, other hotel use, and a theatre/auditorium use. Single-Family residential uses are located to the east of Atrium Way, although these uses are separated in this area from Atrium Way by a stream and heavy landscaping.

ANALYSIS

Staff finds the proposed MUL zoning district to be consistent with the guidance provided in the Community Character Manual for the D EC policy. While the policy describes that D EC areas will primarily contain concentrations of employment that are often in a campus-like setting, daily convenience retail, restaurants, and services for the employees and medium to high-density residential are identified as appropriate secondary and supportive uses within the district. In general, secondary and supportive uses, such as retail and restaurants, typically make up about a quarter of the land in a developed D EC area in order to protect its primary function of providing intense concentrations of jobs. The proposed mixed-use zoning would be the first instance of this type of zoning in this area of D EC policy. Therefore, Staff recommends approval of the MUL-NS zoning district as it supports the secondary uses described in the D EC policy of the Community Character manual.

FIRE MARSHAL’S OFFICE RECOMMENDATION

Approve

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	2.62	0.6 F	68,476 SF	2,585	64	261

Maximum Uses in Proposed Zoning District: MUL-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)	1.31	1.0 F	57 U	309	20	26

Maximum Uses in Proposed Zoning District: MUL-NS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.655	1.0 F	28,532, SF	1,077	27	109

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.655	1.0 F	28,532 SF	3,201	284	279

Traffic changes between maximum: **CS and MUL-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+2,002	+267	+153

METRO SCHOOL BOARD REPORT

Given the mix of uses permitted, the number of residential units ultimately built on site may vary and an assumption as to impact at this point is premature. Students would attend McGavock 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 MUL-NS zoning for this property.

Approve. (7-0)

Resolution No. RS2022-284

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-111PR-001 is approved. (7-0)

**25. 2013UD-002-039
MURFREESBORO PIKE UDO (TENNESSEE LICENSE BUREAU)**

Council District 32 (Joy Styles)

Staff Reviewer: Hazel Ventura

A request for modification to an Urban Design Overlay District at property located at 2460 Morris Gentry Boulevard; approximately 195 feet southwest of the corner of Morris Gentry Boulevard and Murfreesboro Pike, zoned CS (2.18 acres), modify the front yard setback and minimum façade width requirements, requested by M2 Group, LLC, applicant; 2013-B Pedigo Trust, The, owner.

Staff Recommendation: Approve minor modification of façade width along Morris Gentry Boulevard and a major modification to the front yard setback from Morris Gentry Boulevard with conditions and defer without all conditions.

APPLICANT REQUEST

A request for a minor modification to the required façade width along Morris Gentry Boulevard, and a major modification to the front yard setback from Morris Gentry Boulevard.

UDO Modifications

A request for final site plan approval for property located at 2460 Morris Gentry Boulevard, west of the corner of Murfreesboro Pike and Morris Gentry Boulevard, zoned CS and located within the Murfreesboro Pike Urban Design Overlay District (2.18 acres), to permit commercial use.

EXISTING ZONING

Commercial Service (CS) is the underlying base zoning and is intended to provide opportunities for a diverse range of commercial uses that include retail trade and consumer services, automobile sales and repair, small scale custom assembly, restaurants, entertainment and amusement establishments, financial, consulting, and administrative services.

Murfreesboro Pike Urban Design Overlay (UDO) is an overlay intended to foster suburban development that is pedestrian friendly while enhancing its context with new buildings and spaces that are developed along Murfreesboro Pike.

PLAN DETAILS

The office building is proposed on a site surrounded by commercial services on the north, west, and east. Morris Gentry Boulevard, the only street that the property fronts, encloses the site to the south. The site is situated approximately 162 feet due west from the intersection of Murfreesboro Pike and Morris Gentry Boulevard. The site is surrounded by a gas station, a fast-food restaurant, and a self-storage center along Murfreesboro Pike, and a martial arts school to the west of the site. The proposed building is approximately 8,610 square feet.

MODIFICATION REQUEST DETAILS

The proposal is requesting two modifications – a minor modification and a major modification. The minor modifications are deviations of 20 percent or less and may be approved by the Planning Commission's designee. Major modifications – deviations of over 20 percent or more – must be approved by the Planning Commission.

1) UDO Requirement: A requests a minimum of 45% of the lot frontage must be occupied by a building. The total length of the building frontage is 221 feet wide, so the required façade length is 99.45 feet.

Minor Modification Request: The proposed façade length is 71.83 feet, a 12% reduction from the required façade length.

2) UDO Requirement: The required front yard setback on the primary street, Morris Gentry Boulevard, for commercial use shall be within 0-80 feet.

Major Modification Request: The proposed setback is 126 feet, a deviation of 39% of the required setback range.

