



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

October 27, 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:

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

Commissioners Absent:

Brian Tibbs
Jim Lawson

Staff Present:

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

Lucy Alden Kempf

Secretary and Executive Director, Metro Planning Commission

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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](#)

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Writing to the Commission

Comments on any agenda item can be mailed, hand-delivered, faxed, or emailed to the Planning Department by 2 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.

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

Legal Notice

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



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MEETING AGENDA

A: CALL TO ORDER

The meeting was called to order at 4:02 p.m.

B: ADOPTION OF AGENDA

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

C: APPROVAL OF OCTOBER 6, 2022 & OCTOBER 13, 2022 MINUTES

Ms. Blackshear moved and Mr. Haynes seconded the motion to approve the meeting minutes of October 6, 2022 and October 13, 2022. (7-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Hall agreed with Items 6 and 7 being recommended for deferral. He spoke in favor of Items 31a and 31b.

Councilmember Syracuse asked the Commission to approve Item 23 at this time but will be back with a new tool in the future.

Mr. Henley joined the meeting.

Councilmember Murphy spoke about the Tree Preservation Legislation and the process.

Councilmember Cash spoke in favor of Item 21 and clarified language to the Primrose Urban Design Overlay.

Councilmember Rosenberg spoke in favor of Items 11 and 20.

Councilmember Parker spoke in favor of Item 13.

E: ITEMS FOR DEFERRAL / WITHDRAWAL 1, 2, 3, 4, 5, 6, 7, 9, 12a, 12b, 16, 24, 36, 37

Ms. Milligan stated Ms. Blackshear recused herself from Items 12a and 12b.

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

F: CONSENT AGENDA ITEMS 38, 42

Ms. Milligan stated Ms. Blackshear recused herself from Item 15.

Director Kempf recognized and thanked all involved for their work with the Major and Collector Street Plan and for the accomplishments of a proposal for right-of-way to meet the needs of the city and midtown area. She said she hopes to continue to do work to benefit all who access the goods and services through and around midtown and elsewhere.

Chairman Adkins said he was extremely impressed with the team.

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

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

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

G: ITEMS TO BE CONSIDERED

1. 2016SP-024-005
MCGAVOCK HOUSE SP (AMENDMENT)

Council District 05 (Sean Parker)
Staff Reviewer: Amelia Lewis

A request to amend a Specific Plan on property located at 901 and 903 Meridian St & 307 and 309 Cleveland St, at the northeast intersection of Cleveland Street and Meridian Street (1.35 acres), zoned SP, to permit a new hotel structure and increase the number of permitted hotel rooms from 35 to 54, requested by Fulmer Lucas Engineering, applicant; Invent Communities, owner.

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

The Metropolitan Planning Commission deferred 2016SP-024-005 to the November 10, 2022, Planning Commission meeting. (8-0)

2. 2022SP-040-001
2635 GALLATIN AVE DOG DAYCARE

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

On Consent: No
Public Hearing: Open

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 November 10, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-040-001 to the November 10, 2022, Planning Commission meeting. (8-0)

3. 2022SP-065-001
BARNES ROAD SP

Council District 31 (John Rutherford)
Staff Reviewer: Donald Anthony

On Consent: No
Public Hearing: Open

A request rezone from AR2a to SP zoning on properties located at 1094, 1098, 1104, and 1110 Barnes Road and Barnes Road (unnumbered), approximately 36 feet east of Sidney Drive, (54.05 acres), to permit 16 single family units and 136 detached multi-family units, requested by Dale & Associates, applicant; Stonewall Jackson, Stonewall Jackson Jr., Ralph M Wair Sr. and Lisa M. Wair, Ralph M. Wair, owners.

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

The Metropolitan Planning Commission deferred 2022SP-065-001 to the November 10, 2022, Planning Commission meeting. (8-0)

4. 2022SP-069-001

2400 ELLISTON PLACE SP

Council District 21 (Brandon Taylor)

Staff Reviewer: Dustin Shane

A request to rezone from MUG-A to SP zoning for properties located at 2400 Elliston Place, 207 and 209 24th Avenue North, and 206 Reidhurst Avenue, at the corner of Elliston Place and 24th Avenue North, (1.38 acres), to permit 350 multi-family residential units and 12,500 square feet of commercial use, requested by Catalyst Design Group, applicant; Lorlyn, LLC, RMRTN, LLC, owners.

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

The Metropolitan Planning Commission deferred 2022SP-069-001 to the November 10, 2022, Planning Commission meeting. (8-0)

5. 2022Z-098PR-001

Council District 08 (Nancy VanReece)

Staff Reviewer: Logan Elliott

A request to rezone from CS to MUG-A-NS zoning for properties located at 3101 and 3105 Dickerson Pike, at the northeast corner of Dickerson Pike and Broadmoor Drive (9.13 acres), requested by Councilmember Nancy VanReece, applicant; Hill Revolver, LLC, owner.

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

The Metropolitan Planning Commission deferred 2022Z-098PR-001 to the November 10, 2022, Planning Commission meeting. (8-0)

6. 2022S-200-001

PLAN OF HAMILTON PLACE

Council District 01 (Jonathan Hall)

Staff Reviewer: Jason Swaggart

A request for final plat approval to create 12 lots on property located at 3465 W Hamilton Avenue, approximately 223 feet southeast of Haynes Park Court, zoned RS10 (20.85 acres), requested by Clint Elliott Survey, applicant; Thomas G. Williams, owner.

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

The Metropolitan Planning Commission deferred 2022S-200-001 to the November 10, 2022, Planning Commission meeting. (8-0)

7. 2022S-247-001

MILLIE SWEENY & KIRK M. SWEENY

Council District 01 (Jonathan Hall)

Staff Reviewer: Jason Swaggart

A request for final plat approval to create one lot on a portion of property located at 3525 Old Clarksville Pike, approximately 606 feet west of Whites Creek Pike, zoned AR2A, (2.05 acres), requested by Chap Surveyors, applicant; Millie & Kirk M Sweeney, owners.

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

The Metropolitan Planning Commission deferred 2022S-247-001 to the November 10, 2022, Planning Commission meeting. (8-0)

8. **2022Z-013TX-001**
BL2022-1412/Colby Sledge
Staff Reviewer: Dustin Shane

On Consent: Tentative
Public Hearing: Open

A request to amend Section 17.20.040 of the Metropolitan Code of Laws relative to parking minimums. (Proposal No. 2022Z-013TX-001).

Staff Recommendation: Approve with a substitute.

APPLICANT REQUEST

Amend the Zoning Code relative to parking minimums in the UZO.

PROPOSED AMENDMENTS TO TITLE 17

The bill as filed would amend Section 17.20.040 of the Zoning Code to eliminate parking minimums in the Urban Zoning Overlay (UZO).

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

Section 1. That Section 17.20.040 of the Metropolitan Code of Laws is hereby amended by deleting Subsection G in its entirety and substituting the following:

G. Within the Urban Zoning Overlay, no parking shall be required.

BACKGROUND

Minimum parking requirements legally bind property- and homeowners to build and maintain a certain number of automobile parking spaces onsite to be granted development permits and operate. At a time when the Mayor's Sustainability Advisory Committee Report lists reducing vehicle miles travelled as a key mitigation strategy of the city's climate change action plan, requiring parking assumes universal car ownership and promotes private automobile travel as the preferred means of transportation. The consequences for urban form, traffic congestion, and environmental impacts are well documented: mandatory parking increase sprawl, encourage travel by personal car (thereby worsening traffic), and release more greenhouse gasses into the atmosphere than any other use (51%) according to the latest greenhouse gas inventory. More importantly for Nashville, requiring parking lots reduces the amount of housing that can be provided on any given property, contributing to the housing shortage and the rapidly increasing home prices that disproportionately affect low-income Nashvillians.

For larger projects, economics can justify the provision of structured parking to meet these requirements (though usually by increasing the cost of housing). However, many smaller and "missing middle" developments, which historically were the most important sources of low-cost housing, have neither the financial margin nor the physical space to provide parking at the required ratio, and so never get built. NashvilleNext offers that alternatives to parking minimums "can reduce the cost of residential units, free up property space for other activities, make some development much more profitable, and support walkability and transit use."

Despite these benefits, many have concerns about ease of access for motorists and potential spillover effects in neighborhoods adjacent to commercial areas if parking is not mandated. It's worth noting, though, that the Zoning Code currently requires no parking within areas zoned DTC (the Downtown Core), or within the UZO along multimodal corridors as designated in the Major and Collector Street Plan (MCSP) if the lot or parcel has a majority of its frontage on the multimodal corridor. These multimodal corridors are shown below. Nearly all of the major commercial corridors within the UZO are designated multimodal corridors, meaning parking is already not required for many commercial developments within this area.

ANALYSIS

The bill as filed removes minimum parking requirements within the UZO. The substitute also removes minimum parking requirements within the UZO but retains the UZO parking standards as parking maximums within the UZO. In other words, no parking would be required but if parking is provided the standards are now a maximum within the UZO. For all approved SPs and any UDOs outside the UZO which reference the UZO parking standards, the UZO standard will continue to act as a parking minimum. A related amendment is also included in the substitute that establishes the UZO parking standard as the threshold when calculating floor area ratio (FAR) exemptions for uses that do not require parking. Structured parking provision up to and including the UZO standard is not counted as floor area for the purposes of determining the building area allowable on a site, even when parking is not required.

As stated above, a significant percentage of development within the UZO is already exempt from these requirements by virtue of being located along a multimodal corridor, but other factors also support the rationale behind the bill. The UZO is well-served by WeGo bus routes, as seen below.

GIS analysis reveals that the vast majority of the properties within the UZO are within a quarter mile of a WeGo bus stop.

As land becomes more valuable in Nashville, minimum parking requirements represent an increasingly onerous cost on residents and property owners. Recent trends indicate that more people are ridesharing, riding transit, and walking to their destinations within dense urban cores across the country. Removing the parking requirements set by Code within the densest part of the city will allow owners and developers to set their own parking levels based on their anticipated needs, up to a certain threshold. This can help to reduce costs by allowing a more responsive development environment. It can also help to reduce sprawl, divert trips away from congestion-causing personal automobiles, and lower greenhouse gas emissions.

Potential overflows of parking onto neighborhood streets could be mitigated by an expansion of NDOT's Residential Parking Permit program which helps ease the impacts of non-resident parking in neighborhoods along streets where space is limited (usually adjacent to commercial properties).

WeGo public transit provides reliable service in much of the urban core to handle the growing volume of trips resulting from Nashville's growth. Ignoring transit, existing no- and low-car households, and innovations like ridesharing by mandating parking nudges more people into reliance on cars and car ownership. When residents with options to walk, bike, or take transit default to driving, it worsens congestion and requires more space and public funding for roadways. The proposed amendment allows Nashville to adapt to this new reality and gives owners and developers the ability to fit modestly scaled density into appropriate areas. For these reasons, planning staff recommends approval of the proposed text amendment with a substitute.

ZONING ADMINISTRATOR RECOMMENDATION

No exception taken.

FISCAL IMPACT RECOMMENDATION

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

STAFF RECOMMENDATION

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

SUBSTITUTE ORDINANCE NO. BL2022-1412

An ordinance to amend Sections 17.12.070, 17.20.030, 17.20.040, 17.36.440, and 17.37 of the Metropolitan Code of Laws relative to parking minimums (Proposal No. 2022Z-013TX-001).

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

Section 1. That Section 17.12.070 of the Metropolitan Code is hereby amended by deleting Subsection D in its entirety and substituting the following:

D. Parking Exemptions. In all districts the floor area used for the provision of off-street parking spaces or loading berths (and the driveways and maneuvering aisles for those spaces and berths) shall not be counted as floor area for the purpose of calculating floor area ratio when such spaces or berths are used to satisfy the parking demands for the principal use(s) on the parcel. When no parking is required, provision of off-street parking spaces shall not be counted as floor area for the purpose of calculating floor area ratio when such spaces or berths do not exceed the parking maximum set by the UZO District standard in Table 17.20.030.

Section 2. That the Parking Requirements Table in Section 17.20.030 of the Metropolitan Code is hereby amended as shown in Exhibit A.

Exhibit A:

TABLE 17.20.030: PARKING REQUIREMENTS

<u>Land Use</u>	<u>Minimum Parking Spaces Outside the UZO</u> <u>UZO District: Maximum Parking Spaces (exemptions are optional)</u>
<u>Single-Family</u>	<u>2 spaces (no maximum limit in UZO)</u>
<u>Two-Family</u>	<u>2 spaces per unit (no maximum limit in UZO)</u>

Section 4-3. That Section 17.20.040 of the Metropolitan Code of Laws is hereby amended by deleting Subsection G in its entirety and substituting the following:

~~G. Within the Urban Zoning Overlay, no parking shall be required. Within the Urban Zoning Overlay, no parking shall be required. UZO parking standards and requirements in this Section shall be construed as parking maximum requirements within the UZO and parking minimum requirements within any UDOs outside the UZO or within SPs which reference these requirements. The UZO parking standard shall also be used to determine floor area ratio exemptions as set out in Section 17.12.070.D of this Ordinance for uses that are not required to provide parking.~~

Section 4. That Section 17.36.440 of the Metropolitan Code is hereby amended by deleting it in its entirety and substituting the following:

Applicability. The provisions of the urban zoning overlay district shall apply to all properties located within a mapped area indicated on a zoning overlay map adopted pursuant to the provisions of Article III of Section 17.40, excluding planned unit developments adopted prior to the effective date of the establishment of the urban zoning overlay district and properties zoned DTC district. However, the UZO District maximum parking space standard shall apply within the DTC. Petitions should contain a minimum of one hundred sixty acres of land in order to avoid piecemeal application of the district and should be for areas characterized predominantly by lot sizes, street patterns, and alley systems commonly used before the mid-1950s or for areas where an adopted plan calls for the evolution of such a development pattern. When properties included in a petition are within the area defined by the 1956 limits of the City of Nashville, they should be contiguous to a previously adopted urban zoning overlay district. For purposes of determining applicability of the urban zoning overlay district provisions within any other overlay district, the urban zoning overlay district provisions shall be treated as base zoning district provisions.

Section 5. That Chapter 17.37 of the Metropolitan Code is hereby amended by adding the following to the "Applicable Chapters and Sections of the Zoning Code" section of "Application of the DTC" on page 12:

- Within Chapter 17.20 PARKING, LOADING AND ACCESS
- Section – 17.20.040 Adjustments to required parking.

Section 2-6. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 3-7. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Ms. Milligan presented the staff recommendation to approve with a substitute.

Councilmember Sledge spoke in favor of the application.

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

Sean Braisted, 1204 Pennock Avenue, spoke in favor of the application.

Chad Grout, 542 Turtle Creek Drive, Brentwood, spoke in favor of the application.

Neil Kornutick, 1704 Martin Street, spoke in favor of the application.

Nicole Williams, 2028 Edison Park Lane, spoke in favor of the application.

Craig Clark, 715 Myrtle Street, stated he supported removing parking minimums but did not support the substitute.

Peyton Bradford, 1262 Battlefield Drive, spoke in favor of the application.

Loney John Hutchins, 444 Humphreys Street, spoke in favor of the application.

DJ Sullivan, 2220 Scott Avenue, spoke in favor of the application.

Doug Sloan, 6354 Torrington Road, spoke in favor of the application.

Councilmember Henderson spoke in favor of the application.

Male, no name or address given, spoke about the Smart Parking Contract and spoke in favor of the application.

James Guthrie, 312 South 11th Street, spoke in favor of the application.

Bob Campbell-Smith, 803 Fatherland Street, stated he agreed with most of the speakers but had concerns with traffic and parking.

Sam McCollough, Cleveland Park Neighborhood Association, stated he agreed with a lot of what was said but wanted to make sure there was parking at restaurants and venues for those who need handicapped parking.

Alice Forrester, 803 Fatherland Street, asked for a deferral as she just heard about this Bill and wanted time to learn about it.

Pete Greaves, 913 Fatherland Street, spoke in opposition to the application.

Emily Richer, corner of Russell Street and 9th Street, spoke in opposition to the application.

Jason Holleman, 4210 Park Avenue, spoke in opposition to the application.

Councilmember Sledge stated he understood the concerns and appreciated all the viewpoints presented. He stated he felt comfortable with the Bill, the substitute and with moving forward.

Chair Adkins closed the Public .

Mr. Henley stated he was encouraged by the conversation. He said there was a lot that he liked but had some concerns. He felt like they may be painting with too broad of a brush and needed to think about the ripple effect and spillovers. Mr. Henley said he would continue to advocate for this to move forward as it needs to happen.

Mr. Haynes asked about accessible handicapped parking.

Ms. Milligan said it would be covered by a different portion of the code as it relates to requirements for any accessible or handicapped spots and this would not prohibit those spots from being included.

Mr. Haynes asked would a multi-family project of certain size be required by the Building Code to have a set number of handicapped parking spaces.

Ms. Milligan answered in the affirmative.

Mr. Haynes said this is the first step and they have to solve mass transit next. Without solving mass transit, this becomes a band-aid and not a true fix.

Mr. Clifton thought both sides made excellent points. He said he is not opposed to the concept and not sure he is ready to vote for it because he believes there is value in working through the details before it gets to the courthouse. He stated he is not quite ready to endorse this.

Councilmember Withers asked Ms. Milligan to address the questions raised by the speakers regarding the Tulip Street Methodist Church building.

Ms. Milligan stated the application that has been filed is a Neighborhood Landmark Overlay. She explained the purpose of a Neighborhood Landmark is to take a use that is residentially zoned, that is important and unique within the neighborhood. It is to allow adaptive re-use of that so the building can be protected and it allows a different type of use than would necessarily be permitted under the base zoning. Parking is part of the discussion with any Neighborhood Landmark.

Councilmember Withers stated the communication with the East Nashville community has been out there since September and pushed back on the idea the East Nashville community is just learning about this. He thought converting a minimum parking requirement to a maximum is something that should be explored a little more. Mr. Withers said they could think about what would happen if someone had a type of tenant that needs more parking and would capping that hinder their ability to get that tenant, like a grocery store, for example. He encouraged moving ahead today.

Ms. Johnson said this legislation does not prohibit parking but rather eliminates minimum parking requirements which gives options. She thought this intentional policy is a good direction for the future of Nashville. Ms. Johnson stated it will not solve traffic or spillover problems but it will create a first step for a more walkable and sustainable community; and therefore, is for this proposal. Ms. Johnson asked about the chart submitted by Smith Gee Studios.

Ms. Milligan stated they considered the minimums, as they are now, as the maximums and to make that determination, they looked at a lot of mixed use SPs and recent developments where people are asking for the ability to do less based on shared uses or less demand than what is through a parking study. She advised the process to do less than required is to go to the Board of Zoning Appeals and ask for a reduction in parking. The same would apply if they wanted to do more than required. Ms. Milligan said they are reversing the scenario so that they are not having to ask for less, they are having to go to the Board of Zoning Appeals to ask for more.