ANALYSIS

1) Façade Width Along Morris Gentry Boulevard

The intent of the UDO's façade width requirement is to frame the street with buildings and activity at a setback that is suburban in nature. The requirement is intended to give passersby an opportunity to engage with the street and the building. The site's shape is narrow, having more length, 454 feet, than width, 221 feet. The proposed building's façade width is 71.83 feet, which is a 12% reduction from the required façade length. The proposed design places the building's longer façade, 125 feet, parallel to the site's length. The applicant anticipates future expansion, and the proposed orientation allows greater flexibility for expansion. If the building is rotated 90 degrees to meet the requirement, the applicant would be limited in expanding for future demand.

2) Front Yard Setback Requirement along Morris Gentry Boulevard

The intent of the front yard setback requirement along a primary street frontage, in this instance Morris Gentry Boulevard, is to ensure people engage and may access a building and its services directly. The site's topography, specifically its shallow bedrock and the required location of the stormwater management, contribute to the building being set back beyond the required range of 0-80 feet.

STAFF RECOMMENDATION

Due to the configuration of the subject property and required stormwater design, staff recommends approval of the minor modification of the façade width requirement, and the major modification of the front yard setback requirement along Morris Gentry Boulevard for the Murfreesboro Pike Urban Design Overlay.

CONDITIONS

1. Approval of the major modification is specific to these plans. If site layout, building design, etc. change prior to building permits, and the major modification remains necessary, the major modification may need to be reconsidered by the Metro Planning Commission.
2. Right-of-Way dedication shall be recorded prior to a building permit approval.

Approve minor modification of façade width along Morris Gentry Boulevard and a major modification to the front yard setback from Gentry Boulevard with conditions. (7-0)

Resolution No. RS2022-285

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013UD-002-039 is approved. minor modification of façade width along Morris Gentry Boulevard and major modification to the front yard from Morris Gentry Boulevard with conditions. (7-0)

CONDITIONS

1. Approval of the major modification is specific to these plans. If site layout, building design, etc. change prior to building permits, and the major modification remains necessary, the major modification may need to be reconsidered by the Metro Planning Commission.
2. Right-of-Way dedication shall be recorded prior to a building permit approval.

**26. 2022S-184-001
CHARLOTTE WESTSIDE SUBDIVISION**

Council District 22 (Gloria Hausser)
Staff Reviewer: Jason Swaggart

A request for final plat approval to create eight lots on properties located at 7533 and 7545 Charlotte Pike, approximately 490 feet northeast of Woodland Way, zoned R15 (4.4 acres), requested by James L. Terry, applicant; James R. Bryan ETUX and ICG Development, LLC, owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Request for final plat approval to create eight lots.

Final Plat

A request for final plat approval to create eight lots on properties located at 7533 and 7545 Charlotte Pike, approximately 490 feet northeast of Woodland Way, zoned One and Two-Family Residential R15 (4.4 acres).

SITE DATA AND CONTEXT

Location: The site consists of two properties. Both are located on the south side of Charlotte Pike between Sawyer Brown Road to the east and Woodland Way to the west.

Street type: The site has frontage on Charlotte Pike. The Major and Collector Street Plan (MCSP) classifies this stretch of Charlotte Pike as a residential arterial.

Approximate Acreage: 4.4 acres or approximately 191,664 square feet.

Parcel/Site History: This site is comprised of two parcels. The parcels were created in 1946.

Zoning History: The parcels have been zoned R15 since at least 1998.

Existing land use: Metro records classifies both properties as single-family.

Surrounding land use and zoning:

- North: Single-Family/R40
- South: Religious Institution/R15
- East: Religious Institution/R15
- West: Religious Institution/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: 8 (Lot 1 and 2 permits a duplex)

Lot sizes: Lots range in size between 15,153 square feet and 59,726 square feet.

Access: Access is provided from Charlotte Pike. The plat provides shared access by a single drive for lots 1-5. The existing house is to remain on lot 8 and is permitted to use the existing drive. A total of two drives are permitted for the eight lots.

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 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:

- 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. All eight lots front Charlotte Pike, an existing public street.
- c. *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 lots exceed the minimum frontage requirement of 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 dedicated per the Major and Collector Street Plan 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

With all staff conditions, the proposed eight lots meet all zoning and subdivision requirements.

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.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Ensure site driveways are meeting code requirements on proximity to other driveways 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.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Ensure site driveways are meeting code requirements on proximity to other driveways 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.

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-184-001 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. (7-0)

Resolution No. RS2022-286

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-184PR-001 is approved with conditions. (7-0)

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.

27. 2022S-211-001

LOT 41 MAP OF KENMORE PLACE

Council District 07 (Emily Benedict)

Staff Reviewer: Dustin Shane

A request for final plat approval to shift lot lines on properties located at 1203 McGavock Pike and 1195 Kenmore Place, at the northeast corner of Baxter Court and McGavock Pike, zoned RS7.5 (1.3 acres), requested by Clint Elliott Survey, applicant; Caleb Huey, Caitlin Reilly, L.A.N.D.Group, LLC, owners.

Staff Recommendation: Approve with conditions and find Lots 1 and 2 provide for harmonious development.

APPLICANT REQUEST

Final plat to create two single-family residential lots.

Final Plat

A request for final plat approval to shift lot lines on properties located at 1203 McGavock Pike and 1195 Kenmore Place, at the northeast corner of Baxter Court and McGavock Pike, zoned Single-Family Residential (RS7.5) (1.3 acres).

SITE DATA AND CONTEXT

Location: North of McGavock Pike and west of Kenmore Court.

Street Type: The site has frontage along McGavock Pike and Kenmore Court. McGavock Pike is classified as an arterial boulevard (T4-R-AB2) and Kenmore Court is a local street.

Approximate Acreage: 1.283 acres or 55,929 square feet.

Parcel/Site History: The site is comprised of two parcels (Map 072-06, Parcels 315 and 395). Parcel 315 was created by deed in 1962 and Parcel 395 was created by plat in 2021.

Existing land use and configuration: Two parcels. There is an existing brick home on Parcel 315. Parcel 395 is vacant residential land. The existing home is noted to remain.

Surrounding land use and zoning:

North: Single-Family Residential (RS7.5)
South: One and Two-Family residential (R8)
East: Single-Family Residential (RS7.5)
West: Single-Family Residential (RS7.5)

Zoning: Single-Family Residential (RS7.5)

Min. lot size: 7,500 square feet

Max. height: 3 stories

Min. street setback: 40'

Min. rear setback for all properties: 20'

Min. side setback for all properties: 5'

Maximum Building Coverage: 0.45

Zoning History: The zoning is RS7.5. The RS7.5 zoning district was established in 1998. Prior to the RS7.5 zoning, the parcel was zoned R8.

PROPOSAL DETAILS

Number of lots: Two (2)

Lot sizes:

Lot 1: 46,154 sq. ft.

Lot 2: 9,775 sq. ft.

Access: All lots have direct access to either McGavock Pike or Kenmore Court.

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 T3 Suburban Neighborhood Maintenance (T3 NM) policy. For sites within the 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. Staff finds that all general requirements, aside from compatibility, are met.

3-2 Monument Requirements

Permanent monuments, in accordance with this section of the regulations, shall be placed in all subdivisions when new streets are to be constructed.

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 proposed lots comply with the minimum lot size of the RS7.5 zoning district. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of RS7.5 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.

3-5.2 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.

- d. *All minimum standards of the zoning code are met.*
All proposed lots meet the minimum standards of the zoning code.
- e. *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.*
All lots have frontage along McGavock Pike or Kenmore Court.
- f. *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 RS7.5 zoning district and its prescribed density.
- g. *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.*

Lot 1 does not meet the frontage requirements along McGavock Pike as it is smaller than the smallest lot frontage outlined in the table below; however, it does exceed 70% of the average size of the surrounding parcels. Lot 2 meets the frontage requirements of the surrounding parcels.

Lot 1 Frontage	
Proposed Frontage	100 ft
Smallest Frontage	145.93 ft
70% Average	102.15 ft

Lot 2 Frontage	
Proposed Frontage	69.79 ft
Smallest Frontage	65 ft.
70% Average	45.5 ft

- 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.*

Lot 1 meets the lot size requirements along McGavock Pike. Lot 2 does not meet the lot size requirements along Kenmore Court as it is smaller than the smallest lot size outlined in the table below; however, it does exceed 70% of the average size of the surrounding parcels:

Lot 1 Area	
Proposed Size	46,154 sf
Smallest Size	26,571.6 sf
70% Average	18,600.12 sf

Lot 2 Area	
Proposed Size	9,775 sf
Smallest Size	11,325.6 sf
70% Average	7,988.9 sf

- 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.* 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 orientations of proposed Lots 1 and 2 are consistent with the surrounding parcels along McGavock Pike and Kenmore Court.
- h. *The current standards of all reviewing agencies are met.*
All agencies have recommended approval or approval with conditions.
- i. *If the proposed subdivision meets subsections a, b, c and e of this section but fails to meet subsection d, the Planning Commission, following a public hearing in accordance with the Planning Commission Rules and Procedures, may*

consider whether the subdivision can provide for the harmonious development of the community by otherwise meeting the provisions of TCA 13-4-303(a). In considering whether the proposed subdivision meets this threshold, the Commission shall specifically consider the development pattern of the area, any unique geographic, topographic and environmental factors, and other relevant information. The Commission may place reasonable conditions, as outlined in Section 3-5.6, necessary to ensure that the development of the subdivision addresses any particular issues present in an infill subdivision and necessary to achieve the objectives as stated in TCA 13-4-303(a). Because the existing Lot 1 does not currently meet the minimum lot frontage requirement, and this application merely shifts the property line between Lots 1 and 2 interior to the lots, this request will not change the character of the neighborhood, even if the resulting Lot 1 will remain short of the minimum required lot frontage requirement. However, the lot line shift will result in Lot 2 now not meeting the minimum lot size requirement. The proposed configuration of property shapes and sizes is confined to the rear of the two properties, though, and no alteration will be visible from the public ROW. These factors could form the basis for a positive judgment by the Planning Commission that the proposed lots are generally consistent with the surrounding context and the adopted policy for the area and provide for harmonious development.