Ms. Blackshear agreed with Mr. Clifton in that if they think the Bill is not where it needs to be and the Councilmember offered the ability to fine tune it before it gets adopted, she is fine with a deferral. She thought it was interesting to think places being over parked. Ms. Blackshear said there are people who are disabled and people who have children and taking mass transit is not very convenient. She thought there was a lot of nuances to be thought through in the Bill. She is empathetic to the neighbors who stated others from out of the area will park and take over the area in the neighborhood they could use themselves. Ms. Blackshear stated the Bill was a nice Bill and would be supportive of it at some point but is not sure she is at that point now.

Ms. Farr stated she supports the intent and goals of putting this in place as they want to see a reduction in reliance of automobiles to get around and take steps to promote mass transit. She asked if this applies to any property in the UZO.

Ms. Milligan responded that with the exception of SPs that have been approved that indicate they were based on UZO parking standards, the UZO standard would still be a minimum for those within an SP. It would apply to everything outside of ones that were not already exempted. She said there are also already some exemptions within the UZO based on size.

Ms. Farr asked if all the corridors are currently exempt from parking requirements.

Ms. Milligan responded in the affirmative.

Ms. Farr stated the goals are to encourage development of missing middle housing and one of the ways to increase affordability is to take out the parking requirement. She asked if they should be thinking about this just for residential projects and think about commercial separately. She asked about parking permits.

Ms. Milligan said there are currently some streets and areas that have residential parking permits. That is a program a community can work with their Councilmember to apply with NDOT to have parking permits.

Ms. Kempf stated on street parking speaks somewhat to right-of-way management and how they balance uses where there is high capacity bus service with other types of functions and that right-of-way management program can be discussed with NDOT and WeGo. She asked Ms. Milligan to talk through the Board of Zoning Appeals process.

Ms. Milligan explained they have minimum parking requirements within the UZO. If they want to do less, they go to the Board of Zoning Appeals to ask for a variance to reduce the amount of parking. The burden is on the applicant to prove the parking is not needed. If they set a parking maximum and they are allowed to have 100 spaces but they want to have 125 spaces, then they go to the Board of Zoning Appeals to ask for a variance to permit additional parking. The applicant would provide data as to why additional parking is needed.

Ms. Farr thought it made a lot of sense and fully supported the idea to eliminate parking requirements for affordable housing. She stated she is inclined to seek a deferral to give some thought as to whether they want to paint with such a broad brush and whether they want to consider if there is anything different for those nonresidential areas that are not on the corridors.

Chairman Adkins stated he is not for a deferral and is leaning towards the Councilmember. He asked if they move this forward, would changing the parking maximum portion come back to the Planning Commission or is it considered a non-substantial issue.

Ms. Kempf explained when they have zoning bills for a single property, the rules are really clear about when those go to Council, and if those change, what gets re-referred to the Planning Commission. Text amendments, which tend to have citywide implications, are more complex. If the proposals have gotten a lot larger, they substantially changed or there are new provisions, she would recommend that comes back to the Planning Commission. If Council were to entertain modest changes to the maximums, she would not recommend it come back to the Planning Commission because of the technical nature of it.

Councilmember Withers said NDOT has been working on a right-of-way program since December and has been vetted through the Traffic and Parking Commission and has been through a procurement.

Mr. Henley said they have a moment where they can take a significant step forward in terms of what they believe they want the city to be with this vote. He felt they have the opportunity to build confidence in the community and further leverage HUB Nashville.

Mr. Clifton said it seems to be a desire to move this on even though at this level there are ways to bring about more understanding from people, more consensus building. He stated it is almost frustrating to think they have a decided majority of people who are not prepared to vote for this until discussion that still does not get to the basic problem. Mr. Clifton felt there may be ways to improve it at this level if there can be more process with some of the people who are now engaged. He stated he cannot support it.

Mr. Henley moved and Ms. Johnson seconded the motion to approve with a substitute. (5-3) Ms. Farr, Ms. Blackshear and Mr. Clifton voted against.

Chair Adkins called for a 10 minute break.

Mr. Haynes left the meeting.

Resolution No. RS2022-295

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-013TX-001 is approved with a substitute. (5-3)

9. 2022Z-014TX-001

BL2022-1409/Kathleen Murphy
Staff Reviewer: Molly Pike & Seth Harrison

An ordinance amending Title 2 and Title 17 of the Metropolitan Code of Laws relative to trees.

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

The Metropolitan Planning Commission deferred 2022Z-014TX-001 to the November 10, 2022, Planning Commission meeting. (8-0)

10. 2022Z-015TX-001

BL2022-1472/Freddie O'Connell
Staff Reviewer: Eric Hammer

A request to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to refine site plan review procedures within Chapter 17.37, Downtown Code and Chapter 17.40, Administration and Procedures, relating to approval of concept plans and final site plans within the DTC zoning district, all of which is described herein (Proposal No. 2022Z-015TX-001).

Staff Recommendation: Approve.

PROPOSED AMENDMENTS TO TITLE 17

Section 1: That Section 17.37 of the Metropolitan Code is hereby amended by deleting the first sentence under "Application Process" on page 14 of the DTC and substituting the following new sentence:

The DTC DRC shall review and approve a DTC Concept Plan for a site prior to approval of a DTC Final Site Plan. A recommendation from the Nashville Department of Transportation and Multimodal Infrastructure shall be required for a DTC Concept Plan.

Section 2: That Section 17.40.170 of the Metropolitan Code is hereby amended by deleting subsection C in its entirety and substituting with the following new subsection C:

- C. Final Approval by the Planning Department. Planning Department approval shall be required for a final site plan within the DTC zoning district.
- 1. Application for Final Approval. A final site plan application filed with the Planning Department shall consist of a detailed set of construction plans that fully demonstrate compliance with all applicable provisions of this title and accurately represent the resulting form of construction. Applications shall include all necessary drawings, specifications, studies or reports as required by a submittal checklist adopted by the Planning Department.

2. Basis for Final Site Plan Approval. Approval of a final site plan shall be based on demonstrated compliance with all applicable provisions of this title and shall also be subject to review and approval by the Nashville Department of Transportation and Multimodal Infrastructure based on demonstrable compliance with all applicable provisions.
3. Planning Department Action. The Planning Department shall act to approve, conditionally approve or disapprove a final site plan application.
4. Overlapping Requirements: If a final site plan is also required by 17.40.170.B, the procedures within this section shall control.

BACKGROUND

The Downtown Code (DTC) Final Site Plan process was amended into the Metropolitan Code by BL2015-1053. The proposed amendments to Chapters 17.37 and 17.40 of the zoning code formally integrate the Nashville Department of Transportation and Multimodal Infrastructure (also known as NDOT) into the Concept Plan and Final Site Plan processes of the DTC.

ANALYSIS

First, the bill requires a formal recommendation from NDOT on Concept Plans reviewed by the Downtown Code Design Review Committee (DTC DRC). A Concept Plan is the first step in the approval process for projects within DTC zoning and Planning staff make a recommendation to the DTC DRC. Currently, NDOT staff attends DTC DRC and MDHA DRC meetings to answer questions regarding the status of a project but lack a formal role in the review process.

Second, the bill requires DTC Final Site Plans to be approved by both the Planning Department and NDOT. Unlike other final site plan processes within Chapter 17.40, which are reviewed by either the Zoning Administrator or the Planning Commission, DTC Final Site Plans are only reviewed by the Planning Department, with no formal role for any other Metro Department until building permits are sought. Due to the technical complexity of right-of-way, access, and transportation decisions within Downtown, a formal requirement for approval by NDOT is necessary.

The bill also clarifies that the Downtown Code Final Site Plan review process shall be followed when Downtown Code and Urban Design Overlay zoning are present on the same property, as both types of zoning have final site plan requirements with different review processes.

ZONING ADMINISTRATOR RECOMMENDATION

No exception taken.

FISCAL IMPACT RECOMMENDATION

NDOT will implement the provisions of this text amendment by giving formal recommendations and reviews of final site plans. NDOT anticipates the proposed amendment to be revenue neutral.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0)

Resolution No. RS2022-296

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-015TX-001 is approved. (8-0)

11. 2022Z-016TX-001

BL2022-1473/Dave Rosenberg
Staff Reviewer: Donald Anthony

A request to amend Section 17.40.010 of the Metropolitan Code of Laws to require written notice to neighboring property owners of the decision to grant or deny a reasonable accommodation. (Proposal No. 2022Z-016TX-001)

Staff Recommendation: Approve with a substitute.

APPLICANT REQUEST

Amend the Zoning Code to require mailed notice of reasonable accommodation decisions made by the Zoning Administrator

PROPOSED AMENDMENTS TO TITLE 17

The proposed text amendment would amend Section 17.40.010 of the Zoning Code to add a requirement that written notice of any decision by the Zoning Administrator to grant or deny a reasonable accommodation be mailed to property owners within 1,000 feet of the affected property. The notice would be required to include information on how to appeal the Zoning Administrator's decision.

The following text shows the proposed amendment as filed (added text is shown with underline).

Section 1. That Section 17.40.010 by deleting Subsection I.1 and replacing it with the following:

- I.1. For purposes of this section "person" shall mean an individual, group or institution. Any person who has a handicap or disability recognized by federal law, provides housing for such a person or whose religious exercise is burdened by a provision of this title, or a representative of any such person, may request in writing a reasonable accommodation as contemplated in this section. The right to request a reasonable accommodation shall be prominently displayed in the public area under the supervision of the zoning administrator and on the publicly accessible portion of any Internet website maintained by the metropolitan government and devoted to local codes enforcement and zoning matters. The zoning administrator shall make, and document in writing, specific findings of fact in support of every decision to grant or deny an accommodation sought under this paragraph and issue a determination within thirty days of the request being made. The zoning administrator's decision shall be reviewable by the board of zoning appeals upon the filing of a notice of appeal by any person or entity aggrieved by the decision. In addition, written notice of the zoning administrator's decision to grant or deny a reasonable accommodation shall be mailed to all property owners within one thousand feet of the subject property and such notice must include information about the reasonable accommodation and the procedures to file a notice of appeal. Any appeal brought under this subsection must be in writing and filed with the board of zoning appeals not more than thirty days after issuance of the zoning administrator's decision. Documents comprising the record of any determination made with respect to the grant or denial of a request for an accommodation by the zoning administrator or the board of zoning appeals shall be kept on file for not less than three years from the date of final decision and available for public inspection upon reasonable notice.

BACKGROUND

The Zoning Code establishes a right to request a reasonable accommodation to the standards set forth in the Code. Parties permitted to seek reasonable accommodation are a person or person's representative: who has a disability recognized by federal law; who provides housing for a person with a disability recognized by federal law; or whose religious exercise is burdened by a provision of the Code. "Person" is defined broadly to include an individual, group, or institution. The Zoning Code regulates where the right to reasonable accommodation is to be displayed, the manner in which the Zoning Administrator must make a determination on a reasonable accommodation, and the process for appealing the Zoning Administrator's decision to the Board of Zoning Appeals.

ANALYSIS

The proposed amendment to the Zoning Code adds a requirement that the Zoning Administrator provide written notice of a decision to grant or deny a reasonable accommodation to all property owners within 1,000 feet of the affected property. The proposed amendment further requires that the notice include information about the reasonable accommodation and the procedures for filing an appeal to the Board of Zoning Appeals.

The Zoning Code currently requires that the Zoning Administrator review a reasonable accommodation request and issue a written report within 30 days of making a decision on the request. There is no requirement that notification be sent to surrounding property owners. The proposed amendment would ensure that surrounding property owners are notified of the Zoning Administrator's decision as well as the process for filing an appeal of the decision. Aggrieved parties have a 30-day window from the date of the Zoning Administrator's decision to file an appeal with the Board of Zoning Appeals. The proposed amendment does not include a time requirement for the mailing of notices.

Recommended Substitute

Staff recommends a substitute that adds a time requirement for the mailing of notices. The substitute clarifies that the Zoning Administrator has five business days to mail notices to property owners within 1,000 feet of the affected property. Barring extended delays in mail delivery, this would ensure that recipients of the mailed notices have sufficient time to file appeals to the Board of Zoning Appeals within the 30-day window.

The following text shows the substitute. Staff recommended text to be added to the bill as filed is shown in underline.

Section 1. That Section 17.40.010 by deleting Subsection I.1 and replacing it with the following:

- I.1. For purposes of this section "person" shall mean an individual, group or institution. Any person who has a handicap or disability recognized by federal law, provides housing for such a person or whose religious exercise is burdened by a provision of this title, or a representative of any such person, may request in writing a reasonable accommodation as contemplated in this section. The right to request a reasonable accommodation shall be prominently displayed in the public area under the supervision of the zoning administrator and on the publicly accessible portion of any Internet website maintained by the metropolitan government and devoted to local codes enforcement and zoning matters. The zoning administrator shall make, and document in writing, specific findings of fact in support of every decision to grant or deny an accommodation sought under this paragraph and issue a determination within thirty days of the request being made. The zoning administrator's decision shall be reviewable by the board of zoning appeals

upon the filing of a notice of appeal by any person or entity aggrieved by the decision. In addition, written notice of the zoning administrator's decision to grant or deny a reasonable accommodation shall be mailed to all property owners within one thousand feet of the subject property within five business days of the zoning administrator's decision, and such notice must include information about the reasonable accommodation and the procedures to file a notice of appeal. Any appeal brought under this subsection must be in writing and filed with the board of zoning appeals not more than thirty days after issuance of the zoning administrator's decision. Documents comprising the record of any determination made with respect to the grant or denial of a request for an accommodation by the zoning administrator or the board of zoning appeals shall be kept on file for not less than three years from the date of final decision and available for public inspection upon reasonable notice.

ZONING ADMINISTRATOR RECOMMENDATION

No exception taken.

FISCAL IMPACT RECOMMENDATION

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

STAFF RECOMMENDATION

Staff recommends approval of a substitute

Approve with a substitute. (8-0)

Resolution No. RS2022-297

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-016TX-001 is approved with a substitute. (8-0)

12a. 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 amending the Community Character Policy from Rural Maintenance (T2 RM) to Rural Neighborhood Center (T2 NC) policy. Conservation (CO) would remain in place. (approximately 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 November 10, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022CP-003-002 to the November 10, 2022, Planning Commission meeting. (7-0-1)

12b. 2022SP-043-001

633 W. GREEN LANE SP

Council District 03 (Jennifer Gamble)

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 November 10, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-043-001 to the November 10, 2022, Planning Commission meeting. (7-0-1)

13. 2022CP-005-002

EAST NASHVILLE COMMUNITY PLAN AMENDMENT

Council District 05 (Sean Parker)

Staff Reviewer: Olivia Ranseen

On Consent: Tentative

Public Hearing: Open

A request to amend the East Nashville Community Plan by changing from D MI and T4 CM to T4 CC, T4 NE, and TR policy for various properties located along Gallatin Avenue, Douglas Avenue, Strouse Avenue, Emmett Avenue, Trevecca Avenue, and McClurkan Avenue, zoned RM20, RS5, CS, and ORI (22.84 acres), requested by Barge Cauthen & Associates, applicant; various, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend East Nashville Community Plan to change the policy.

Major Plan Amendment

A request to amend the East Nashville Community Plan by changing the policy from District Major Institutional (D MI) and T4 Urban Mixed Use Corridor (T4 CM) to T4 Urban Community Center (T4 CC), Transition (TR), and T4 Urban Neighborhood Evolving (T4 NE) policy for various properties located along Gallatin Avenue, Douglas Avenue, Strouse Avenue, Emmett Avenue, Trevecca Avenue, and McClurkan Avenue (22.84 acres). The majority of properties are located on the current Lincoln College of Technology campus.

EAST NASHVILLE COMMUNITY PLAN

Current Policies

District Major Institutional (D MI) policy is intended to maintain, enhance, and create districts where major institutional uses (i.e., hospitals and colleges) are predominant and where their development and redevelopment occurs in a manner that complements the character of the surrounding communities. D MI was placed on the campus of the Auto Diesel College, now the Lincoln College of Technology (Lincoln Tech).

Urban Mixed Use Corridor (T4 CM) policy is intended to enhance urban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor. T4 CM policy currently covers a few properties on the southeastern corner of the study area where Gallatin Avenue meets Douglas Avenue.

Transition (TR) policy is intended to enhance and create areas that can serve as transitions between higher intensity uses or major throughfares and lower density residential neighborhoods. TR policy will remain in place along properties on the south side of Strouse Avenue.

Conservation (CO) policy recognizes the presence of environmentally sensitive features, such as floodways/floodplains and steep slopes. CO policy currently runs along the alley south of Strouse Avenue and will remain in place.

Requested Policies (Note: Conservation (CO) and Transition (TR) policies remain in place.)

Urban Community Center (T4 CC) policy is intended to maintain, enhance, and create urban community centers that contain commercial, mixed use, and institutional land uses. T4 CC areas are pedestrian friendly and generally located at intersections of prominent urban streets.

Transition (TR) policy is intended to enhance and create areas that can serve as transitions between higher intensity uses or major throughfares and lower density residential neighborhoods.

Urban Neighborhood Evolving (T4 NE) policy is intended to create and enhance urban residential neighborhoods that provide more housing choices, improve pedestrian, bicycle, and vehicular connectivity, and foster moderate to high density development patterns with shallow setbacks and minimal spacing between buildings.

BACKGROUND

The study area is in East Nashville along Gallatin Avenue and extends west to Emmett Avenue. Today, the proposed plan amendment area, located within the Renraw neighborhood, consists of the Lincoln Tech campus, Lincoln Tech dormitory, and a few additional businesses. The study area abuts residential uses along McClurkan Avenue to the north and Douglas Avenue to the south.

The community plan amendment was requested in conjunction with zone change application 2022SP-075-001, a request to change the zoning from Commercial Services (CS), Office and Residential Intensive (ORI), medium-density residential intended for 20 units an acre (RM20), and single-family residential (RS5) to Specific Plan (SP) zoning. The SP is on track to be heard at the November 10, 2022, Planning Commission meeting.

The current policy, D MI, is intended only for major institutions, such as colleges and hospitals, and does not support primarily mixed use and residential development. Therefore, the applicant has proposed a policy change. Because the current D MI policy for Lincoln Tech extends beyond the proposed rezoning area, staff applied a study area boundary that includes twelve additional properties between Douglas Avenue and McClurkan Avenue.

The applicant first reached out to staff in 2021 to discuss policy and zone changes and had multiple conversations with Planning staff regarding their proposed site plan prior to submitting their applications. The applicant filed the policy amendment in August 2022, and the specific plan in September 2022, respectively. As part of the application process, the Executive Director determined the plan amendment is major with a required community meeting.

COMMUNITY PARTICIPATION

The applicant team met with community stakeholders throughout the summer of 2022 and hosted four applicant-led community meetings during the week of September 11th with approximately 120 total attendees. Prior to that, the applicant team worked closely with their district Councilmember as well as the two adjacent district Councilmembers. On October 4, 2022, a Planning-led virtual community meeting was held to discuss the applicant's plan amendment. Notices were mailed to 1,287 property owners and/or residents within 1,300 feet of the plan amendment area. Details of the community meeting were made available on the Planning Department's webpage and shared with the district Councilmember and adjacent Councilmembers. Approximately 30 people attended the meeting including neighbors, Councilmembers (Parker and Withers), the applicant team, and staff. Planning staff provided an overview of the plan amendment request. Following Planning's presentation, the applicant presented plans and renderings for the rezoning. Planning staff then moved into Q&A and discussion with the public.