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.

Not applicable to this case.

3-5.4 Criteria for Determining Compatibility for Designated Historic Districts.

Not applicable to this case.

3-5.5 Infill Subdivision Frontage

Not applicable to this case.

3-5.6 Reasonable Conditions

Staff is not proposing any special conditions.

3-6 Blocks

No changes to the existing block structure are proposed with the subdivision.

3-9 Requirements for Streets

McGavock Pike and Kenmore Court are existing public streets. Public street requirements are reviewed by Metro Public Works. Public Works has reviewed the plat and found it in compliance with the standards of this section subject to the condition that any new driveway must be approved by Public Works

3-10 Requirements for Dedication, Reservations, or Improvements

A right-of-way dedication of 5 feet required along McGavock Pike to meet the ROW width requirements established by the Major and Collector Street Plan was accomplished with an earlier dedication. No further dedications are required.

3-11 Inspections During Construction

This section is applicable at the time of construction, which for this proposed subdivision, will occur only after approval of a final site plan by all reviewing agencies. Any required public infrastructure must be inspected and accepted for dedication prior to recording of a final plan, or the applicant may choose to post a bond securing the required public improvements.

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

No new street names are proposed with this plan. Metro Public Works or Metro Traffic and Parking are not requiring any warning signs or other signs.

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

Not applicable to this case. The proposal does not include private streets.

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 provided to this site by Metro Water. Water has reviewed this plat and has recommended approval with conditions. These conditions are listed in the recommendations from all agencies section below.

3-16 Sewerage Facilities

Public sewer is available to this site from Metro Water Services. Water Services has reviewed the plat and found it to be in compliance with all requirements of this section subject to conditions. Those conditions are listed in the recommendations from all agencies section below.

3-17 Underground Utilities

Utilities will not be required to be located underground for the proposed lots as they are along an existing street.

PLANNING STAFF COMMENTS

The proposed subdivision including all staff conditions meets the standards of the Metro Subdivision Regulations and Metro Zoning Code if the Planning Commission finds that Lots 1 and 2 can provide for harmonious development.

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 Urban Neighborhood Maintenance (T4 NM). T4 areas are urban neighborhoods characterized by their moderate- to high-density residential development pattern, building form/types, setbacks, and building rhythm along the street. T4 NM areas are intended to experience some changes over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. High levels of connectivity with street networks and sidewalks are a key feature of T4 NM areas. Lot sizes within the broader policy can vary, and zoning districts ranging from RS3.75 up to RM20-A are supported depending on context.

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 NDOT. Adequate sight distance must be provided per AASHTO for new driveway connections.

TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions if the Planning Commission finds Lots 1 and 2 can provide for harmonious development.

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. After approval, submit the corrected mylar or vellum copy of the plat reflecting all Conditions of Approval, with name printed under signatures and dates from property owner(s) and surveyor, one paper copy, a CD with the electronic copy of the plat (.dwg) saved on it, and recordation fee, to Planning.
3. 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-211-001 with conditions if the Planning Commission finds that the subdivision meets the infill requirements per Section 3.5 of the Metro Subdivision Regulations based on the determination that Lots 1 and 2 can provide for harmonious development.

Approve with conditions and find Lots 1 and 2 provide for harmonious development. (7-0)

Resolution No. RS2022-287

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-211-001 is approved with conditions and Lots 1 and 2 provide for harmonious development. (7-0)

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. After approval, submit the corrected mylar or vellum copy of the plat reflecting all Conditions of Approval, with name printed under signatures and dates from property owner(s) and surveyor, one paper copy, a CD with the electronic copy of the plat (.dwg) saved on it, and recordation fee, to Planning.
3. 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.

28. 2022S-241-001

PARKWOOD ESTATES

Council District 03 (Jennifer Gamble)

Staff Reviewer: Logan Elliott

A request for final plat approval to remove reserve parcel status on property located at Stockdale Lane (unnumbered), approximately 29 feet west of Hawkwood Lane, zoned RS7.5 (0.25 acres), requested by Clint Elliott Survey, applicant; Kimberly S. Tucker, owner.

Staff Recommendation: Approve with conditions including an exception to the double frontage standards of the Subdivision Regulations.

APPLICANT REQUEST

Request for final plat approval to remove the reserve status from one parcel.

Final Plat

A request for final plat approval to remove reserve parcel status on property located at Stockdale Lane (unnumbered), approximately 29 feet west of Hawkwood Lane, zoned Single-Family Residential (RS7.5) (0.25 acres).

SITE DATA AND CONTEXT

Location: The property is located within the Parkwood Estates subdivision adjacent to Briley Parkway in the Parkwood area.

Street type: The site has frontage onto Stockdale Lane and Hawkwood Lane, both local streets.

Approximate Acreage: 0.25 acres or approximately 10,890 square feet.

Parcel/Site History: This site is in the Parkwood Estates Subdivision and was recorded in 1962. The site consists of a single reserve parcel. Because of the reserve status, no building permit can be issued on the parcel. The 1962 plat does not indicate why the reserve tract was put in place so the Planning Commission must approve the removal of the reserve status to make the parcel a buildable lot.

Zoning History: The property has been zoned RS7.5 since 1998.

Existing land use and configuration: The property is currently vacant.

Surrounding land use and zoning:

- North: Single-Family Residential (RS7.5)
- South: Single-Family Residential (RS7.5)
- East: Single-Family Residential (RS7.5)
- West: Single-Family Residential (RS7.5)

Zoning: Single-Family Residential (RS7.5)

Min. lot size: 7,500 square feet

Max. building coverage: 0.45

Min. rear setback: 20'

Min. side setback: 5'

Max. height: 3 stories

Min. street setback: Contextual per Zoning Code

PROPOSAL DETAILS

Number of lots: 1

Lot sizes: 0.25 acres or approximately 10,890 square feet.

Access: The lot has access onto Stockdale Lane and onto Hawkwood Lane, a residential local street. Vehicular access will be determined by the Codes Department at time of building permit.

Subdivision Variances or Exceptions Requested: The proposed lot would require an exception from the Planning Commission for creating a single-family lot with frontage onto two local streets per the following section of the Metro Nashville Subdivision Regulations:

Double Frontage Lots. Creation of attached and detached single-family lots with double frontage shall be prohibited. Exceptions may be granted by the Planning Commission where necessary to provide access to residential development from other than arterial or collector streets, or to overcome specific disadvantages of topography and orientation.

Staff finds the proposed lot to satisfy the requirement that the proposed double frontage situation is necessary to provide access to residential development from other than arterial or collector streets and recommends granting the exception.

APPLICABLE SUBDIVISION REGULATIONS

Chapter 2-8, Miscellaneous Platting Situations, apply to this request. Section 2-8.1, pertains to converting parcels to building sites. The Commission is required to review parcels being converted to building sites. An exception to this is when a parcel is in reserve due to pending action by a public utility to provide service to the parcel and the reason is stated on the plat that created the reserve parcel. In this event where the reason is stated in the plat, the review can be done at an administrative level with all reviewing agency approvals.

When determining if the reserve status should be removed from parcels where the plat does not cite why the parcel is in reserve, the regulations require the Commission consider the following:

1. That the parcel fits into the character of the area and is consistent with the general plan.
2. That all minimum standards of the zoning code are met.
3. That the parcel has street frontage or meets the requirements of Section 3-4.2.b or meets the requirements of Sections 3-4.2.b, 3-4.2.c, 4-6.3 or 5- 3.1.
4. That the current standards of all reviewing agencies are met.

Staff finds that the subject reserve parcel meets the four requirements to become a buildable lot.

PLANNING STAFF COMMENTS

As proposed, the reserve parcel meets 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 with conditions

- Water & Sanitary Sewer Capacity fees must be paid before issuance of building permits.

STAFF RECOMMENDATION

Staff recommends approval with conditions including an exception to the double frontage requirements of the Subdivision Regulations.

CONDITIONS

- 3. Comply with all conditions and requirements of Metro reviewing agencies.
- 4. 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-241-001 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 double frontage standards of the Subdivision Regulations. (7-0)

Resolution No. RS2022-288

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-241-001 is approved with conditions including an exception to the double frontage standards of the Subdivision Regulations. (7-0)

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.

**29. 2022S-242-001
RESUBDIVISION LOT 1 ON PLAN OF RESUBDIVISION OF
E.A. CLIFTON LAND**

Council District 01 (Jonathan Hall)
Staff Reviewer: Abbie Rickoff

A request for final plat approval to create one lot on property located at 4632 Whites Creek and a portion of property located at 4630 Whites Creek Pike, approximately 1,600 feet south of Shellbark Drive, zoned RS15 and AR2a (3.13 acres), requested by Brian McCain, applicant; William Arthur Smotherman, III, and William Thompson, Jr., owners.

Staff Recommendation: Approve with conditions including a variance from Section 4-2.5.a.1.a, Section 4-2.5.1.1.b and Section 4-2.5.a.1.c of the Metro Subdivision Regulations.

APPLICANT REQUEST

Request for final plat approval to create one lot.

Final Plat

A request for final plat approval to create one lot on property located at 4632 Whites Creek and a portion of property located at 4630 Whites Creek Pike, approximately 1,600 feet south of Shellbark Drive, zoned Single-Family Residential (RS15) and Agricultural/Residential (AR2a) (3.13 acres).

SITE DATA AND CONTEXT

Location: The site is located on the west side of Whites Creek Pike, approximately 0.5 miles north of the intersection of Whites Creek Pike and Old Hickory Boulevard.