During the meeting, attendees asked questions and offered comments on:

- Traffic on Douglas Avenue
- Impacts on biking
- Offsite improvements
- Affordability

A recording of the meeting was posted on Metro's YouTube page and to-date has received 32 views.

The applicant has continued to work with the community on addressing concerns. Planning staff has received written/verbal comments mentioning concerns but no overt opposition to the proposed development. Planning staff has received seven emails in support from community members; these emails cited additional green space, housing variety, thoughtful design, and more mixed use spaces as the factors that contributed to their support. Community members also emphasized that they endorse the project because it helps increase the housing stock, a pressing issue across Nashville.

ANALYSIS OF T4 URBAN COMMUNITY CENTER, TRANSITION, AND T4 URBAN NEIGHBORHOOD EVOLVING POLICIES

The proposed amendment area is a suitable location for T4 CC, TR, and T4 NE policy for the following reasons:

***NashvilleNext's* Growth & Preservation Concept Map**

The Growth & Preservation Concept Map reflects Nashvillians' desire for growth and preservation in the future. The concept map designates the plan amendment area as within a "Center" and along a priority corridor (Gallatin Avenue). Centers are intended to be pedestrian-friendly areas with frequent transit service that contain a dense mix of homes, shops, jobs, and parks. Gallatin Avenue is also designated as an "Immediate Need" high capacity transit corridor. The proposed policies will allow for dense residential development as well as a mix of uses along and adjacent to transit, which follows the intent of the center concept.

Key Finding

- The plan amendment area is identified within a center on the Growth & Preservation Concept Map and is appropriate for T4 CC, TR, and T4 NE because of the surrounding urban land uses and its proximity to Gallatin Avenue, a priority corridor.

Community Character Policy Application

The NashvilleNext planning process applied the Concept Map designations generally rather than at the parcel-specific level. Community Plans provide history and context for Nashville's 14 Community Planning areas, along with community-specific issues, strategies, and sketches of how different places in the community could change over time.

The East Nashville Community Plan uses Community Character Policies that are tailored to the urban and suburban character of neighborhoods throughout its area. The Community Plan emphasizes enhancing centers and corridors to revitalize older centers and provide more services and options, while strategically locating additional housing options, such as various housing types, on prominent corridors to support businesses and transit. In addition to areas that provide a variety of housing types, East Nashville includes numerous walkable neighborhood centers, and there is a strong desire to increase walkability and pedestrian safety.

The T4 Urban Transect category includes the historic, inner-ring neighborhoods as well as new neighborhoods intended to be developed in a more intense, urban fashion. Complete urban communities feature an integrated mixture of housing within walking distance of commercial and neighborhood-scaled open space. They feature highly connected street systems with sidewalks, bikeways, and facilities for mass transit, providing many transportation options.

Residents in urban neighborhoods are generally within a five- to ten-minute walk of neighborhood-scaled commercial and mixed-use centers. Urban centers are often mixed use, accommodating commercial and residential land uses. Mixed use buildings with residential or office on upper floors and commercial uses on the ground floor promote active uses at the pedestrian level, adding to the bustling atmosphere of the neighborhood.

The plan amendment is proposed within the Renraw neighborhood, a traditional urban neighborhood, and along Gallatin Avenue, a prominent commercial corridor. The requested T4 CC policy allows the Lincoln Tech campus, around Gallatin Avenue, to redevelop into a more intensive, mixed use area that will provide additional services and housing options for the surrounding neighborhoods. T4 CC policy is proposed for the area fronting Gallatin Avenue and for several properties between Trevecca Avenue, Strouse Avenue, and McClurkan Avenue. This policy application allows for a mix of commercial and residential uses

TR policy focuses on transitioning from the more intense center to the adjacent residential area. TR policy is currently applied to several properties along the south side of Strouse Avenue; however, there are two properties bordering existing TR policy that currently have D MI policy. TR policy is proposed for those two properties so that the policy aligns.

Map of proposed policies

The requested T4 NE policy enables future development to transition in scale from the more intense T4 CC policy and complement the single-family character of much of the Renraw neighborhood while adding housing choices. T4 NE policy is proposed for the rear of the Lincoln Tech Campus – abutting Emmett Avenue – and for the Lincoln Tech dormitory that fronts Douglas Avenue.

Key Findings

- T4 CC’s intent to create a mixed use, high density community center makes this an appropriate application of policy to apply along a major corridor.
- TR’s intent to create appropriate transitions between varying intensities makes this an appropriate policy to complement the surrounding residential policy area.
- T4 NE’s intent to create greater housing choice while enhancing the neighborhood makes this an appropriate application of policy to apply adjacent to a rapidly growing corridor and add to an established residential neighborhood.
- Applied together, these policies create a more complete urban community, which is appropriate in this location.

Transportation and Connectivity

The plan amendment area is located on a key corridor in East Nashville, Gallatin Avenue, and the area touches Douglas Avenue, Trevecca Avenue, Strouse Avenue, McClurkan Avenue, and Emmett Avenue. It is less than half a mile away from Douglas Avenue’s entrance onto Ellington Parkway. Gallatin Avenue is classified as a multimodal, five-lane arterial boulevard by the Major & Collector Street Plan and as an immediate-need, high-capacity transit corridor by the Concept Plan. High-capacity transit corridors represent a framework of more intense housing and commercial areas along major roadways supporting more frequent transit service. The immediate need priority means the street is slated for near-term improvements to transit service.

WeGo currently provides bus service along Gallatin Avenue. The study area features a bus stop at Douglas Avenue and is less than half a mile away from both the Gallatin Avenue/Greenwood Avenue and Gallatin Avenue/Carolyn Avenue stops. Sidewalks exist on both sides of Gallatin Avenue. Gallatin Avenue is also slated for a future bikeway, and Douglas Avenue features a bike lane already. Allowing a mix of land uses, supported by T4 CC, TR, and T4 NE policy is appropriate, in a location with convenient access to major transportation and transit networks (existing and planned) near a primary corridor to downtown.

Key Findings

- Gallatin Avenue, on the Growth & Preservation Concept Map, is classified as an immediate need high-capacity transit corridor, which calls for transit upgrades in the near future.

- The existing and planned transportation infrastructure surrounding this location make it an accessible multimodal site and suitable for additional mixed use and housing options.

Relationship to Surrounding Policies

The site's relationship to surrounding policies is as follows:

- D MI policy is currently applied to the plan amendment area for the Lincoln Tech campus and is the only location of D MI policy in the area.
- TR policy is currently applied to several properties on the south side of Strouse Avenue.
- T4 NE policy is applied to properties directly north, south, and west of the plan amendment area – along McClurkan Avenue, Emmett Avenue, Strouse Avenue, and Douglas Avenue.
- T4 Urban Neighborhood Maintenance (T4 NM) policy is applied further north and west to established residential areas.
- The amendment area also borders T4 CC policy to its southeast (south side of Douglas Avenue).
- The area directly adjacent to Gallatin Avenue features T4 Urban Mixed Use Corridor (T4 CM) north of the plan amendment area and T4 CC to the south.

Key Findings

- Applying T4 CC policy to the majority of the plan amendment area allows for the site to develop in a compatible manner, consistent with mixed use development along Gallatin Avenue.
- Applying TR policy to two properties on the south side of Strouse Avenue allows for a contiguous area of policy focused on appropriate transitions between adjacent policies with varying intensities.
- Applying T4 NE policy on the site's west and southwest borders allows for that portion of the study area to be compatible with the surrounding residential area that falls under the same policy.

Analysis Summary

Amending the Community Character Policy from D MI and T4 CM to T4 CC, TR, and T4 NE is appropriate at this location. In summary, the change in policy for the study area is appropriate due to the following:

- The plan amendment area is identified within a center on the NashvilleNext's Growth & Preservation Concept Map and is appropriate for the policy change because of the surrounding urban character and the area's proximity to Gallatin Avenue, a priority corridor.
- Applying this mix of policies supports: a mix of uses along a major corridor and near a center, appropriate transitions to adjacent areas, and new housing within walking distance of the corridor.
- These policies create a more complete urban community and additional housing choice, which are appropriate in this location.
- Gallatin Avenue, on the Growth & Preservation Concept Map, is classified as an immediate need high-capacity transit corridor, which calls for transit upgrades in the near future.
- The existing and planned transportation infrastructure surrounding this location make it an accessible multimodal site and suitable for additional mixed use and housing options.
- Applying a mix of these three policies creates compatibility with surrounding policies.

STAFF RECOMMENDATION

Staff recommends approval of T4 Community Center (T4 CC), Transition (TR), and T4 Neighborhood Evolving (T4 NE) policies in the study area.

Approve. (8-0)

Resolution No. RS2022-298

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022CP-005-002 is approved. (8-0)

**14. 2022CP-010-001
MIDTOWN-GREENHILLS**

Council District

Staff Reviewer: Anita McCaig

A request to amend the Major and Collector Street Plan in an area of Midtown within the Green Hills-Midtown Community Plan, including portions of McGavock Street, Broadway Avenue, West End Avenue, Hayes Street, Church Street, Grundy Street, Hynes Street, 14th Avenue North, 15th Avenue North, 16th Avenue North, and 17th Avenue North (approximately 63.2 acres).

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend Major & Collector Street Plan to update streetscape elements.

Minor Plan Amendment

A request to amend the Major & Collector Street Plan in an area of Midtown within the Green Hills-Midtown Community Plan, including portions of McGavock Street, Broadway Avenue, West End Avenue, Hayes Street, Church Street, Grundy Street, Hynes Street, 14th Avenue North, 15th Avenue North, 16th Avenue North, and 17th Avenue North (approximately 63.2 acres).

BACKGROUND

The study area is in Midtown, a unique urban setting. With the unprecedented growth occurring across the city, this portion of the Midtown area, adjacent to Downtown, is experiencing intense growth pressure. Midtown has a well connected street network and a growing mixture of uses at varying intensities. Midtown is poised to grow more intensely and provide more housing, jobs, services, and recreation in the future.

Currently, there are several redevelopment projects, in various stages of seeking increased entitlements, located within the study area, including the large Beaman automotive property, the large Reed automotive property, the Dean Dairy property, the 15th & Church property, and a property on Hayes Street.

COMMUNITY PARTICIPATION

The Planning Department initiated this MCSP amendment with NDOT, WeGo, and Planning undertaking detailed analysis in the area with the need to enhance the streetscape elements and create additional multimodal opportunities. The Executive Director determined this plan amendment to be a minor amendment that did not require a community meeting. WeGo and NDOT drafted recommended streetscape elements and widths, based on a comprehensive Midtown traffic study submitted by KCI, and then discussed these details with property owners and their development teams to gather feedback. Revised recommended streetscape elements are presented later in this staff report.

MAJOR & COLLECTOR STREET PLAN

The Major & Collector Street Plan (MCSP) is part of Access 2040 Nashville, the long-range transportation component of NashvilleNext. The MCSP addresses issues of land use, development, mobility, and environmental preservation as it guides public and private investment and planners' decisions related to the city's transportation network. The plan focuses on making transportation improvements that create efficient community form, offer meaningful transportation choices, increase safety and resiliency, and make decisions equitably. The details found in the MCSP complement the land use policy guidance found in each of the fourteen community plans.

The MCSP advances the concept of "Complete Streets" by developing a thoroughfare system that provides for safe and effective access for all users in completing their trips, while addressing streetscape design in context with the existing or envisioned character of the community. Streets are the most prevalent public spaces in the community and, as such, merit attention to their character. The emphasis on active lifestyles, energy conservation, and the importance of accommodating users of all ages and abilities illustrates that a street can no longer be designed just for the automobile.

The study area is within the T5 Center Transect. T5 Center Transect areas include large, concentrated areas of mixed use development. T5 Centers are unique in that they serve either the entire county or multiple neighborhoods and communities. T5 Centers are areas where residents and visitors may live, work, and recreate and thus are intended to be high density and intensity mixed use, commercial, and residential areas.

Accompanying land use policies in the Green Hills-Midtown Community Plan encourage walking as a primary mode of transportation by envisioning wider sidewalks, buffering between vehicles and pedestrians through the use of plantings and street furnishings, and using building details such as glazing, pedestrian entrances, and plazas to activate the street level and provide a pleasant walking experience. The study area's land use policies are further refined through the detailed guidance of the study area's two small area plans, the Midtown Plan and the Music Row Plan. These small area plans reinforce the connection between buildings and streetscape elements and further emphasize multiple modes of transportation in this area.

Current MCSP Classifications

Portions of the following streets are in the study area, including their current MCSP classifications.

- Broadway Avenue (east of the split): T5 Center mixed use, arterial-boulevard, 7 lanes, immediate-need multimodal corridor (T5-M-AB7-IM)
- Broadway Avenue (west of the split): T5 Center mixed use, arterial-boulevard, 4 lanes, immediate-need multimodal corridor (T5-M-AB4-IM)
- West End Avenue (west of the split): T5 Center mixed use, arterial-boulevard, 5 lanes, immediate-need multimodal corridor (T5-M-AB5-IM)
- Church Street: T5 Center, mixed use, arterial-boulevard, 4 lanes (T5-M-AB4)
- Hayes Street, Hynes Street, Grundy Street: local streets without classifications

- McGavock Street (14th to 17th Avenue Norths): T5 Center, mixed use, local street, 2 lanes (T5-M-LS2)
- 14th Avenue North (north of Broadway): local street without classification
- 14th Avenue North (south of Broadway): T5 Center, mixed use, local street, 3 lanes (T5-M-LS3)
- 15th Avenue North (north of Broadway): T5 Center, mixed use, collector-arterial, 2 lanes (T5-M-CA2)
- 16th Avenue North (Broadway south to McGavock): T5 Center, mixed use, collector-arterial, 3 lanes (T5-M-CA3)
- 16th Avenue North (north of Broadway): local street
- 17th Avenue North: T5 Center, mixed use, collector-arterial, 2 lanes (T5-M-CA2)

Proposed MCSP updates

As an element of NashvilleNext, the MCSP is amended as updates occur to Community Plans and/or further engineering studies are completed to reflect the changes that have occurred in the community since the MCSP was adopted and/or to respond to future planned growth, development, and preservation. With all the increased growth of this area, it is important that the street network and accompanying streetscape elements provide a variety of transportation options in creating a quality atmosphere and sense of place. The streetscape also needs to complement the envisioned character of buildings and green spaces along various streets to work together seamlessly.

Currently, the study area is not aesthetically pleasing and is difficult to walk or bike in and does not include a transit stop. The primary mode of transportation occurs with private vehicles. It is vital to provide a robust, multimodal transportation system enabling easy and equal access to and through this area of Midtown. The proposed updates to the MCSP prioritize the experience of transit riders, pedestrians, and cyclists, and movement within and through the area. The updates identify placement of streetscape elements and sections for the street network, and as such, adds additional space along some rights-of-way to construct appropriately scaled streetscape elements, including more defined elements for some local streets, wider sidewalks in places, additional room for bike facilities along some streets, expansion of the bikeway network, and dedicated transit lanes along a section of Broadway Avenue.

Details of proposed changes to the MCSP will be published on the Monday prior to the Planning Commission meeting in a separate document.

These updates will create a more complete, robust transportation network by improving streetscape elements to promote additional modes of travel through additional sidewalks, bikeways, and transit and also will improve the area’s aesthetic quality.

STAFF RECOMMENDATION

Staff recommends approval of the updates to the Major and Collector Street Plan.

Approve. (8-0)

Resolution No. RS2022-299

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022CP-010-001 is approved. (8-0)

**15. 2016SP-039-005
BENTO NASHVILLE (AMENDMENT)**

Council District 17 (Colby Sledge)
Staff Reviewer: Amelia Lewis

A request to amend a SP on property located at 1267 3rd Avenue South, at the corner of 3rd Avenue South and Hart Street, zoned SP (0.96 acres), to permit a mixed-use development, requested by Bradley, applicant; Bento Nashville, LLC., owner.

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

APPLICANT REQUEST

Amend SP to increase number of hotel rooms permitted.

Zone Change

A request to amend a Specific Plan (SP) on property located at 1267 3rd Avenue South, at the corner of 3rd Avenue South and Hart Street, zoned SP (0.96 acres), to permit a mixed-use development.

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 commercial uses.*

Proposed Zoning

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

SOUTH NASHVILLE COMMUNITY PLAN

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

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

The site is within the Wedgewood Houston Chestnut Hill (WHCH) Small Area Plan. The WHCH breaks down the area into character and subdistricts in order to provide more detailed guidance for the smaller subdistrict areas. The site is within the 4c and 4d Character Areas. The guidance for building design are limited within this amendment, as the proposed amendment does not include any changes to the existing structure other than uses. However, both subdistrict areas support a higher density residential and a mix of uses along the rail line and 4th Avenue South.

SITE CONTEXT AND PLAN DETAILS

The 0.96 acre site is located at the southeast intersection of 4th Avenue South and Hart Street. The site has frontage along 4th Avenue South, Hart Street, and 3rd Avenue South. The western property line abuts a rail line.

The property was rezoned to SP in June of 2016 with the approval of the preliminary SP which permitted a structure with 82 residential units and a maximum of 8,700 square feet of commercial uses (restaurant/general retail). In September of 2016, under case 2016SP-039-002/BL2016-538, the SP was amended to include a maximum of 89 units and 8,500 square feet of commercial uses. This amendment did not include any changes to the footprint of the building. A final site plan was approved in 2017. In the same year, the SP was amended by 2016SP-039-004/BL2017-855, which added hotel uses to uses permitted in the SP. This amendment modified the uses to permit a maximum of the 66 of the original 89 multi-family units to be used as hotel units while limiting the maximum 8,500 square feet originally identified as commercial uses to a maximum of 8,500 square feet of restaurant/general retail uses. This amendment also included an increase in the permitted height of the building.

No changes to the existing structure are proposed. This proposed amendment would permit all the existing units to be used as hotel units, as opposed to capping the number of hotel rooms. It also permits the units to be used as multi-family, interchangeably. The proposed amendment prohibits short term rental property, owner occupied and short term rental property, not owner occupied. Hotel is defined by and classified as a different use in the zoning code from STRP uses and they are held to different standards of operation within the code.

ANALYSIS

The proposed amendment allows for increased flexibility in the uses within the existing structure. The intent of the Urban Mixed-Use Neighborhood Policy is to maintain, enhance, and create urban, mixed use neighborhoods with a diverse mix of moderate- to high density residential, commercial, office, and light industrial land uses. The T4 MU Policy supports a wide range of land uses including residential, mixed-use, office, and commercial. The hotel use is currently permitted in the SP, but with a maximum number of rooms or units. The proposed amendment would permit all the units to be used as hotel units, while retaining the ability to have them be used as multi-family as well.