Street type: The site has frontage on Whites Creek Pike, identified as a scenic arterial boulevard by the Major and Collector Street Plan (MCSP) with an existing right-of-way width of 60 feet.

Approximate Acreage: 3.13 acres or approximately 136,721 square feet.

Parcel/Site History: This site is comprised of one existing lot that was platted in 1997 and a portion of an adjacent parcel that was created by deed in 2001. The existing lot comprises approximately 0.69 acres. The remainder of the 3.13-acre site comprises a small portion of a much larger parcel, situated on approximately 128.31 acres.

Zoning History: The site is located in two zoning districts. The northern portion has been zoned RS15, Single-Family Residential, since 1996. The RS15-zoned portion comprises approximately 0.80 acres and includes the existing platted lot and a small area to the south. The remaining area to the south, comprising approximately 2.33 acres, has been zoned AR2a, Agricultural/Residential, since at least 1974.

Existing land use and configuration: The northern lot has previously developed with a single-family residence and several accessory structures that are oriented towards Whites Creek Pike. The southern portion, which is part of the larger parcel, is undeveloped except for an existing driveway that extends from Whites Creek Pike to the north, providing access to the existing residence. Earthman Fork Creek runs partially through this site and includes areas in the floodway, floodplain, and associated stormwater regulation buffers. The existing structures are located within areas of the

floodplain but are located outside of the floodway.

Surrounding land use and zoning:

- North: Single-Family Residential (RS40)
- South: Single-Family Residential (AR2a and RS10)
- East: Single-Family Residential (AR2a)
- West: Vacant (RS10)

Zoning:

Single-Family Residential (RS15)

Min. lot size: 15,000 square feet

Max. building coverage: 0.35

Min. rear setback: 20'

Min. side setback: 10'

Max. height: 3 stories

Min. street setback: 40'

Agricultural/Residential (AR2a)

Min. lot size: 2 acres

Max. building coverage: 0.20

Min. rear setback: 20'

Min. side setback: 20'

Max. height: 3 stories

Min. street setback: 40'

PROPOSAL DETAILS

Number of lots: 1. The plat proposes to combine the already-developed existing 0.69-acre lot with a portion of an adjacent property located to the south. The adjacent property, comprising approximately 128.31 total acres, fronts Whites Creek Pike and extends to the west, beyond Earthman Fork Creek, and to the south along Old Hickory Boulevard. A small portion of this parcel, located between Whites Creek Pike and Earthman Fork Creek, comprising approximately 2.44 acres, is proposed to be included in the new lot. The remainder of this parcel, located behind the creek, is not included in this request. All existing structures are identified to be retained on the proposed lot.

Lot sizes: Lot 1 is proposed to be approximately 3.13 acres (136,721 square feet).

Access: Access is currently provided from Whites Creek Pike, a scenic arterial boulevard identified by the MCSP, via an existing driveway that connects from the southern parcel to the existing residence on northern lot. Access is not proposed to change with the proposed plat. The plat identifies areas of right-of-way reservation and a scenic landscape easement along the frontage, consistent with the requirements for scenic arterials.

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 Countryside (T2 RCS) policy and Conservation (CO) 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.

Not applicable, as no new streets or joint access easements are proposed.

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.

Not applicable, as no new streets or joint access easements are proposed.

4-2.3 *Development Footprint.* The remaining land outside of the boundary of the Primary Conservation Land shall be designed as the Development Footprint. A preliminary grading plan is required with all concept plan applications.

Not applicable, as no new streets or joint access easements are proposed.

4-2.3 *Building Placement.* In subdivisions without new streets or joint access easements, any subdivision application shall note proposed building envelopes.

The site has previously been developed with a residential use and several accessory structures. Existing building envelopes have been shown on the plat.

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.

- a. *Building Setback along existing public streets.*

Does not comply. The building setbacks are required to be varied, and a minimum setback line is required to be platted when the average setback of abutting parcels is more than the minimum required street setback established by the zoning. The average front setback of the abutting parcels is approximately 126.25 feet, greater than the 40-foot minimum required setback required by the Zoning Code. The existing building setback at Lot 1 is approximately 27 feet. Proposed Lot 1 does not comply with the minimum 126.25-foot minimum setback requirement.

- b. *Lot Depth along existing public streets.*

Does not comply. The minimum depth for lots along existing public streets shall be the building setback required by Sec 4-2.5(a) plus 300 feet. This provision requires an approximate 426.25-foot lot depth for the proposed lot. As proposed, the average depth of proposed Lot 1 is approximately 203 feet. Lot 1 does not comply with the 426.25-foot minimum lot depth.

- c. *Lot size along existing public streets.*

Does not comply. A compatibility analysis was conducted per this requirement. Minimum 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 the smallest of the surrounding parcels, whichever is greater. The outcome of the analysis is that the minimum lot size required for the proposed lot is approximately 3.83 acres, or 166,835 square feet. Lot 1 is proposed to be 3.13 acres, or 136,721 square feet, and does not comply with the 3.83-acre minimum lot size.

- d. *Lot frontage abutting existing public streets.*

Complies. A compatibility analysis was conducted per this requirement. The outcome of the analysis is that the minimum lot frontage along Whites Creek Pike required for Lot 1 is approximately 137.61 feet. The frontage of Lot 1 is proposed to be approximately 688.31 feet, which exceeds the minimum 137.61-foot minimum requirement. Lot 1 complies with the minimum 137.61-foot minimum requirement

- e. *Street lights.*

Not applicable to this case.

- f. *Cluster lot option.*

Not applicable to this case.

Subdivision Variances or Exceptions Requested: Yes. This request requires a variance from Section 4-2.5.a.1.a (minimum building setback), Section 4-2.5.a.1.b (minimum lot depth), and Section 4-2.5.a.1.c (minimum lot size).

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

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

Variance Analysis

Variance Request #1

Section 4-2.5.a.1.a requires that the minimum building setback along existing public street be platted when the average setback of abutting parcels (126.25 feet, in this case) is more than the minimum required street setback established by the zoning (40 feet). In this case, the proposed lot has previously developed with a single-family structure and multiple accessory structures, including a carport that is located closer to the front of the property than the primary residence. The front setback would therefore be measured to the front of the existing carport, which contains an approximate 27-foot building setback, rather than to the front of the existing residential structure, which sits back towards the rear of the property with an approximate building setback of 166 feet. While the existing 166 foot-setback of the primary residential structure exceeds the minimum requirement, it would not be possible for Lot 1 to comply with the minimum 126.25-foot building setback unless the existing, previously developed carport was removed from the site. Staff finds that the existing setback does not conflict with the intent of the Rural Subdivision Regulations and meets all the requirements for the Commission to grant the variance.

Variance Request #2

Section 4-2.5.a.1.b requires that the minimum lot depth along existing public streets be 300' plus the required front setback. In this case, the minimum required lot depth is 426.25 feet. As proposed, the average depth of the proposed lot will be approximately 203 feet. In this case, the centerline of Earthman Fork Creek forms the western boundary of the site and the majority of the surrounding developed properties in the area, creating a natural barrier between the creek and properties fronting Whites Creek Pike. The location of the creek has resulted in a development pattern of shorter lot depths along this stretch of Whites Creek Pike, including at this site where the existing platted lot, in its current form, would not comply with the 426.25-foot minimum depth requirement. The plat is simply proposing to continue this natural barrier to the south, aligning with the rear boundary of adjacent properties to the south. The end result would be in keeping with the existing character established along the east side of Earthman Fork Creek. Staff finds that the proposed depth does not conflict with the intent of the Rural Subdivision Regulations and meets all the requirements for the Commission to grant the variance.

Variance Request #3

Section 4-2.5.a.1.c requires the minimum lot size along existing public streets be equal to or greater than 70% of the average size of surrounding parcels or equal to or greater than the smallest, whichever is greater. In this case, the minimum required lot size is approximately 3.83 acres or 166,835 square feet. The proposed lot is 3.13 acres, less than the minimum requirement. However, the existing platted lot, in its current form, is 0.69 acres and does not comply with the minimum lot size requirement. The lot, as proposed, will become larger with the additional area added from the adjacent parcel to the south, resulting in a new 3.13-acre lot. Additionally, the proposed lot size is larger than nearly all of the surrounding parcels except for one outlier that is significantly larger than the rest of the surrounding parcels. Staff finds that the proposed lot size does not conflict with the intent of the Rural Subdivision Regulations and meets all the requirements for the Commission to grant the variance.

PLANNING STAFF COMMENTS

Staff finds that the proposed subdivision is consistent with the intent of the Rural Subdivision Regulations. The proposed lot will increase the size of an already-developed lot, where the existing structures will be retained. The rear boundary is in keeping with the natural barrier established by Earthman Fork Creek, preserving the integrity of the existing stream corridor. Furthermore, staff finds that the variances necessary to permit the proposed subdivision are appropriate and meet the standards for the Commission to approve the variance requests.

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 Rural Countryside (T2 RCS) and Conservation (CO). T2 Rural neighborhoods are intended to maintain rural character as a permanent choice for living within Davidson County and not as a holding or transitional zone for future urban development. In T2 Rural areas that include Conservation policy, the primary intent is to preserve the natural features.

T2 RCS areas have an established development pattern of very low-density residential development, secondary agricultural uses, and institutional land uses. The policy speaks to maintaining the area's natural landscape. Individual lot sizes can vary, reflecting the diversity of rural character and minimum lot size requirements permitted by existing zoning in place prior to the adoption of the Rural policy. New development in T2 RCS areas generally does not exceed 1 dwelling unit/5 acres with individual lots no smaller than the existing zoning and a significant amount of permanently preserved open space. Supported zoning districts include AR2a and AG, or design-based zoning, depending on the context.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION
Approve

STORMWATER RECOMMENDATION
Approve

NASHVILLE DOT RECOMMENDATION
Approve with conditions

- Whites Creek Pike - (MCSP: T2-R-AB2-S; Right-of-way width - 83'). Identify a right-of-way reservation 43' from centerline toward the property boundary.