FIRE MARSHAL RECOMMENDATION

Approve

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

- MWS recommends approval, on the following conditions: Approval does not apply to private water and sewer line design. Plans for these must be submitted and approved through a separate review process with Metro Water Permits before their construction may begin. Water & Sewer Capacity must be paid before issuance of building permits.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable.
- Final design may vary based on field conditions.
- A private hauler is required for site waste/recycle disposal.
- Sidewalks/roadway at Hart and 4th intersection: There appears to be gravel wash-out over public sidewalks and public roadway caused by development drainage design. Coordinate w/ NDOT on a run-off drainage solution at intersection.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Update parking table to show hotel use.
- See roads comments.

METRO SCHOOL BOARD REPORT

The proposed amendment is not expected to generate any additional students than the existing SP zoning district.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited a maximum of 89 multi-family units/hotel rooms, to be used interchangeably, and 8,500 square feet of restaurant/general retail uses . Short term rental property, owner occupied and short term rental property, not owner occupied shall be prohibited.
2. Previous conditions, with the exception of the use conditions, of BL2016-538 and BL2017-855 remain in effect.
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 MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approve with conditions and disapprove without all conditions. (7-0-1)

Resolution No. RS2022-300

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-039-005 is approved with conditions and disapproved without all conditions. (7-0-1)

CONDITIONS

1. Permitted uses shall be limited a maximum of 89 multi-family units/hotel rooms, to be used interchangeably, and 8,500 square feet of restaurant/general retail uses . Short term rental property, owner occupied and short term rental property, not owner occupied shall be prohibited.

2. Previous conditions, with the exception of the use conditions, of BL2016-538 and BL2017-855 remain in effect.
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 MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

16. 2018SP-064-002

CUBBY HOLES SP (AMENDMENT)

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 November 10, 2022, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2018SP-064-002 to the November 10, 2022, Planning Commission meeting. (8-0)

17. 2021SP-071-003

12TH AVE SOUTH SP (AMENDMENT)

Council District 17 (Colby Sledge)

Staff Reviewer: Dustin Shane

A request to amend a Specific Plan on property located at 2212 12th Avenue South, approximately 141 feet south of Lawrence Avenue, zoned SP (1.92 acres), to amend the fire access condition, requested by Barge Cauthen & Associates, applicant; 2214 12 South Property, LLC, owner.

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

APPLICANT REQUEST

Amend the 12th Ave South Specific Plan District to amend the fire access condition.

Amended SP

A request to amend a Specific Plan on property located at 2212 12th Avenue South, approximately 141 feet south of Lawrence Avenue, zoned Specific Plan (SP) (1.92 acres), to amend the fire access condition.

Existing Zoning

Specific Plan-Mixed Non-Residential (SP-MNR) 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 office and commercial uses.

GREEN HILLS – MIDTOWN COMMUNITY PLAN

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

Supplemental Policy

The site is within the 12th Avenue South Corridor Detailed Neighborhood Design Plan and specifically Subdistrict 9A, which is intended to provide for neighborhood commercial needs through a vibrant mixed use area with high standards of urban design that provides opportunities to live, work and play.

PLAN DETAILS

The site is located on the east side of 12th Avenue South approximately 80 feet south of Lawrence Avenue and extending southward to a point across from Linden Avenue. Alley 649 runs along the rear length and dead-ends into the parcel. The site was rezoned to Specific Plan District in 2021 and approved for all uses allowed by the MUG-A zoning district with the exception that residential, owner-occupied short term rental, not owner-occupied short-term rental, and hotel uses are expressly prohibited. The plan limits retail and restaurant floor space to 47,425 square feet and office space to 60,135 square feet. Height was capped at 3 stories in 45 feet. The plans included ROW dedications, plaza areas, and active ground uses intended to create an active, mixed-use streetscape.

The amended plan does not propose to enlarge the footprint or square footage of the building. Rather, it removes the council bill condition requiring widening of the rear alley to 20 feet in width along the length of the property out to Lawrence Avenue. After Council approval, an alternative fire access arrangement was agreed upon by the Fire Marshall and the developer. The amended plan shows two fire apparatus aerial staging areas (a concrete pad on the north side off the entrance into the garage and a clear zone within the plaza area access from 12th Avenue South).

ANALYSIS

The amendment to the SP does not change the entitlements and is consistent with the T4 Urban Neighborhood Center (T4 NC) policy on the site. The amendment merely removes a council bill condition because an alternate means of addressing the Fire Marshall's concerns have been agreed upon since the approval.

Staff recommends approval with conditions and disapproval without all conditions.

FIRE MARSHAL RECOMMENDATION

Approve

- Site access for aerial fire apparatus will be met via access from 12th Ave. S., access point at north end along parking access drive, and access onto reinforced segment of the courtyard to provide access to the rear three story building. Alley 649 would not be required as a primary fire department access point. - JA 9/27/22
- Courtyard access area shall be designated as fire lane and maintain a minimum unobstructed width of 24 feet. Use for any other purpose is prohibited.

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

2021SP-071-003. No objection to the Amendment to the Preliminary SP. Prior to Final SP approval our previous comments still apply:

- Public Water (22WL0087) (Status: Under Tech Review) and Sanitary Sewer (22SL0176) (Status: Under Tech Review) construction plans must be approved prior to Final Site Plan/SP approval. These approved construction plans must match the Final Site Plan/SP plans. A minimum of 30% W&S Capacity must be Paid before issuance of building permits. (Water and Sewer Capacity Fee Permit No. T2022051795 & T2022051797).

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. Note: A private hauler will be required for waste/recycle dumpster disposal. See returned traffic comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

Ensure the following comments are addressed in final site plan and building permit submittal:

- Include the crosswalk across eastbound approach of 12th Ave S & Linden Ave, including ADA curb ramps and detectable warning mats.
- Include crosswalks across all legs of intersection of 12th Ave and Ashwood Ave.
- Bus stops: Extend curb bulb out on west side of 12th Ave to the correct WeGo landing standards. Update #13 note to say 'WeGo bus stops in accordance with WeGo Transit Design Guidelines detail for the Bus Bulb Stop type.'
- Clearly identify the striping or island location on the Ashwood Ave leg of mini roundabout (west leg). Also call out the appropriate lighting and signage needed for the roundabout. Follow FHWA Mini Roundabout Guide.
- Provide a sheet with off-site improvements identified in the traffic study with building permit submittal: a) Install a crosswalk across the westbound approach of Linden Ave & Belmont Blvd, including ADA curb ramps and detectable warning mats. b) Extend the curb bulb-out, add shelter, and move the bench to the north side of the landing at 12th Ave S & Ashwood Ave stop. c) Install a concrete landing and bench at 12th Ave S & Lawrence Ave stop.
- Park per code.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to all uses permitted by the MUG-A zoning district except for the following use shall be prohibited: residential, short term rental property-owner occupied, short term rental property-not owner occupied, and hotel/motel uses. Square footage of permitted uses is limited as per the plan.
2. All conditions from BL2021-1037 apply except for the condition requiring the alley to be widened.
3. 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.
4. 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.
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 MUG-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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.

Chair Adkins asked if there was anyone in the audience opposing Item 17. He advised the Commissioners that they can put this Item back on the Consent Agenda.

Mr. Clifton moved and Ms. Johnson seconded the motion to put Item 17 back on the Consent Agenda. (7-0)

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

Resolution No. RS2022-301

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-071-003 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to all uses permitted by the MUG-A zoning district except for the following use shall be prohibited: residential, short term rental property-owner occupied, short term rental property-not owner occupied, and hotel/motel uses. Square footage of permitted uses is limited as per the plan.
2. All conditions from BL2021-1037 apply except for the condition requiring the alley to be widened.
3. 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.
4. 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.
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 MUG-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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.

18. 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, (1.2 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: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

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

Preliminary SP

A request to rezone from Mixed-Use Intensive - Alternative (MUI-A) to Specific Plan (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, (1.2 acres), to permit a mixed use development.

Existing Zoning

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

Proposed Zoning

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

GREEN HILLS – MIDTOWN COMMUNITY PLAN

T5 Center Mixed Use Neighborhood (T5 MU) is intended to maintain, enhance, and create high-intensity urban mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses. T5 MU areas are intended to be among the most intense areas in Davidson County. T5 MU areas include some of Nashville's major employment centers such as Midtown that represent several sectors of the economy including health care, finance, retail, the music industry, and lodging. T5 MU areas also include locations that are planned to evolve to a similar form and function.

MIDTOWN STUDY SUPPLEMENTAL POLICY

The site is located within the T5 Center Mixed Use Subdistrict Area 2 (T5 MU-02) of the Midtown Study Community Character Plan that was adopted in 2012. The T5 MU-02 subdistrict is intended to contain a significant amount of high density residential development that is very mixed use in nature.

SITE CONTEXT AND PLAN DETAILS

The site is approximately 1.2 acres and has frontage onto the north side of Church Street and onto 15th Avenue North. Church Street is an Arterial Boulevard and 15th Avenue North is a Collector Avenue in the Major and Collector Street Plan. The site is bounded by an alley to the rear and side of the site. The site currently contains surface parking for automobiles. The area surrounding the site is a mixture of commercial, office, residential, vehicle parking, and vacant uses.

Site Plan

The plan proposes two towers, a 30-story hotel building and a 29-story podium style mixed-use tower with residential units on-top of the podium. The buildings cover the majority of the site and a new private drive is proposed between the hotel building and the residential mixed use building. A minimum of 60' of separation is proposed between the residential portion of the northern tower and the hotel tower. The ground level of both towers proposes lobby space and also includes potential retail/restaurant commercial tenant space. The residential mixed use podium building proposes 4 stories of below grade parking and up to 5 stories of above grade parking. The plans include elevations and renderings of the proposed buildings, demonstrating the architecture of the buildings, the proposed massing, and the screening of the above grade parking. The elevations demonstrate that the materials for all facades of the building, including the structured parking, are required to be high quality and the structured parking is required to be integrated with the residential portion of the tower using the same materials and glazing systems.

ANALYSIS

The proposed specific plan is consistent with the Midtown Study Supplemental Policy, the T5 MU policy, and the proposed amended Major and Collector Street Plan. The plan is consistent with the intent of the T5 MU-02 subdistrict to provide for high density residential or commercial uses. Staff finds that the proposed SP plans and elevations provide for a form that is consistent with the Midtown Study in this location. The site is located within the subject area of case 2022CP-010-001, a Planning Department initiated update to the Major and Collector Street Plan and the plan provides the updated street cross-sections that are planned for the subject roadway segments. The update to the Major and Collector Street Plan is placing focus on pedestrian and bicycle facility improvements in a broader area of Midtown. All access is limited to private drives and alleys, consistent with policy guidance.

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

Approve with conditions

- Approved as a Preliminary SP only. Public and/or private Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. A minimum of 30% W&S Capacity must be paid before issuance of building permits. (Water & Sewer Capacity Fee Permit No's. T2022028892 & T2022028893).

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.
- Move proposed drive access further away from existing building footprint(corner) to promote better line of sight when pulling out from access and mitigate the potential pinch point for peds and handicap.
- Additional paving improvements along Church, 15th and alley and 15th may be required, based on final utility plans.
- Drop-off signage directing hotel traffic to the 15th access may be required for to avert drop-off from taking place on Church St.
- Comply w/ NDOT traffic comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Due to the existing building at 1418 Church St. remaining, the proposed access on 15th Ave will need to be shift the access further North to provide better pedestrian access and improve sight distance for vehicles exiting the site. At final include a sight distance exhibit for the reconfigured access on 15th Ave. Further coordination with NDOT will be required.
- The applicant shall contribute towards the planned road diet project to construct dedicated and protected bike lanes on Church Street. Further coordination with NDOT will be required prior to Final SP approval.
- The applicant shall provide bike lanes on 15th Ave between Church Street and Charlotte Pike. Further coordination with NDOT will be required prior to Final SP approval to determine final design.
- The applicant shall either construct or contribute to pedestrian/bike improvements over the I40/I65 interstate within the vicinity of the development. Further coordination with NDOT & TDOT will be required.
- Per the TIS, the applicant shall improve the sidewalk connectivity along the Eastern leg of Hynes Street if the ROW is available.

- The final cross-sections for this development are to be determined at Final SP and shall conform with the most current MCSP.
- Remove all mentions of the required parking being 'none.' Total parking count for this development is to be determined at Final SP.
- Off-peak loading and deliveries for this development shall be enforced to minimize impacts to traffic operations.
- The development shall provide employees, residents, and customers with extensive information about area transit service including routes, nearby stops, and schedules. This information may be provided by an informational kiosk, maps, or posters at prominent locations. Parking/storage options should be provided for bicycle and scooters on-site. Publicize B-cycle services, stop locations, and bike routes.
- Modifications to the above conditions may be required as this development's phase(s) progress but further analysis will need to be conducted to justify said modifications.

Maximum Uses in Existing Zoning District: MUI-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	0.42	5 F	91 U	494	31	41

Maximum Uses in Existing Zoning District: MUI-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.22	5 F	47,916 SF	1,809	45	183

Maximum Uses in Existing Zoning District: MUI-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.22	5 F	47,916 SF	5,375	476	468

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 10+ (222)	0.86	-	570 U	2,458	172	202

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
Hotel (310)	0.86	-	375 R	3,807	182	255

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.86	-	26,000 SF	1,000	24	101

Traffic changes between maximum: MUI-A and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-413	-178	-134

METRO SCHOOL BOARD REPORT

Projected student generation existing MUI-A district: 1 Elementary 1 Middle 1 High

Projected student generation proposed SP-MU district: 7 Elementary 5 Middle 5 High

The proposed SP zoning is expected to generate 14 more students than the existing MUI-A zoning. Students would attend Eakin Elementary School, West End Middle School, and Hillsboro High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 570 multi-family residential units, 375 hotel units, and 26,000 square feet of non-residential use on the ground floor as permitted by the MUI-A zoning district. Short term rental properties- owner occupied and short-term rental properties- not-owner occupied shall be prohibited in the entire development.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
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 MUI-A zoning district as of the date of the applicable request or application.
5. The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
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. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

Resolution No. RS2022-302

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-049-001 is approved with conditions and disapproved without all conditions. (8-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 570 multi-family residential units, 375 hotel units, and 26,000 square feet of non-residential use on the ground floor as permitted by the MUI-A zoning district. Short term rental properties- owner occupied and short-term rental properties- not-owner occupied shall be prohibited in the entire development.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
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 MUI-A zoning district as of the date of the applicable request or application.
5. The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
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. 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.

19. 2022SP-060-001
1401 CHURCH STREET

Council District 19 (Freddie O'Connell)
Staff Reviewer: Abbie Rickoff

A request to rezone from MUI-A to SP zoning for properties located at 1401 Church Street and 112, 116, 118, 120, 124, 128, and 132 15th Avenue North (3.85 acres), to permit a mixed use development with nonresidential uses and a maximum of 1,350 multi-family residential units, requested by Hastings Architecture, applicant; Country Delite Farms, LLC, Dean Dairy Fluid, LLC, Suiza Dairy Group, LLC, CCB Nashville Developments Limited Partnership, owners.

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

APPLICANT REQUEST

Preliminary SP to permit a mixed use development.

Preliminary SP

A request to rezone from Mixed Use Intensive-Alternative (MUI-A) to Specific Plan (SP) zoning for properties located at 1401 Church Street and 112, 116, 118, 120, 124, 128, and 132 15th Avenue North to permit a mixed use development with nonresidential uses and a maximum of 1,350 multi-family residential units (3.85 acres).

Existing Zoning

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

Proposed Zoning

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

SITE CONTEXT AND PLAN DETAILS

The 3.85 acre-site comprises multiple properties located on the south side of Church, bounded by 14th Ave. N and I-40 to the east, 15th Ave. N. to the west, and Grundy Street to the south. Two existing alleys bisect the site, separating the largest parcel that fronts Church Street and 14th Ave. N., from the smaller parcels along 15th Ave. N. The site's long-established use as a dairy plant ceased operations earlier in 2022. This area of Midtown has been experiencing significant growth, with several proposed developments in the surrounding area.

Specific Plan

The SP proposes a mixed use development with a maximum of 1,350 multi-family residential units or 1,150 multi-family residential units and 250 hotel rooms, and up to 75,000 square feet of additional nonresidential uses. Permitted nonresidential uses include all uses of MUI-A and Microbrewery; Tasting room; and Artisan Distillery uses. Short Term Rental Property (STRP) owner occupied and not owner occupied uses are prohibited. The development is proposed in two phases, with the second phase proposed on the southern portion, generally south of the intersection of 15th Ave. N. and Hayes Street.

The plan establishes a maximum base height of seven stories, with three tower elements that rise above, increasing in height from Church Street to Grundy Street. Tower 1, located along a portion of Church Street, is proposed with a maximum height of 30 stories; Tower 2, located along 15th Ave. N., is proposed with a maximum height of 35 stories; and Tower 3, located along Grundy Street, is proposed with a maximum height of 45 stories. The plan proposes a minimum 80' tower separation distance between the towers. The base of the building will wrap beneath the tower elements along the street, providing openings in several locations at the plaza level for pedestrian and vehicular access. A minimum of 20 percent of the site coverage will be set aside for active plaza or landscaping, including south of Tower 1, where the site opens up to pedestrians along 14th Ave. N., feeding directly into the central plaza space that is accessible from the streets. The proposal establishes a minimum active ground floor use component along each street to generate pedestrian street activity and interaction. The plan defines active uses as habitable space occupied by retail, office, institutional, amenity, or lobby uses. The plan also considers pedestrian access points and publicly accessible space as an active ground floor use and restricts residential units and hotel units from the ground floor, further encouraging pedestrian activation along the street. Architectural and building standards, including materials, glazing, and general parking garage treatments, are included in the plan.

Vehicular access is proposed from 15th Ave. N., Grundy Street, and 14th Ave. N. into the proposed parking structure that is primarily located below the plaza level. All structured parking is below-grade except for along 14th Ave. N.,

where there will be one level of above grade parking along a portion of the street frontage due to the change in topography. The area identified with above grade parking spans approximately 280 linear feet of the building frontage along 14th Ave. N., wrapping the northern corner of the building within the central plaza area. A one-way private drive with surface parking spaces and drop off area is proposed at the plaza level, extending from 15th Ave. N. to 14th Ave. N., where it becomes a two-way access near the parking garage entry at 14th Ave. N. A second drop area/motor court is proposed along 15th Ave. N., closer to Church Street. Areas for service access and loading are identified along 14th Ave. N. and Grundy Street. No vehicular access is proposed from Church Street.

Street improvements are proposed along Church Street, 14th Ave. N., Grundy Street, and 15th Ave. N. to accommodate the proposed density at this site and the surrounding Midtown area, where there has been additional focus on creating a more complete multi-modal network than currently called for by the Major and Collector Street Plan (MCSP). The cross sections proposed in the subject plan reflect changes that are proposed in the MCSP amendment (case 2022CP-010-001), including wide sidewalks, bike lanes, and the realignment of 15th Ave. N. at Church Street.