TRAFFIC AND PARKING RECOMMENDATION
Approve

WATER SERVICES RECOMMENDATION
Approve

- As all our previous comments have been addressed on the latest plat revision (stamped received 9/21/2022), MWS recommends approval.

STAFF RECOMMENDATION

Staff recommends approval with conditions including a variance from Section 4-2.5.a.1.a, Section 4-2.5.a.1.b, and Section 4-2.5.a.1.c of the Metro Subdivision Regulations.

CONDITIONS

1. On the corrected copy, correct the name of the creek: Earthman Fork Creek.
2. On the corrected copy, display the RS15 and AR2a zoning labels to align with the actual zoning boundaries.
3. On the corrected copy, update the Note # displayed next to the scenic easement label on the face of the lot: "See Note #13" (not Note #14).
4. Any critical lots shall be subject to the applicable development standards of Sections 17.28.030 of the Zoning Code and the critical lot plan requirements of the Subdivision Regulations.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. After approval, submit the corrected mylar or vellum copy of the plat reflecting all Conditions of Approval, with name printed under signatures and dates from property owner(s) and surveyor, one paper copy, a CD with the electronic copy of the plat (.dwg) saved on it, and recordation fee, to Planning.
7. If the property is owned by a corporation, LLC, LLP, company, is represented by an executor, etc. then the authorized individual's printed name and signature, and title, must be provided underneath the company/owner's name in the Owner's Certificate. You'll also need to submit a letter(s) on each company's letterhead or documentation that the individual is authorized on behalf of the entity.
8. 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-242-001 with conditions including a variance from Section 4-2.5.a.1.a, Section 4-2.5.a.1.b, and Section 4-2.5.a.1.c of the Metro Subdivision Regulations, 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 a variance from Section 4-2.5.a.1.a Section 4-2.5.1.1.b and Section 4-2.5.a.1.c of the Metro Subdivision Regulations. (7-0)

Resolution No. RS2022-289

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-242-001 is approve with conditions including a variance from Section 4-2.5.a.1.a Section 4-2.5.1.1.b and Section 4-2.5.a.1.c of the Metro Subdivision Regulations. (7-0)

CONDITIONS

1. On the corrected copy, correct the name of the creek: Earthman Fork Creek.
2. On the corrected copy, display the RS15 and AR2a zoning labels to align with the actual zoning boundaries.
3. On the corrected copy, update the Note # displayed next to the scenic easement label on the face of the lot: "See Note #13" (not Note #14).
4. Any critical lots shall be subject to the applicable development standards of Sections 17.28.030 of the Zoning Code and the critical lot plan requirements of the Subdivision Regulations.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. After approval, submit the corrected mylar or vellum copy of the plat reflecting all Conditions of Approval, with name printed under signatures and dates from property owner(s) and surveyor, one paper copy, a CD with the electronic copy of the plat (.dwg) saved on it, and recordation fee, to Planning.
7. If the property is owned by a corporation, LLC, LLP, company, is represented by an executor, etc. then the authorized individual's printed name and signature, and title, must be provided underneath the company/owner's name in the Owner's Certificate. You'll also need to submit a letter(s) on each company's letterhead or documentation that the individual is authorized on behalf of the entity.
8. 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. Employee contract amendment for Dianna Tomlin & Abbie Rickoff.

Resolution No. RS2022-290

"BE IT RESOLVED by The Metropolitan Planning Commission that the Employee contract amendment for Dianna Tomlin & Abbie Rickoff is **approved. (7-0)**

31. Employee contract renewal for Jason Swaggart.

Resolution No. RS2022-291

"BE IT RESOLVED by The Metropolitan Planning Commission that the Employee contract renewal for Jason Swaggart is **approved. (7-0)**

32. New employee contract for Austin Fernandez & Josey Rabare.

Resolution No. RS2022-292

"BE IT RESOLVED by The Metropolitan Planning Commission that the New Employment Contract for Austin Fernandez & Josey Rabare is **approved. (7-0)**

33. Adoption of 2023 Planning Commission Calendar.

Resolution No. RS2022-293

"BE IT RESOLVED by The Metropolitan Planning Commission that the Adoption of 2023 Planning Commission Calendar is **approved. (7-0)**

34. Historic Zoning Commission Report
35. Board of Parks and Recreation Report
36. Executive Committee Report
37. Accept the Director's Report

Resolution No. RS2022-294

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

38. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

October 27, 2022

MPC Meeting

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

November 10, 2022

MPC Meeting

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

December 8, 2022

MPC Meeting

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

J: ADJOURNMENT

The meeting adjourned at 5:58 p.m.