GREEN HILLS-MIDTOWN COMMUNITY PLAN

T5 Center Mixed Use Neighborhood (T5 MU) is intended to maintain, enhance, and create high-intensity urban mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses. T5 MU areas are intended to be among the most intense areas in Davidson County. T5 MU areas include some of Nashville's major employment centers such as Midtown that represent several sectors of the economy including health care, finance, retail, the music industry, and lodging. T5 MU areas also include locations that are planned to evolve to a similar form and function.

Supplemental Policy

The site is within the Midtown Study supplemental policy which provides more detailed guidance for specific areas. The site is located within the 10-MT-T5-MU-01 and 10-MT-T5-MU-02 Special Policies, applicable to various properties in the Midtown supplemental policy. 10-MT-T5-MU-01 is applicable to the southern portion of the site, and 10-MT-T5-MU-02 is applicable to the northern portion. Where the Special Policy is silent, the guidance of the T5 Mixed Use Neighborhood policy applies.

ANALYSIS

The site is located on the eastern edge of the Midtown Study area, adjacent to major corridors including I-40 and Church Street, and in proximity to other major thoroughfares, including Broadway and Charlotte Avenue. The location of this site, which connects directly into Downtown Nashville, provides an opportunity for additional intensity that would serve the Midtown area as well as the Downtown Core. The site is located in the Midtown Study area, within the T5 Center transect. The T5 MU policy area is intended to be among the most intense areas in Davidson County, supporting a diverse mix of residential and nonresidential uses at higher concentrations to serve the larger community. The plan includes development that frames the corridor with tower elements in key locations, contributing to a dynamic streetscape. Publicly accessible open space is provided at various points along the street frontage to break up the massing along the street and activate the pedestrian experience.

One of the more fundamental elements of this plan is to ensure that the street network and accompanying streetscape elements provide a variety of transportation options to support the additional intensity proposed at this site and surrounding redevelopments proposed in the area. The Planning Department, in conjunction with NDOT and WeGo, worked with the development teams and their traffic engineer to evaluate opportunities to further enhance the transportation system in the area. The proposed plan reflects an enhanced network that prioritizes the experience of transit riders, pedestrians, and cyclists, consistent with the streetscape updates proposed in the MCSP amendment (case 2022CP-010-001).

The plan proposes punctuations of taller heights through the tower elements, consistent with the general allowance of greater heights for sites located at prominent locations when the site and building design comply with policy. In this instance, significant efforts have been made to enhance the overall design, including locating the majority of the parking underground, specifying a minimum separation distance between the tower heights to maintain the overall massing, providing multiple opportunities for pedestrian level interaction through the inclusion of nonresidential uses and publicly accessible open space, and incorporating the proposed infrastructure improvements, including the realignment of 15th Ave. N. at Church Street. Staff finds that the plan meets several critical planning goals and is consistent with the intent of the policy.

FIRE MARSHAL RECOMMENDATION

Approve

HISTORIC ZONING STAFF RECOMMENDATION

- No exception taken.

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

NASHVILLE DOT RECOMMENDATION

Approved with conditions

- At final: Callout roadway sections, (access and ADA)ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Show 'Now Entering Private Drive' signage where applicable off public roads.
- Provide stopping sight distance exhibits at any relevant intersections and accesses.
- Dimension ROW pavement widths and dedications on site plan for clarity. Label all loading/unloading back-of-house locations on site plans.
- Add Note: A private hauler will be required for all site waste/recycle disposal.
- Reference NDOT traffic prelim comments.
- Additional road comments forthcoming at final.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- The final cross-sections for this development are to be determined at Final SP and shall conform with the most current MCSP. Remove the three on-street parking on 15th Ave between Hayes Street and Alley 379. Remove option 4 for the ROW configuration on page 18.
- As a condition of Phases 1 & 2 of this development, the below grade parking garages are to be interconnected. The final parking count for this development is to be determined at Final SP.
- The applicant shall either construct or contribute to pedestrian/bike improvements over the I40/I65 interstate within the vicinity of the development. Further coordination with NDOT & TDOT will be required.
- The applicant shall contribute towards the planned road diet project to construct dedicated and protected bike lanes on Church Street. Further coordination with NDOT will be required prior to Final SP approval.
- 15th Avenue North Between Grundy Street and Broadway shall operate as one-way with one lane in the northbound direction only.
- At the intersection of Church Street and 15th Avenue North the following improvements shall be made. Realign the northbound approach of 15th Avenue North to the east in order to reduce the existing offset with the southbound approach of 15th Avenue North.
- Provide a northbound shared through/left-turn lane with approximately 75 feet of storage and a right-turn lane.
- Provide protected-permissive left-turn phasing on the eastbound and westbound approaches of Church Street.
- Grundy Street and 15th Avenue North shall operate as an all-way, stop-controlled intersection.
- Signal timings at all the signalized study intersections should be evaluated after each phase of development and optimized as needed. Leading pedestrian intervals (LPI) should be taken into consideration at the signalized study intersections.
- Off-peak loading and deliveries for this development shall be enforced to minimize impacts to traffic operations.
- The development shall provide employees, residents, and customers with extensive information about area transit service including routes, nearby stops, and schedules. This information may be provided by an informational kiosk, maps, or posters at prominent locations. Parking/storage options should be provided for bicycle and scooters on-site. Publicize B-cycle services, stop locations, and bike routes.
- As a part of the construction, all internal/external driveway connections shall be designed such that the departure triangles as specified by AASHTO, will be clear of all sight obstructions including landscaping, existing vegetation, monument signs/walls, fences, etc.
- Modifications to the above conditions may be required as this development's phase(s) progress but further analysis will need to be conducted to justify said modifications.

Maximum Uses in Existing Zoning District: MUI-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 10+ (222)	1.93	5 F	420 U	1,867	130	151

Maximum Uses in Existing Zoning District: MUI-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.96	5 F	209,088 SF	7,893	197	796

Maximum Uses in Existing Zoning District: MUI-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.96	5 F	209,088 SF	23,455	2,078	2,043

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 10+ (222)	1.93	-	1,350 U	5,531	391	467

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.96	5 F	37,500 SF	1,416	35	143

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.96	5 F	37,500 SF	4,207	373	366

Traffic changes between maximum: MUI-A and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-22,061	-1,606	-2,014

METRO SCHOOL BOARD REPORT

Projected student generation existing MUI-A district: 0 Elementary 0 Middle 0 High
 Projected student generation proposed SP district: 17 Elementary 12 Middle 11 High

The proposed SP zoning is expected to generate 40 more students than the existing MUI-A zoning district. Students would attend Eakin Elementary School, West End Middle School, and Hillsboro High School. All schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

- Permitted uses shall be limited to 1,350 multi-family residential units or 1,150 multi-family residential units and 200 hotel rooms, and up to 75,000 square feet of additional nonresidential uses. Nonresidential uses shall be limited to all uses permitted by MUI-A and Microbrewery; Tasting room; and Artisan Distillery. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited in the entire development.
- If phased, include a full phasing plan with the first final site plan.
- Final street cross sections and alignment details along Church Street, 15th Ave. N., Grundy Street, and 14th Ave. N., are to be coordinated with Nashville DOT during final site plan review.

4. All structured parking shall be located below grade except for the area identified on the preliminary SP along a portion of 14th Ave. North, where one level of above grade parking is permitted.
5. Facades for the above grade parking shall be seamlessly integrated into the design and shall include parking garage treatments per the Garage Screening and Base Articulation standards. The materiality and proportions of any above-grade parking screening should be thoughtfully considered. The façade treatments shall integrate or complement the architectural characteristics of the habitable portion of the building and the surrounding built context. Openings for natural ventilation are permissible when integrated into the façade design. Applicant shall work with staff during final SP review to review final design of parking treatments.
6. The maximum floor plate, maximum height, and minimum separation distance of the tower elements shall be per the preliminary SP.
7. Pedestrian entries and street-level interaction shall be demonstrated with the final site plan architectural elevations consistent with the preliminary SP.
8. On the corrected copy, update the permitted uses language per Condition #1.
9. On the corrected copy, update the primary entrance standard of Building Standards on page 12: Building facades fronting a street shall provide a minimum of one principal entrance. Along 14th Ave. N., the area identified within the Phase 1 boundary of the preliminary SP is exempted.
10. Approval of mandatory referral shall be required by Metro Council for abandonment of existing rights-of-way prior to permitting.
11. Approval of mandatory referral shall be required by Metro Council for any encroachments proposed within public right-of-way prior to permitting.
12. Comply with all conditions and requirements of Metro reviewing agencies.
13. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the preliminary SP for review and approval.
14. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
15. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
16. The final site plan shall depict any required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
17. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
18. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Property Owners' Association.
19. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
20. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any of any building permits.

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

Resolution No. RS2022-303

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-060-001 is approved with conditions and disapproved without all conditions. (8-0)

CONDITIONS

1. Permitted uses shall be limited to 1,350 multi-family residential units or 1,150 multi-family residential units and 200 hotel rooms, and up to 75,000 square feet of additional nonresidential uses. Nonresidential uses shall be limited to all uses permitted by MUI-A and Microbrewery; Tasting room; and Artisan Distillery. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited in the entire development.
2. If phased, include a full phasing plan with the first final site plan.
3. Final street cross sections and alignment details along Church Street, 15th Ave. N., Grundy Street, and 14th Ave. N., are to be coordinated with Nashville DOT during final site plan review.
4. All structured parking shall be located below grade except for the area identified on the preliminary SP along a portion of 14th Ave. North, where one level of above grade parking is permitted.
5. Facades for the above grade parking shall be seamlessly integrated into the design and shall include parking garage treatments per the Garage Screening and Base Articulation standards. The materiality and proportions of any above-grade parking screening should be thoughtfully considered. The façade

- treatments shall integrate or complement the architectural characteristics of the habitable portion of the building and the surrounding built context. Openings for natural ventilation are permissible when integrated into the façade design. Applicant shall work with staff during final SP review to review final design of parking treatments.
6. The maximum floor plate, maximum height, and minimum separation distance of the tower elements shall be per the preliminary SP.
 7. Pedestrian entries and street-level interaction shall be demonstrated with the final site plan architectural elevations consistent with the preliminary SP.
 8. On the corrected copy, update the permitted uses language per Condition #1.
 9. On the corrected copy, update the primary entrance standard of Building Standards on page 12: Building facades fronting a street shall provide a minimum of one principal entrance. Along 14th Ave. N., the area identified within the Phase 1 boundary of the preliminary SP is exempted.
 10. Approval of mandatory referral shall be required by Metro Council for abandonment of existing rights-of-way prior to permitting.
 11. Approval of mandatory referral shall be required by Metro Council for any encroachments proposed within public right-of-way prior to permitting.
 12. Comply with all conditions and requirements of Metro reviewing agencies.
 13. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the preliminary SP for review and approval.
 14. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
 15. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
 16. The final site plan shall depict any required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
 17. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
 18. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Property Owners' Association.
 19. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
 20. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any of any building permits.

20. 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 use, requested by Ragan Smith, applicant; HCA Health Services of Tennessee, INC., owner.

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

APPLICANT REQUEST
Rezone Specific Plan to Specific Plan to permit a hospital land use.

Amend SP

A request to rezone from Specific Plan (SP) to Specific Plan (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 use.

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 includes commercial uses.

Proposed Zoning

Specific Plan-Mixed Non-Residential (SP-NR) 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 SP includes a medical use.

BELLEVUE COMMUNITY PLAN

T2 Rural Maintenance (T2 RM) is 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. T2 RM areas have established low-density residential, agricultural, and institutional development patterns. Although there may be areas with sewer service or that are zoned or developed for higher densities than is generally appropriate for rural areas, the intent is for sewer services or higher density zoning or development not to be expanded.

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.

HISTORY

The site currently has SP zoning applied to it and this zoning permits a financial institution and a restaurant land use with surface parking. The site has had commercial entitlements through a Planned Unit Development overlay and subsequently through SP zoning since 1985 and the site was previously developed with a commercial landscaping business. The policy for this site was revised after the 2010 flood impacted this area. Staff did not support the 2010 SP request because of floodplain concerns in the recent aftermath of the 2010 flood. The current SP zoning was applied in 2015 and staff and the MPC supported the SP zoning as it brought the entitlements of the site further into compliance with the goals of the policy applied to the site (T2 RM/CO) by reducing the development intensity and amount of impervious surface.

SITE

The site is located at the intersection of US Highway 70 S and Harpeth Valley Road, north of US Highway 70 S and west of Harpeth Valley Road. US Highway 70 S is a Scenic Arterial in the Major and Collector Street Plan. The site is approximately 3.42 acres in size. The site has area within the 100-year floodplain and the entire site is within the 500-year floodplain. The site is vacant other than a partially constructed restaurant building.

PLAN DETAILS

The application proposes an approximately 10,000 square foot single-story medical building with surface parking in front of the building along Highway 70. The site plan shows access from Highway 70 and Harpeth Valley Road but NDOT is conditioning that access be limited to Highway 70. An ambulance drive wraps the building with an ambulance canopy and entrance to the building being provided to the rear of the building. An emergency canopy is also provided on the front of the building where the primary entrance is located. Otherwise, the rear of the site will contain stormwater facilities with the perimeter area left in its natural condition.

ANALYSIS

Both the CO and T2 RM policy describe that in situations where the current zoning has the potential to develop in ways inconsistent with the policy, it may warrant supporting a district otherwise considered inappropriate if it brings the potential closer to conforming with the policy. While the T2 RM policy for the site does not support the proposed land use, the proposed SP zoning would reduce the amount of impervious surface from 51% of the site per the existing approved SP to 37% of the site. Additionally, the anticipated traffic generation from the proposed use is less than half of the anticipated traffic generation under the existing SP zoning. Considering the current zoning entitlements, Staff finds the proposed SP zoning to bring the site further into compliance with the Conservation policy applied to the site and the intent to be environmentally sensitive to the floodplain. Staff also finds the reduced land use intensity to be more in compliance with the T2 RM policy than the existing zoning on the property.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approved

WATER SERVICES RECOMMENDATION

Not Applicable

- Harpeth Valley Water and Sewer Utility District.

HARPETH VALLEY WATER AND SEWER UTILITY DISTRICT

Approve with conditions

- HVUD has confirmed availability for water and sewer services for the subject parcels. See letter of Availability of Water & Sewer Services dated 09/29/22.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final construction plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. A private hauler will be required for waste management. See NDOT traffic comments regarding 2-way center turn on Hwy 70. On final, provide ADA complaint ramp at corner of Harpeth Valley and Hwy 70. Provide ST-324 commercial ramp for access off Hwy 70. Sidewalks along Harpeth Valley ROW, are to be in the public row.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- The Supplemental transportation memo has been reviewed and the purpose of this memo was to compare the projected trips between the previously approved SP (2010SP-011-002), which consisted of a 7027 sqft diner and a 3000 sqft bank, against the new proposal which is a 10,860 sqft free standing emergency room. It was found that there will be a significant reduction in trips generated by the free-standing medical center vs. the previously approved SP, totaling to a reduction of daily trips at 74% (1055 trips down to 271 trips), reduction of AM peak hour trips at 77% (97 trips down to 22 trips), and reduction of PM peak hour trips at 81% (127 trips down to 24 trips).
- Only access to the proposed development shall be via US 70. The driveway shall be constructed along the western property line in alignment with the driveway across the street. A cross-access easement shall be recorded so that the adjacent property can access this driveway. A signal warrant analysis shall be conducted prior to Final SP approval and a signal shall be constructed if/when directed by NDOT. Further coordination with NDOT is required for the striping on US 70.
- The median on Harpeth Valley Rd is to be closed between George Horn Road and Harpeth Valley Place. Continue to coordinate with NDOT to potentially extend median to US 70. The applicant shall also enter into a joint agreement (run the correct wordage by JD) with NDOT/Metro to maintain the median's landscaping.
- Parking for this development is to be per code.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	1.71	-	7,027 SF	788	69	69

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.71	-	3,000 SF	113	3	11

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (720)	3.42	-	10,860 SF	330	31	39

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
-	-	-	+833 SF	-571	-41	-41

METRO SCHOOL BOARD REPORT

The proposed SP-NR zoning district is not expected to generate any additional students.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 10,860 square feet of hospital land use.
2. The final site plan application shall comply with the Scenic Arterial requirements of 17.24.070.
3. 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.
4. 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.
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 CL 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.

Ms. Blackshear left the meeting.

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

Tom White, 500 11th Avenue North, stated he represents the applicant. He spoke in favor of the application.

Sheri Weiner, 208 Aspenwood Lane, spoke in favor of the application.

Scott Cihak, President and CEO Tristar Centennial Medical Center, 9602 Romano Way, Brentwood, spoke in favor of the application.

Michael Hasty, 6104 Gardendale Drive, Medical Director Tristar Centennial Emergency Department, spoke in favor of the application.

Mary Harden, 8036 Pine Forest Drive, spoke in favor of the application.

Steve Harden, 8036 Pine Forest Drive, spoke in favor of the application.

Jim Dyes, 623 Barlin Drive, spoke in favor of the application.

Terry Forth, 1068 General George Patton Road, spoke in favor of the application.

Kelly Kormos, 7613 Indian Springs Drive, spoke in opposition to the application.

Danielle Ontiveros, 2390 Bellevue Manor Drive, spoke in opposition to the application.

Roy Allen, 2390 Bellevue Manor Drive, spoke in opposition to the application.

Lynn Edwards, 7512 Patomic Drive, spoke in opposition to the application.

Daniel Espensen, 7741 Indian Springs Drive, spoke in opposition to the application.

Chris Cobb, 7751 Indian Springs Drive, spoke in opposition to the application.

Elizabeth Rice, 7908 Indian Springs Drive, spoke in opposition to the application.

Bruce Williams, 130 Harpeth Valley Road, spoke in opposition to the application.

Linda Nelson, 7416 Hallows Drive, spoke in opposition to the application.

Tom White spoke in rebuttal.

Councilmember Hausser spoke in favor of the application.

Chair Adkins closed the Public Hearing.

Councilmember Withers stated he does not see any evidence there is any apathy in the Bellevue community. He thought the benefits of this plan at a location on a US highway next to an Interstate is the perfect location. He felt this is a real investment in services and infrastructure for the community.

Ms. Johnson agreed with Mr. Withers. She stated the current policy is SP and comparing the existing entitlement and the new proposal, it is much closer to the existing policy, but is unusual for the commercial type of development to be in a T2 area but because it is based on the old PUD, it allows commercial use and existing SP. She said traffic, buffer and increase in impervious surface is better suited for the policy. Ms. Johnson stated the traffic study suggests reduction of traffic but a condition is if it is needed, a traffic light will be required at that point, and so the traffic issue was addressed. She thought the benefit outweighs the negative impact.

Ms. Farr asked when a traffic study was done, would they have considered the impact of the high school coming in.

Ms. Milligan responded that when NDOT scopes a traffic study they will scope out a certain area and include any background traffic from those and any uses they know are coming.

Ms. Farr said she was happy the condition that a signal study would be done, so by the time they conduct that analysis they will also be thinking about the high school at that point. She was interested to hear about the idea that emergency rooms increase incidents with people using drugs and there are more likely to be people who are unhoused and asked if that was something that was looked into.

Ms. Milligan stated they reached out to the Metro Homeless Impact Division for some data.

Angie Hubbard, Director of Housing, stated every year in January, MDHA and the Metro Homeless Impact Division do an annual point and time count and they count unsheltered individuals. She advised most of the unsheltered population congregate in places they have support among each other or support of the community in campsites and near hospitals and emergency rooms were not places where they found during the count. Neighborhood Health, near the Rescue Mission and Room In The Inn are where persons that are unsheltered tend to congregate for services. She added that every emergency room department has the telephone numbers of the Metro Homeless Impact Division outreach workers to do the coordinated entry.

Ms. Farr recognized this is a big change but feels this makes a lot of sense and is confident Tristar has considered all of the issues when selecting this site.

Mr. Henley felt a lot of the comments from those in opposition have been address in rebuttal and by some of the comments from the other Commissioners. He asked to address the dynamic with Harpeth Valley and was curious if there was reason that shifted the structure further back other than the floodplain.

Mr. Elliott responded when staff looked at the site plan, one of the critical factors for looking at the streetscape was that Highway 70 is a scenic arterial boulevard which intends to have landscaping to buffer the road from the site. She said that designation and the Major and Collector Street Plan intends to give those streets a certain character and it's to have it buffered with landscaping, so on those streets the orientation and building placement is a little different. With the street classification, they were amendable to the site plan with that building location.

Mr. Henley said he was looking at comparison across Harper Valley Road and it seemed as though they were more aligned with the structures being towards the street and the parking in the rear, so, seeing it inverted, he had a question about it, but not an opposition. He stated the measurables seemed to have moved this SP in a direction that makes a lot of sense. He felt this is an area that is underserved for this type of need. Mr. Henley said this seems like a well thought out plan.

Mr. Clifton said he lives close to a hospital and hears a lot of ambulances and helicopters overhead and that means he hears lives being saved. He felt this is a tremendous step forward and cannot imagine a better location in Bellevue than on this highway close to the interstate.

Mr. Clifton moved and Mr. Withers seconded the motion to approve with conditions and disapprove without all conditions. (6-0) Ms. Blackshear recused herself.

Resolution No. RS2022-304

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-064-001 is approved with conditions and disapproved without all conditions. (6-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 10,860 square feet of hospital land use.
2. The final site plan application shall comply with the Scenic Arterial requirements of 17.24.070.
3. 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.
4. 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.
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 CL 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.

21. 2011UD-001-008

PRIMROSE NEIGHBORHOOD UDO

BL2022-1469

Council District 18 (Tom Cash)

Staff Reviewer: Jared Islas

A request to amend the Primrose Neighborhood Urban Design Overlay for various properties starting at the corner of Brightwood Ave and Primrose Ave, zoned R8 (17.14 acres), requested by Metro Planning Department, applicant; various, owners.

Staff Recommendation: Approve with an amendment.

APPLICANT REQUEST

Amend the Primrose Neighborhood Urban Design Overlay (UDO) by replacing the existing UDO document with an updated document, to clarify various neighborhood defining characteristics.

EXISTING ZONING

Single-Family Residential (R8) is intended for medium intensity one-family and two-family development.

Urban Design Overlay (UDO) is a zoning tool that requires specific design standards for development in a designated area. A UDO can protect the character of the area or create a character above and beyond that of the base zoning.

The Primrose Neighborhood UDO was enacted by BL2011-880 in 2011 to institute design standards that would preserve the unique identity of the Primrose Neighborhood and ensure new buildings and additions match this unique identity.

GREEN HILLS - MIDTOWN COMMUNITY PLAN

T4 Urban Neighborhood Maintenance (T4 NM) is intended to maintain urban neighborhoods as characterized by their moderate- to high-density residential development pattern, building form/types, setbacks, and building rhythm along the street.

COMMUNITY ENGAGEMENT

On the evening of October 5, 2022, Metro Planning Staff, Councilmember Cash, and members of the Primrose neighborhood met to discuss the proposed UDO amendment. Attendees voiced their support behind the intent of the amendment and gave valuable feedback on an initial draft. A final draft (and a corresponding substitute council bill) were published, implementing much of this feedback.

PROPOSED AMENDMENT DETAILS

The final draft of the proposed UDO amendment seeks to clarify various neighborhood defining characteristics by changing the following:

STAFF RECOMMENDATION

Staff recommends approval with an amendment to replace the updated document in the filed council bill.

Ms. Blackshear joined the meeting.

Mr. Islas presented the staff recommendation to approve with an amendment.

Erin Karb, 2916 Primrose Circle, spoke in opposition to the application.

Chair Adkins closed the Public Hearing.

Ms. Farr thought the commenter's points were interesting. She asked what the issue will be with the dormers that would impact the homeowners' ability to renovate.

Ms. Kempf said they put a standard there to protect the character of that area, so they do not want buildings to be torn down. She thought having more visual tools to explain what it is that they are looking for is helpful. They do not want to disincentivize renovations.

Ms. Williams explained the Urban Design Overlay was put in place over ten years ago and was an effort to provide guidance for in fill, new construction and renovation. It was not as restrictive as an historic overlay may be and allowed for reuse and expansion beyond what an historic overlay would allow and there was an intent those are single family homes. They are not big builders coming and doing this work. The intent of the document was to be very straight forward, streamlined and simple to understand. Over time they have seen builders become more aggressive with their interpretation of those standards and it became clear there is a gray zone on how dormers meet and are subservient to the primary roofline, so they believe it warrants a clarification on new construction but does not think there is a scenario where the regulations they are proposing for dormers would be prohibitive on an existing structure. The regulations are that you have to be inset from the primary walls and are truly subservient to the main roofline. There is always a modification process in UDOs, where someone, if they weren't meeting that strict standard, could come to this Board for review. The issue that needed clarification was how a dormer sits within a roofline rather than being flush with any main part of the façade.

Ms. Farr asked if this was trying to clarify the original intent ten years ago.

Ms. Williams said that was correct and that some of the photo examples that were given in the original document, they dissected what they intended to display to help them craft those regulations.

Ms. Farr said looking at the visuals of what is proposed makes a lot of sense and is inclined to support staff recommendation.

Ms. Blackshear stated that any time you want to clarify something it means whatever what was done before can be improved. She said she would be in favor of the amendment.

Mr. Adkins asked if this would affect those legal proceedings.

Mr. Dickerson explained the property owners in question have vested rights in the existing UDO. He said their office is aware of this and reviewing this to see what kind of action would be relevant to that. Clarifying a document like this is not something that would negatively impact a legal case. This is a subsequent remedial measure. They are always trying to make their documents and actions more clear and does not think that will have a negative impact on any legal action they would pursue in that case.

Ms. Johnson said often times it is implementation problems with them following the regulation. She thought if a current document has a portion that is not clear, it is always good to precisely clarify the document. As long as there are clear guidelines, they can accommodate and there is typically no tear down unless it is intentional.

Councilmember Withers asked for clarification on the two properties that were accused as meeting guidelines and were those permits reviewed by their staff and approved that way or did someone just build differently than what the permit allowed.

Ms. Williams responded that the builder filed a final site plan with their staff and those drawings were reviewed. It was brought to their attention that what was being built was not compliant with the drawings that have been submitted. They asked the builder for updated drawings and those drawings were submitted. It was determined the new drawings and what was being built were compliant with the regulations and that was the gray zone. She said they kind of did a little bit of a turn, not a substantial difference, but it was a difference, which matters. When they reviewed the updated set, they found it to be compliant but acknowledged there was a gray zone that probably warranted further clarification. Following several discussions with the Codes Administrator and others, the Codes Administrator determined it was not compliant and the Use and Occupancy permits were revoked. The builder may choose to file and Item A with the Board of Zoning Appeals to appeal the decision made by the Codes Administrator.

Councilmember Withers said clarity is helpful to everyone. He asked if the community meeting was well attended.

Mr. Islas responded they had a community meeting via ZOOM and there were approximately six people in attendance, in addition to himself and the Councilmember. He felt the attendees were supportive of the intent behind the UDO, which was to clarify the existing UDO through the amendment.

Councilmember Withers said he appreciated the information, and based on those things, he is in support of the staff recommendation.

Mr. Clifton said there was a concern raised this could lead to potential destruction of the home and asked for clarification.

Mr. Dickerson stated their litigation team is just starting to look at this and looking through remedies but at this point, does not know what the remedies would be.

Ms. Kempf said she thought she heard a concern that this would discourage others on the street from renovating existing houses and because they couldn't renovate to meet the standards, then they might just tear down their house. She said that is not in the litigation space, that is in the unintended consequence.

Mr. Clifton asked if something is allowed to become derelict, at some point, can the city demolish it.

Ms. Kempf said what they are proposing is a visual clarification of an existing standard which has generally been working well with the exception of the two homes, and so would a clarifying language around dormers and how they meet the other architectural elements that were in the staff report, would that result in folks tearing down their homes. She stated this is not a new regulation. It is meant to visually clarify something that has been in place for ten years.

Ms. Williams said the regulation that exists today is about the primary presence of the primary roofline. The eave height is measured in a couple of different ways. The proposal is not changing any of those numbers or standards but it does further clarify the relationship of a dormer to that main roofline so that a dormer cannot be so expansive that it is negating the original intent of all of the structures appearing to be 1 ½ stories maximum, so that you are not building a full two story house.

Ms. Kempf asked if any home was demolished and rebuilt, would they have to meet the standard.

Ms. Williams said yes, and all new construction and all renovations, expansions, and anything related to existed housing. She said in this neighborhood it is a pretty fair balance of renovations and new construction.

Mr. Henley said he felt comfortable and understood the intent of what is being done.

Mr. Henley moved and Ms. Farr seconded the motion to approve with an amendment. (7-0)

"BE IT RESOLVED by The Metropolitan Planning Commission that 2011UD-001-008 is approved with an amendment. (7-0)

**22. 2022UD-001-001
BEAMAN AUTOMOTIVE-MIDTOWN UDO**

Council District 19 (Freddie O'Connell)
Staff Reviewer: Logan Elliott

A request to apply an Urban Design Overlay to various properties starting at the corner of Broadway and 16th Ave North, zoned MUI-A (8 acres), requested by Bradley Arant Boult Cummings LLP applicant; 1525 Broadway Owner, LLC, owner.

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

APPLICANT REQUEST

Establish an Urban Design Overlay zoning district.

Urban Design Overlay

A request to apply an Urban Design Overlay (UDO) to various properties starting at the corner of Broadway and 16th Ave North, zoned Mixed-Use Intensive-Alternative (MUI-A) (8 acres).

Existing Zoning

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

Proposed Overlay Zoning (MUI-A to remain as the base zoning)

Urban Design Overlay (UDO) is intended to allow for the application and implementation of special design standards with the intent of achieving a sense of place by fostering a scale and form of development that emphasizes sensitivity to the pedestrian environment, minimizes intrusion of the automobile into the built environment, and provides for the sensitive placement of open spaces in relationship to building masses, street furniture and landscaping features in a manner otherwise not insured by the application of the conventional bulk, landscaping and parking standards of the Zoning Code.

PURPOSE OF UDO

The purpose of the Beaman Automotive-Midtown UDO is to:

- Establish a compact mixed use development pattern that transitions in scale from the downtown core to West End and which responds appropriately in scale to the Development on the northern side of Broadway.
- Encourage buildings to be oriented to and linked together by a cohesive pedestrian system.
- Encourage a balance of transportation options for pedestrians, bicycles, vehicles and transit.
- Encourage a high level of pedestrian-generating activity and retail uses along streets and a pedestrian friendly environment.
- Encourage environmentally sensitive development and open space that creates a campus like atmosphere that encourages music collaboration.
- Encourage the majority of the parking, loading and unloading and deliveries and drop-offs to be located below grade, if possible, to further facilitate the campus like atmosphere that is safe for pedestrians.
- Encourage music-oriented businesses and ancillary uses for music-oriented businesses.
- Encourage the use of public art.
- Locate a significant number of housing units within the development to support a live, work and play environment.

MUSIC ROW VISION PLAN

The Music Row Vision Plan, adopted in December 2017, identifies the significance of and pressures facing Music Row. It contains a broad range of recommendations and action steps to pursue. The overarching theme of the Vision Plan is to ensure that Music Row continues to be a vital hub of music business and innovation and a unique creative cluster within Nashville. It is a planning document, but also a call to action for the public and private sectors, neighbors, and developers, and all those who support and strengthen the Row. The purpose of the Music Row Vision Plan is to guide and inform the preparation and consideration of implementation tools and development proposals. The subject site is in the Music Row North character area of the Vision Plan, which is intended to serve as a gateway to the Gulch, Midtown, and Downtown. It is intended to promote growth with high-rise development containing a mixture of uses and commercial activity. The area offers a high-energy urban experience, with towers activated by engaging and inviting ground-floor retail. A diverse mix of office, residential, retail, hotel, restaurants, and bars makes this area a center of activity around the clock.

The site is within sub-district district 1A and this sub-district has the greatest flexibility in land use, building height, and intensity, more so than any other area within the Music Row boundary.

GREEN-HILLS MIDTOWN COMMUNITY PLAN

T5 Center Mixed Use Neighborhood (T5 MU) is intended to maintain, enhance, and create high-intensity urban mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses. T5 MU areas are intended to be among the most intense areas in Davidson County. T5 MU areas include some of Nashville's major employment centers such as Midtown that represent several sectors of the economy including health care, finance, retail, the music industry, and lodging. T5 MU areas also include locations that are planned to evolve to a similar form and function.

SITE CONTEXT AND PLAN DETAILS

The approximately 8 acre site encompasses the entire block that is bounded by Broadway Avenue, McGavock Street, 14th Avenue, and 16th Avenue. The site contains an automobile sales land use with an associated automobile service use. The surrounding area contains a variety of uses, including additional automobile sales uses, non-residential uses such as office and commercial, and a mixture of medium to high intensity residential land uses.

The Major and Collector Street Plan identifies Broadway Avenue as an Arterial Boulevard and 16th Avenue as a Collector Avenue. This site is within an area that is proposed for an update to the Major and Collector Street Plan to accommodate the high-intensity development that is planned for the area, particularly to provide multi-modal and pedestrian scale improvements. The updates to the Major and Collector Street Plan are tracking parallel to this application (2022CP-010-001) and the UDO provides the planned updates to the Major and Collector Street Plan for the subject roadway segments adjacent to the site.

UDO STANDARDS

The Beaman Automotive- Midtown Urban Design Overlay proposes a comprehensive overlay to this block of Midtown that would regulate future development in a manner similar to the Downtown Code. The applicant has used the Downtown Code as a template to address street frontages, parking, access, setback and bulk standards, open space, landscaping, awnings and the streetscape, mechanical, loading, and additional general standards. The UDO tailors the standards of the Downtown Code to the context of this site and has removed sections not applicable to the project.

The UDO also proposes to provide the updated Major and Collector Street Plan cross sections per the amendment for the relevant street frontages. These cross sections have been generated focusing on multi-modal and pedestrian improvements to serve the level of development intensity that is planned for this area. Along the perimeter of the site, access to the site is limited to McGavock Street and 16th Avenue. Interior to the site, access is found on both of the private streets provided with the development.

The plan relies on two subdistricts that each have their own bulk standards. Subdistrict 1 is the smaller of the two subdistricts and is confined to frontage onto McGavock Street and onto a private street that is interior to the site. Buildings are permitted at a maximum height of 25 stories or 315 feet, whichever is greater, in Subdistrict 1. Subdistrict 2 contains the remainder of the site, with frontage onto Broadway Avenue, 14th and 16th Avenue, and the interior private streets. Subdistrict 2 permits buildings to extend up to 30 stories, or 350 feet, whichever is greater. This subdistrict also includes a provision for additional punctuated height at 40 stories, or 450 feet, whichever is greater, for 2 towers. The two towers permitted to provide punctuated height are required to front onto either Broadway Avenue or 14th Avenue.

The UDO doesn't require any parking, consistent with the approach of the Downtown Code, and if any parking is provided, the UDO requires that all parking within Subdistrict 1 to be below grade. For Subdistrict 2, all parking is proposed to be below grade, except for any towers that are primarily used for office land use. Any office tower parking that is above grade is required per the UDO to be screened with a material that integrates into the architectural character of the remainder of the building.

The UDO also includes an Open Space plan with some regulating standards for this open space. A minimum of 10% of the site is required to be open space and an Open Space plan for the site is required to be provided with the first final site plan application for this development.

ANALYSIS

Staff finds the proposal to be consistent with the intent of Urban Design Overlay Districts to provide special design standards for achieving a sense of place and by emphasizing sensitivity to the pedestrian environment, minimizing the intrusion of the automobile into urban settings, and providing for open space in relationship to building masses, in a way that is not insured by the conventional standards of the Metro Zoning Code. The UDO does this in an appropriate manner considering the T5 MU policy applied to the site as well as the Music Row Vision Plan. The UDO standards also provide for the intense mixed-use development called for in this area given the location on an important corridor. The subdistrict approach allows the development to transition the development intensity down

from Broadway Avenue to McGavock Street and staff finds this to be appropriate given the building height guidance provided in the Music Row Vision Plan. Staff finds the proposed UDO to require a higher quality urban design than what is insured under the existing MUI-A zoning district and recommends approval of the application.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- At final: Callout roadway sections, (access and ADA)ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Show 'Now Entering Private Drive' signage where applicable off public roads. Provide stopping sight distance exhibits at any relevant intersections and accesses. Dimension ROW pavement widths and dedications on site plan for clarity. Label all loading/unloading back-of-house locations on site plans. Add Note: A private hauler will be required for all site waste/recycle disposal. Reference NDOT traffic comments regarding roadway sections and traffic improvements.
- Removal of right-in/right-out access off Broadway may be required. NDOT may require ingress only for the East access off Broadway.
- The through site street(s) connecting Broadway and McGavock, proposed as 15th Ave, shall be private with corresponding access drives per NDOT standards and details. Commercial driveway ramp widths off public streets shall be maximum 24 ft. and any additional width required up to 35 ft. max(per ST-324) will require turning exhibits to justify need.
- Site access spacing from intersections and adjacent drives shall adhere to code 17.20. Therefore, please remove note about 20 ft. spacing.
- From previous comment, proposed road sections are illegible. At final, submit proposed roadway sections, with reference to Major Street Collector Plan.
- Remove note, 'valets shall be in the ROW when space allows'. Private valets shall be on private property.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- The final cross-sections for this UDO are to be determined at final approval for each phase of development and shall conform with the most current MCSP.
- The UDO shall illustrate or include callouts for the proposed median along Broadway.
- The applicant shall either construct or contribute to the proposed median on Broadway between 16th Avenue North and 14th Avenue North. Coordination with NDOT, TDOT, and WeGo is required to determine overall dimensions for the proposed median in relation to transit operations/access.
- The mid-block primary access (Road A/Main Street) on Broadway shall be the only two-way access (Right-In/Right-Out that also permits Left turns into the site) along this corridor, further coordination with NDOT will be required. The secondary vehicular access on Broadway near the intersection of 14th Ave, shall be a one-way ingress only into the site.
- Broadway and Road A (Main Street) Driveway placement shall be designed to allow for a signalized intersection that accommodates a pedestrian crossing, eastbound left-turn lane, and westbound left-turn lane to operate concurrently without conflicts. It shall be noted that the pedestrian access is the main priority over all other movements at this intersection and further coordination with NDOT will be required. The traffic signal for this intersection shall be installed once the Road A (Main Street) connection is made. Provide a westbound left-turn lane with a minimum of 75 feet of storage. The alignment of Road A (Main Street) shall be coordinated with NDOT prior to final design.
- All proposed access points to this development and all subsequent phases are to meet Metro Code and will require approval from NDOT and Planning.
- Remove mention of Valet/Loading within the Public ROW from the UDO. All valet & loading operations shall occur within the development on private roads unless approval is granted from NDOT and Planning.
- The applicant shall either construct or contribute to pedestrian/bike improvements over the I40/I65 interstate within the vicinity of the development. Further coordination with NDOT & TDOT will be required.
- The applicant shall either construct or contribute transit improvements within the study area. Further coordination will be required with NDOT and WeGo.
- Broadway/West End Avenue and 16th Avenue North provide a Northbound right-turn lane that extends to McGavock Street.
- McGavock Street and 14th Avenue South convert the existing southbound shared through/right-turn lane into an exclusive right-turn lane that terminates at McGavock Street and install a right-turn channelization island.
- McGavock Street and 16th Avenue South provide a traffic signal at the intersection.

- The applicant shall construct a one-way Northbound protected bike lane on 16th Avenue South between Broadway and McGavock Street. The applicant shall also construct or contribute to a one-way Southbound protected bike lane for 17th Ave, however further analysis will be required.
- The applicant shall construct protected bike lanes on McGavock from Road A (Main Street) to 16th Ave.
- Signal timings at all the signalized study intersections should be evaluated after each phase of development and optimized as needed. Leading pedestrian intervals (LPI) should be taken into consideration at the signalized study intersections.
- Off-peak loading and deliveries for the retail development should be encouraged to minimize impacts to traffic operations.
- It is recommended that the development provide employees, residents, and customers extensive information about area transit service including routes, nearby stops, and schedules. This information may be provided by an informational kiosk, maps, or posters at prominent locations. Parking/storage options should be provided for bicycle and scooters on-site. Publicize B-cycle services, stop locations, and bike routes.
- Modifications to the above conditions may be required as this development's phase(s) progress but further analysis will need to be conducted to justify said modifications.

WATER RECOMMENDATION

Approve with conditions

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

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITONS

1. Comply with all conditions of reviewing agencies.
2. Prior to any final site plan approval, final components of street sections shall be determined and approved by NDOT and Metro Planning, consistent with the amended MCSP.
3. A public access easement shall be recorded for the new private drive bisecting the site. The easement shall allow full public access and shall cover sidewalks, bike lanes, and drive.
4. Prior to any final site plan approval, a corrected set of the UDO document shall be provided that scales the subdistrict regulating plans.
5. Prior to any final site plan approval, a corrected set of the UDO document shall be provided that revises Page 39, the second bullet point of "General Standards for Parking and Access" to state that "On-site surface parking is not permitted in this UDO."

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

Resolution No. RS2022-306

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

CONDITONS

1. Comply with all conditions of reviewing agencies.
2. Prior to any final site plan approval, final components of street sections shall be determined and approved by NDOT and Metro Planning, consistent with the amended MCSP.
3. A public access easement shall be recorded for the new private drive bisecting the site. The easement shall allow full public access and shall cover sidewalks, bike lanes, and drive.
4. Prior to any final site plan approval, a corrected set of the UDO document shall be provided that scales the subdistrict regulating plans.
5. Prior to any final site plan approval, a corrected set of the UDO document shall be provided that revises Page 39, the second bullet point of "General Standards for Parking and Access" to state that "On-site surface parking is not permitted in this UDO."

23. 2022COD-003-001

BL2022-1480

Council District 15 (Jeff Syracuse)

Staff Reviewer: Jason Swaggart

A request to apply a Contextual Overlay District for various properties located east of McGavock Pike and south of Meadowood Drive, (207.1 acres), requested by Metro Councilmember Jeff Syracuse, applicant; various property owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Establish a Contextual Overlay District.

Contextual Overlay District

A request to apply a Contextual Overlay District for various properties located east of McGavock Pike and south of Meadowood Drive, zoned Single-Family Residential (RS20), (207.1 acres).

Existing Zoning

Single-Family Residential (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre.

Proposed Zoning Overlay

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

DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

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

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.

CONTEXTUAL OVERLAY STANDARDS

Application of the COD would not change the existing entitlements afforded under the RS20 base zoning district.

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

Setback

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

Height

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

Coverage

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

Access, Garages, Parking

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

ANALYSIS

The area included in the Overlay includes properties located between Meadwood Drive to the north, the Cumberland River to the east, a railroad to the south and east of McGavock Pike. The properties are in various subdivisions, including, Knob Hill, Lincoya Hills, and McGavock Heights. The homes in the area are mostly single-story and split-level Ranch- and Minimal Traditional-style residences. There is a predominant development pattern in the neighborhood with consistent bulk and massing present throughout the proposed Overlay boundary, with a few exceptions.

The proposed Overlay is located within a T3 Suburban Neighborhood Maintenance policy area, which is intended to maintain the general character of developed, suburban residential neighborhoods. Application of the Overlay would help to preserve the existing character with specific development standards for bulk, massing, access, garages, and parking. As proposed, the Overlay is consistent with the T3 NM policy. The standards required will maintain and protect the neighborhood form and character.

STAFF RECOMMENDATION

Staff recommends approval.

Mr. Swaggart presented the staff recommendation to approve.

Tom Guss, 2910 Knobdale Road, spoke in opposition to the application.

Chair Adkins closed the Public Hearing.

Mr. Dickerson advised it becomes pending legislation, in theory, at first reading at Council and heard at Planning. The idea is that once Planning makes a recommendation it then sets that protection in place with the idea the Councilmember will then introduce another Bill later and have that become pending. He said it holds the protections and removes this one.

Ms. Milligan said Councilmember Syracuse will file a new overlay that would be able to be placed on a neighborhood that would limit anything to two stories.

Ms. Blackshear asked if whether they approve it, so there is pending legislation, and another tall building cannot be built in the interim, or whether they disapprove it and see the Bill when it comes back to them.

Ms. Milligan stated a disapproval still makes it pending because it is just the trigger of a Planning Commission recommendation.

Mr. Dickerson advised to decide based on the merits of the proposal alone without considering the pending ordinance issue.

Ms. Blackshear said the neighbors' concerns were valid and would not approve this in the absence of knowing whatever is coming before them.

Ms. Johnson stated she would be in support if all of the neighbors were in that direction. She said if they put a contextual overlay in the meantime, it will prevent somebody to do what they intend to do. If Councilmember Syracuse is bringing in the right Bill, that will be the right direction, but is concerned of unintended consequences.

Councilmember Withers recognized part of the reason a contextual overlay was created was because it would allow growth to happen but still maintain the scale of suburban neighborhoods with lower height and preserve open space. He said a bit of his skepticism is that if the concern is there are a few homeowners that it doesn't work out for, they don't have lot considerations that work for an Item A appeal, it becomes a judgement call of the Councilmember of what the majority of people want it or not. He felt, in this case, the majority have made the determination that they do not want the contextual overlay.

Mr. Henley said it seems more restrictive than the needs and desires of the community.

Ms. Farr said whenever they have something of that scale you would expect to see a person in support of it. She stated if it makes no difference from a pending legislation perspective, if it is approved or disapproved, it is still pending legislation and would vote to disapprove.

Mr. Clifton moved and Ms. Farr seconded the motion to disapprove. (7-0)

Mr. Clifton left the meeting.

Resolution No. RS2022-307

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022COD-003-001 is disapproved. (8-0)

24. 2022COD-004-001

BL2022-1496

Council District 7 (Emily Benedict)

Staff Reviewer: Abbie Rickoff

A request to apply a Contextual Overlay District to various properties located north of Porter Road and east of Stratford Avenue, zoned R10 and RS10 (139.41 acres), requested by Councilmember Emily Benedict, applicant; various owners.

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

The Metropolitan Planning Commission deferred 2022COD-004-001 to the November 10, 2022, Planning Commission meeting. (8-0)

25. 2022HL-006-001

BL2022-1437

Council District 19 (Freddie O'Connell)

Staff Reviewer: Dustin Shane

A request to apply a Historic Landmark Overlay District for property located at 627 2nd Avenue South, 105 feet north of Elm Street, zoned DTC and within the Rutledge Hill Redevelopment District, (0.15 acres), requested by GBX GROUP, applicant; Rutledge Hill LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Apply a Historic Landmark Overlay District.

Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District for property located at 627 2nd Avenue South, 105 feet north of Elm Street, zoned DTC and within the Rutledge Hill Redevelopment District (0.15 acres).

Existing Zoning

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

Proposed Overlay

Historic Landmark Overlay District (HL) is applied to a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

DOWNTOWN COMMUNITY PLAN

T6 Downtown Neighborhood (T6 DN) is intended to maintain and create diverse Downtown neighborhoods that are compatible with the general character of surrounding historic developments and the envisioned character of new Downtown development, while fostering appropriate transitions from less

intense areas of Downtown neighborhoods to the more intense Downtown Core policy area. T6 DN areas contain high density residential and mixed use development.

Supplemental Policy

The site is located within a supplemental policy which was created to provide additional guidance for specific areas within the downtown community plan. The supplemental policy, 09-T6-DN-RH-01, Rutledge Hill, is intended to develop as a vibrant, mixed use neighborhood with a heavy residential emphasis in primarily low- to mid-rise buildings. It was one of Nashville's earliest residential areas and still contains several notable historic buildings as well as the Richard Fulton Government Office Complex and the Nashville Children's Theater.

REQUEST DETAILS

The Metro Historic Zoning Commission (MHZC) considered this application at its September 21, 2022, meeting. Historic Zoning Commission staff recommended approval of this application. MHZC staff provided the following background information:

627 2nd Avenue South

The James Geddes Engine Company No. 6 was listed in the National Register of Historic Places in 1977. The nomination provides the following information:

The James Geddes Engine Company No. 6 is the only fire hall which remains of the several built in Nashville during the latter half of the nineteenth century and the last built to house horse-drawn fire equipment. Its exuberant Victorian facade is one of the few remaining examples of the architecturally distinctive Rutledge Hill neighborhood of the late 1800s. The Rutledge Hill area of South Nashville was once an area of elaborate residences and was the home of several significant educational institutions, including the forerunners of Vanderbilt University and George Peabody College.

James Geddes, for whom the fire hall was named, came to the United States from Scotland in 1851 after receiving a degree in civil engineering. He was hired by the infant Louisville and Nashville Railroad in 1851 as a leveler. He rose through the ranks, holding a number of increasingly important positions as the railroad grew. In 1901 he was honored as the first L & N employee to serve for fifty years and was promoted to the position of assistant to the general manager which he held until his death in 1914.

The fire hall's significance lies in its association with James Geddes, a railroad pioneer and prominent Nashvillian, in its architectural merit, and in its being one of a few survivors of Victorian Rutledge Hill and Nashville's sole surviving Victorian fire hall.

No exterior alterations are currently planned.

Recommendation: The property meets 17.36.120(5) as it is listed in the National Register of Historic Places.

Staff suggests the Commission recommend to City Council that the James Geddes Engine Company No. 6 be adopted as a Historic Landmark and the existing design guidelines for Historic Landmarks be used to guide future changes.

METRO HISTORIC ZONING COMMISSION RECOMMENDATION

On September 21, 2022, the Metro Historic Zoning Commission reviewed the request and recommended approval of the Historic Landmark designation for 627 2nd Avenue South.

STAFF RECOMMENDATION

The proposed Historic Landmark Overlay District is intended to preserve the historic structure on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and Staff. The policy and supplemental policy encourage the protection and preservation of historic structures in this downtown neighborhood. Staff recommends approval of the Historic Landmark Overlay District.

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022HL-006-001 is approved. (8-0)

26. 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: Disapprove OR20 and approve RM9-A-NS.

The Metropolitan Planning Commission deferred 2022Z-082PR-001 indefinitely. (8-0)

27. 2022Z-088PR-001

Council District 02 (Kyonzté Toombs)
Staff Reviewer: Dustin Shane

A request to rezone from RS7.5 to R10 zoning for property located at 1236 N Avondale Circle, approximately 627 feet west of Hampton Street (0.28 acres), requested by Carla Brown, applicant and owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS7.5 to R10.

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to One and Two-Family Residential (R10) zoning for property located at 1236 North Avondale Circle, approximately 627 feet west of Hampton Street (0.28 acres).

Existing Zoning

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of 1 unit.*

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 1 lot with 1 duplex lot for a total of 2 units. Metro Codes provides final determinations on duplex eligibility.*

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.

ANALYSIS

The application consists of one parcel (Map 071-02, Parcel 205) totaling 0.28 acres in size located on the south side of North Avondale Circle approximately 650 feet east of Monticello Drive. The property is currently vacant. Surrounding uses include single-family residential (zoned RS7.5) and a multi-family residential development (zoned SP). The properties are all within the T4 NM policy.

The application proposes to rezone the property from RS7.5 to R10. The requested R10 zoning is supported by the T4 NM policy, at this location. According to the Community Character Manual, T4 NM areas are characterized by moderate- to high-density residential uses, with a focus on retention of the current neighborhood form and character. Housing in T4 NM areas can include a mix of building types, including “missing middle” housing such as plex houses, house courts, and multifamily housing with small to medium-sized footprints. The proposed zoning allows for one or two-family residential uses, which would increase housing choice in the area and contribute to the provision of missing middle options. The R10 zoning is both an increase and a decrease in intensity: a duplex would potentially be allowed, but the minimum lot size will be greater than the surrounding RS7.5 properties.

FIRE RECOMMENDATION
Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.28	5.808 D	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential (210)	0.28	4.356 D	2 U	28	7	2

*Based on two-family lots

Traffic changes between maximum: **RS7.5 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 RS7.5 districts: 0 Elementary 0 Middle 0 High
 Projected student generation proposed R10 district: 0 Elementary 0 Middle 0 High

The proposed R10 zoning is not expected to generate any more students than the existing RS7.5 zoning district. Any additional students would attend Alex Green Elementary School, Brick Church College Prep Middle School, and Whites Creek 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. (8-0)

Resolution No. RS2022-309

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-088PR-001 is approved. (8-0)

28. 2022Z-089PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Amelia Lewis

A request to rezone from R8 to CL zoning for property located at 2611 Old Buena Vista Road, approximately 54 feet west of corner of Day Street and Old Buena Vista Road (0.62 acres), requested by Carla R. Brown, applicant and owner.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Zone change from R8 to CL.

Zone Change

A request to rezone from One and Two Family Residential (R8) to Commercial Limited (CL) zoning for property located at 2611 Old Buena Vista Road, approximately 54 feet west of corner of Day Street and Old Buena Vista Road (0.62 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 three duplex lots for a total of six units, based on acreage alone. Compliance with the Metro Subdivision Regulations may result in an alternative number of lots.

Proposed Zoning

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

BORDEAUX- WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

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

Supplemental Policy

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

SITE AND CONTEXT

The 0.62 acre site is located on the west side of Old Buena Vista Road, north of the intersection of Old Buena Vista Road and W Trinity Lane. The properties to the north are zoned Single-Family Residential (RS10) and to the west the properties are zoned Mixed-Use Limited (MUL). To the south the properties are zoned CL and have been zoned CL since 1998. Within the larger area, there are several properties zoned Specific Plan (SP) resulting in the need for infrastructure as outlined in the Haynes Trinity Plan. Surrounding land uses include single-family residential, non-residential land uses, and vacant properties.

ANALYSIS

The intent of the Urban Neighborhood Center (T4 NC) Policy is to maintain, enhance, and create urban neighborhood centers that provide daily needs and services for surrounding urban neighborhoods. The proposed CL zoning is not expressly supported by the T4 NC policy, but the policy guidance states that other zoning districts may be appropriate based on the locational characteristics and surrounding context of the subject property and the ability of the applicant to document that the proposed zoning district is consistent with the policy. Design-based zoning may be required to achieve planning objectives such as access management, coordination among adjacent developments, or to mitigate potential negative impacts to nearby environmentally sensitive features.

Old Buena Vista is classified in the Major and Collector Street Plan (MCSP) as a collector road. W Trinity Lane is also classified as an arterial boulevard in the MCSP. Given the high classification of these roadways, additional intensity may be appropriate. However, as the policy direction for rezoning indicates, a design based zoning may be required to achieve planning objectives like access management. A key component of the Haynes Trinity Plan was the mobility plan to enhance mobility in the area and support increased in intensity. The mobility plan in the Haynes-Trinity Plan includes a planned collector road through the site. The straight rezoning as proposed does not include the needed right-of-way for the proposed road connection. As the proposed rezoning does not address the road connection, staff recommends disapproval.

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)	0.62	5.445 D	6 U	78	9	7

*Based on two-family lots

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)	0.62	0.6 F	16,204 SF	612	15	62

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+534	+6	+55

METRO SCHOOL BOARD REPORT

**Projected student generation existing R8 districts: 1 Elementary 0 Middle 0 High
 Projected student generation proposed CL district: 2 Elementary 1 Middle 1 High**

The proposed zoning is expected to generate three any additional students than the existing R8 zoning district. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends disapproval.

Ms. Lewis presented the staff recommendation to disapprove.

Chair Adkins closed the Public Hearing.

Ms. Blackshear moved and Mr. Henley seconded the motion to disapprove. (6-0)

Resolution No. RS2022-310

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-089PR-001 is disapproved. (6-0)

29. 2022Z-097PR-001

Council District 05 (Sean Parker)

Staff Reviewer: Donald Anthony

A request to rezone from RS5 to R6-A zoning for property located at West Sharpe Ave (unnumbered), approximately 178 feet south of W Greenwood Ave (0.16 acres), requested by Councilman Sean Parker , applicant; Yolanda R. Johnson, owner.

Staff Recommendation: Approve.

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 West Sharpe Avenue (unnumbered), approximately 600 feet west of McFerrin Avenue (0.16 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.*

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 1 lot with 1 duplex lot for a total of 2 units. Metro Codes provides final determinations on duplex eligibility*

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.

SITE AND CONTEXT

The rezoning application is for a 0.16-acre parcel (Map 082-04, Parcel 191), located along the north side of West Sharpe Avenue, approximately 600 feet west of McFerrin Avenue. The subject property is currently vacant. Surrounding uses include single-family residential (zoned RS5). Property at the western terminus of West Sharpe Avenue is zoned RM-20. The properties are all within the T4 NE policy.

ANALYSIS

The application proposes to rezone the subject property from RS5 to R6-A. The requested R6-A zoning is consistent with the Community Character Manual’s guidance for the T4 NE policy area. The T4 NE policy is characterized in part by moderate to high-density residential uses and a diverse mix of housing types. Recommended building types in the T4 NE area include “missing middle” housing such as townhouses, multi-family housing, and plex houses. The proposed R6-A zoning would allow for one or two-family residential uses, which would contribute to diversity of housing types in the area. The subject property is located within the Urban Zoning Overlay, which includes specific bulk standards for new development.

FIRE RECOMMENDATION

Approve

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)	0.16	8.712 D	1 U	15	5	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
One and Two-Family Residential* (210)	0.16	7.260 D	2 U	28	7	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	+13	+2	+1

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 district: 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 more students than the existing RS5 zoning district. Any additional students would attend Hattie Cotton 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. (8-0)

Resolution No. RS2022-311

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-097PR-001 is disapproved. (6-0)

30. 2022Z-102PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Donald Anthony

A request to rezone from RS10 to R10 zoning for property located at 1720 River Drive, approximately 75 feet southeast of Doak Avenue (0.6 acres), requested by Michele Frazier, 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) for property located at 1720 River Drive, at the southeastern corner of Doak Avenue and River Drive (0.60 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 2 units.*

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 2 lots with 1 duplex lot for a total of 3 units. Metro Codes provides final determinations on duplex eligibility.*

BORDEAUX – WHITES CREEK – HAYNES TRINITY 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.

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. *The CO designation on the subject property recognizes a FEMA-designated 100-year floodplain.*

SITE AND CONTEXT

The rezoning application is for a 0.60-acre parcel (Map 081-01, Parcel 077), located at 1720 River Drive, southwest of the intersection of Doak Avenue and River Drive. The rear of the property lies adjacent to the Cumberland River. The property contains a single-family house and detached garage. Surrounding uses include single-family residential (zoned RS10) and two-family residential (zoned R10 and SP).

ANALYSIS

The application proposes to rezone the subject property from RS10 to R10. The requested R10 zoning is consistent with the Community Character Manual’s guidance for the T3 NE policy area. The T3 NE policy is characterized by moderate-density residential uses and a variety of housing types, including plex houses, house courts, and low and mid-rise townhouses. The proposed zoning would allow for two-family residential uses, which would contribute to the diversity of housing types in the area.

Because the property lies adjacent to the Cumberland River, approximately one-third of the property is in the CO policy area with a smaller portion being in the FEMA-designated 100-year floodplain. The CO policy is intended to preserve environmentally sensitive land features through protection and remediation. The portion of the property located in the CO policy area and 100-year floodplain is not developed. Future development on the property would be subject to FEMA and Metro's floodplain development standards.

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)	0.6	4.356 D	2 U	28	7	2

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)	0.6	4.356 D	4 U	54	8	5

*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
-	-	-	+2 U	+26	+1	+3

METRO SCHOOL BOARD REPORT

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

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

The proposed R10 zoning district is not expected to generate any more students than the existing RS10 zoning district. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0)

Resolution No. RS2022-312

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-102PR-001 is approved. (8-0)

31a. 2022Z-105PR-001

Council District 01 (Jonathan Hall)

Staff Reviewer: Abbie Rickoff

A request to rezone from CL, CS, and RS7.5 to MUL-A-NS and RM20-A-NS zoning for property located at 4100 Clarksville Pike, approximately 550 feet south of Kings Lane and within the Clarksville Pike at Fairview Center Urban Design Overlay District and partially within a portion of a Planned Unit Development Overlay District (14.19 acres), requested by Smith Gee Studio, applicant; Word of Life Christian Center Inc., owner. (Associated case # 89P-030-001).

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from CL, CS, and RS7.5 to MUL-A-NS and RM20-A-NS.

Zone Change

A request to rezone from Commercial Limited (CL), Commercial Service (CS), and Single-Family Residential (RS7.5) to Mixed Use Limited-Alternative-No STRP (MUL-A-NS) and Multi-Family Residential-Alternative-No STRP (RM20-A-NS) zoning for property located at 4100 Clarksville Pike, approximately 550 feet south of Kings Lane and within the Clarksville Pike at Fairview Center Urban Design Overlay District and partially within a portion of a Planned Unit Development Overlay District (14.19 acres).

Existing Zoning

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

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

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of 24 units on the approximate 5-acre portion of the site that is currently zoned RS7.5, based on the acreage only. Application of Metro's Subdivision Regulations may result in fewer units at this site.*

Clarksville Pike at Fairview Center Urban Design Overlay (UDO) is intended to allow for the application and implementation of special design standards with the intent of achieving a sense of place by fostering a scale and form of development that emphasizes sensitivity to the pedestrian environment, minimizes intrusion of the automobile into the built environment, and provides for the sensitive placement of open spaces in relationship to building masses, street furniture and landscaping features in a manner otherwise not insured by the application of the conventional bulk, landscaping and parking standards of the Zoning Code.

Application of the UDO would not change with the proposed rezone request.

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

This site is located within a portion of a commercial PUD (89P-030-001). Permitted uses are limited to approved uses of the PUD.

Proposed Zoning

Mixed Use Limited-Alternative-No STRP (MUL-A-NS) 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. The -NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property - Not-Owner Occupied uses from the district. *MUL-A-NS zoning is proposed for approximately 9.19 acres of this site.*

Multi-Family Residential-Alternative-No STRP (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. The -NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property - Not-Owner Occupied uses from the district. *RM20-A-NS zoning is proposed for approximately 5 acres of this site. RM20-A-NS would permit a maximum of 100 units on the portion proposed for RM20-A-NS zoning.*

BORDEAUX-WHITES CREEK-HAYNES TRINITY COMMUNITY PLAN

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

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

SITE AND CONTEXT

The 14.19-acre site is located on the east side of Clarksville Pike, south of Kings Lane, and north of Fairview Drive. Clarksville Pike and Kings Lane are identified by the Major and Collector Street Plan (MCSP) as arterial boulevards and collector avenues, respectively. The property is currently developed with a church. The northern and western portions of the site are currently zoned CL, with the exception of a small CS-zoned area at the front. The CL-zoned portion comprises approximately 9.06 acres and the CS-zoned portion comprises approximately 0.13 acres. The back portion of the site, located on approximately five acres, is currently zoned RS7.5. This proposal would result in the CL- and CS-zoned portions being rezoned to MUL-A-NS, and the RS7.5-zoned portion being rezoned to RM20-A-NS. This stretch of Clarksville Pike includes a mixture of vacant, institutional, office, commercial, and scattered residential properties. Properties to the east include previously subdivided residential lots and a larger vacant parcel that separates the southern half of this site with the adjacent residential subdivision.

ANALYSIS

The site is located in the T3 CM, Suburban Mixed Use Corridor, policy area which spans both sides of Clarksville Pike. T3 CM areas are intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor. Application of the proposed MUL-A-NS zoning district on the front and northern portions, and RM20-A-NS on the eastern portion, is consistent with the T3 CM policy at this location.

The MUL-A-NS district permits residential and mixed-use development which will contribute to the mixed use character that is anticipated along Clarksville Pike. The RM20-A-NS district, proposed on the back half of the site, represents a transition between the higher intensity uses anticipated along the corridor and the existing single- and two-family residential uses to the east, in the T3 NM, Suburban Neighborhood Maintenance, policy area. Application of MUL-A-NS and RM20-A-NS, as proposed, also aligns with the uses and standards anticipated by the Clarksville Pike at Fairview Center UDO regulating plan, which includes various subdistricts and corresponding development standards. The Alternative district standards of the Zoning Code, which will provide building placement and design standards intended to enhance the pedestrian realm, coupled with the UDO standards, which would govern in instances where the UDO standards are more restrictive, will result in future development that is consistent with intent of the policy. Additionally, the -NS designation will prohibit STRPs as a permitted use, which is contextually appropriate given the T3 NM policy area to the east.

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)	9.07	0.6 F	237,054 SF	8,949	223	904

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)	0.12	0.6 F	3,136 SF	118	3	12

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	5.00	5.808 D	24 U	280	21	26

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 3-10 (221)	5.00	20 D	100 U	543	34	44

Maximum Uses in Proposed Zoning District: **MUL-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)	4.60	1 F	200 U	1,088	68	87

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	2.30	1 F	100,188 SF	3,782	94	381

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	2.29	1 F	99,752 SF	11,190	991	974

Traffic changes between maximum: **CL/CS/RS7.5 and RM20-A-NS/MUL-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+7,256	+940	+544

METRO SCHOOL BOARD REPORT

Projected student generation existing RS7.5 zoning districts: 3 Elementary 3 Middle 3 High
 Projected student generation RM20-A-NS district: 17 Elementary 8 Middle 6 High

Given the mix of uses permitted by MUL-A-NS, the number of residential units ultimately built on the MUL-A-NS portion of the site may vary and an assumption as to impact at this point is premature. The portion proposed for RM20-A-NS zoning is expected to generate 22 additional students beyond the existing RS7.5 zoning. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0)

Resolution No. RS2022-313

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-105PR-001 is approved. (8-0)

31b. 89P-030-001

THE SHOPS AT BORDEAUX - COMMERCIAL PUD

Council District 01 (Jonathan Hall)

Staff Reviewer: Abbie Rickoff

A request to cancel a portion of a Planned Unit Development Overlay District for a portion of property located at 4100 Clarksville Pike, approximately 550 feet south of Kings Lane, zoned CL and within the Clarksville Pike at Fairview Center Urban Design Overlay District (4.08 acres), requested by Smith Gee Studio, applicant; Word of Life Christian Center, Inc., owner. (Associated case # 2022Z-105PR-001).

Staff Recommendation: Approve if the associated rezone is approved and disapproved if the associated rezone is not approved.

APPLICANT REQUEST

Cancel a portion of a Planned Unit Development.

PUD Cancellation

A request to cancel a portion of a Planned Unit Development Overlay District (PUD) for a portion of property located at 4100 Clarksville Pike, approximately 550 feet south of Kings Lane, zoned Commercial Limited (CL) and within the Clarksville Pike at Fairview Center Urban Design Overlay District (4.08 acres).

Existing Zoning

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

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

Clarksville Pike at Fairview Center Urban Design Overlay (UDO) is intended to allow for the application and implementation of special design standards with the intent of achieving a sense of place by fostering a scale and form of development that emphasizes sensitivity to the pedestrian environment, minimizes intrusion of the automobile into the built environment, and provides for the sensitive placement of open spaces in relationship to building masses, street furniture and landscaping features in a manner otherwise not insured by the application of the conventional bulk, landscaping and parking standards of the Zoning Code.

BORDEAUX-WHITES CREEK-HAYNES TRINITY COMMUNITY PLAN

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

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

ANALYSIS

The preliminary PUD was approved by Metro Council in 1989 for various nonresidential uses. In 2007, the PUD was amended for a portion of this site (parcel 181) and an adjacent parcel (163), to permit the development of a family life center and office uses, replacing retail uses originally permitted by the PUD. This site is currently undeveloped.

Staff finds the PUD cancellation request to be consistent with the land use policies. The cancelation of this portion of the PUD will allow more opportunities for the properties to redevelop in a manner that is consistent with the current T3 CM policy, which supports a greater mix of higher density residential and non-residential uses. This PUD cancellation request only applies to parcel (181). No changes are proposed to the remaining portion of the PUD located on the adjacent parcel (163).

STAFF RECOMMENDATION

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

Approve. (8-0)

Resolution No. RS2022-314

“BE IT RESOLVED by The Metropolitan Planning Commission that 89P-030-001 is approved. (8-0)

32. 2022Z-113PR-001

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

A request to rezone from RS5 to RM20-A-NS zoning for properties located at 709 40th Avenue North and 40th Avenue North (unnumbered), approximately 89 feet south of Clifton Street, (0.26 acres), requested by E&B, GP, applicant and owners.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST

Zone change from RS5 to RM20-A-NS.

Zone Change

A request to rezone from Single-Family Residential (RS5) to Multifamily Residential-Alternative-No Short-Term Rentals (RM20-A-NS) zoning for properties located at 709 40th Avenue North and 40th Avenue North (unnumbered), approximately 89 feet south of Clifton Street, (0.26 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.*

Proposed Zoning

Multifamily Residential-Alternative-No Short-Term Rentals (RM20-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM20-A-NS would permit a maximum of five residential units.*

NORTH NASHVILLE COMMUNITY PLAN

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

SITE AND CONTEXT

The area proposed to be rezoned to RM20-A-NS consists of two properties. The first property abuts the west side of 40th Avenue North and the second is directly behind the first property. The rear property does not have frontage on a public street, but there is an unbuilt alley that runs along the rear of the property. That alley is improved up to the northwest corner of the property providing access to Clifton Avenue to the north. The property directly to the north is a multifamily SP. The abutting property to the south is zoned MUL and is vacant. The abutting zoning to the west is OR20 and the zoning on the opposite side of 40th Avenue North is zoned RM9.

ANALYSIS

Staff finds that the proposed RM20-A-NS zoning district is consistent with the T4 MU land use policy. The proposed zoning district allows additional density at an appropriate location. The Major and Collector Street Plan (MCSP) classifies 40th Avenue North as a residential collector. A bus route is located along 40th Avenue North, and the site is located within 100 feet of a stop. The area is served with as good sidewalk network. Given the surrounding zoning and infrastructure this is an appropriate location to allow for additional density. The design standards of RM20-A-NS are intended to implement the urban nature of the policy and by prohibiting short term rentals any units will provide additional housing that is needed in the city.

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)	0.26	5.712 D	2 U	15	5	1

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 3-10 (221)	0.26	20 D	5 U	26	1	3

Traffic changes between maximum: **RS5 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
-	-	-	+4 U	+11	-4	+2

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 zoning districts: 0 Elementary 0 Middle 0 High
 Projected student generation proposed RM20-A-NS district: 0 Elementary 0 Middle 0 High

The proposed RM20-A-NS zoning is not expected to generate any additional students beyond the existing RS5 zoning. Students would attend Cockrill Elementary School, McKissack Middle School, and Pearl-Cohn High School.

STAFF RECOMMENDATION

Staff recommends approval with conditions, as the requested RM20-A-NS rezoning district is consistent with the T4 MU policy.

CONDITIONS

1. Future development shall not have vehicular access to 40th Avenue North. Access is limited to the rear alley. If necessary, right-of-way to bring the alley into compliance with Metro standards shall be required.

Approve with conditions. (8-0)

Resolution No. RS2022-315

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-113PR-001 is approved with conditions. (8-0)

CONDITIONS

1. Future development shall not have vehicular access to 40th Avenue North. Access is limited to the rear alley. If necessary, right-of-way to bring the alley into compliance with Metro standards shall be required.

33. 2022Z-135PR-001

Council District 19 (Freddie O'Connell)
 Staff Reviewer: Abbie Rickoff

A request to rezone from CS to MUL-A-NS zoning for properties located at 1407 Milson Street, 1402, 1404, 1406, 1410 and 1412 Jo Johnston Avenue, approximately 50 feet west of 14th Avenue North, (1.06 acres), requested by Fulmer Lucas Engineering, applicant; Sandra P. Graves & Ronald C. Smith Jr., owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from CS to MUL-A-NS.

Zone Change

A request to rezone from Commercial Service (CS) to Mixed Use Limited-Alternative-No STRP (MUL-A-NS) for properties located at 1407 Milson Street and 1402, 1404, 1406, 1410 and 1412 Jo Johnston Avenue, approximately 50 feet west of 14th Avenue North (1.06 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-Alternative-No STRP (MUL-A-NS) 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. The -NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property - Not-Owner Occupied uses from the district.

NORTH NASHVILLE COMMUNITY PLAN

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

SITE AND CONTEXT

The 1.06 acre-site includes six parcels located midblock on the north side of Jo Johnston Avenue, between 14th Avenue North and 15th Avenue North. The site is currently developed with one structure, which previously housed a funeral home, located between parking lots on either side of the building. Existing Alley #561 forms the rear boundary, serving properties located along Jo Johnston Avenue and Clinton Street, located on the opposite side of the alley to the north. The site is located opposite of the John Henry Hale multi-family residential development located on the south side of Jo Johnston Avenue. To the north, the Marathon Village Historic Preservation District spans properties on either side of Clinton Street.

ANALYSIS

The MUL-A-NS district is consistent with the T4 MU policy at this site, which generally spans the north side of Jo Johnston Avenue, extending to the north along Herman Street. The site is located on the southern edge of a T4 MU policy area, adjacent to properties that are within the T4 NM, Urban Neighborhood Maintenance, policy area to the south where the RM-zoned John Henry Hale residential community is located. The proposed MUL-A-NS district represents a transition between the existing multi-family residential uses to the south, in the T4 NM policy, and the mixture of uses present to the north, within Marathon Village, in the T4 MU policy. The MUL-A-NS permits residential and mixed-use development in an area that is intended to evolve into an urban mixed use neighborhood, consistent with the T4 MU policy. Uses permitted by MUL-A-NS will contribute to the mixed use character that is anticipated by the policy, and the Alternative district standards will provide building placement and design standards intended to achieve an urban character and enhance the pedestrian realm.

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

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)	1.06	0.6 F	27,704 SF	1,046	26	106

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	0.53	1 F	23 U	124	8	11

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.26	1 F	11,326 SF	428	11	43

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.27	1 F	11,761 SF	1,319	117	115

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+825	+110	+63

METRO SCHOOL BOARD REPORT

Given the mix of uses permitted by MUL-A-NS, 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 Park Avenue Elementary School, McKissack Middle School, and Pearl-Cohn High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0)

Resolution No. RS2022-316

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-135PR-001 is approved with conditions. (8-0)

34. 2013UD-002-040

MURFREESBORO PIKE UDO

Council District 32 (Joy Styles)

Staff Reviewer: Hazel Ventura

A request for modification to an Urban Design Overlay District on various properties located southwest of Murfreesboro Pike and a portion of property located at 900 B Hamilton Crossing Square, zoned IWD and MUL (15.77 acres), to modify the setback from 20' to 12' and the building materials, requested by Century Communities, applicant; O.I.C Hamilton Crossing Townhomes, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST

A request for a major modification to the front yard setback along Hamilton Crossing.

UDO Modifications

A request for modification to an Urban Design Overlay District on various properties located southwest of Murfreesboro Pike and a portion of property located at 900 B Hamilton Crossing Square, zoned Mixed Use Limited (MUL) (1.63 acres), to modify the setback from 20' to 12'.

EXISTING ZONING

Mixed-use Limited (MUL) is the underlying base zoning and designed to promote the preservation and adaptive reuse of larger structures that contribute to the historical or architectural character of an area. These districts should be applied to areas that have good access to collector or arterial streets and public transportation service.

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 proposed residential development, Hamilton Crossing Square, consists of 105 multi-family units on 15.77 acres along Hamilton Crossing Road. Phase I of the development is entirely outside of the UDO and has already been

reviewed, approved, and has started the construction phase. Phase II is comprised of 47 multi-family units on 3.21 acres. Phase II of this development is partially within the Murfreesboro Pike UDO. There are 6 units, essentially 1 building, that fronts Hamilton Crossing within the Murfreesboro Pike UDO. The remaining 3 buildings within the Murfreesboro Pike UDO of Phase II are interior to the site, without street frontage. There are 5 other buildings within Phase II that are outside of the Murfreesboro Pike UDO boundary. Phase II is a total of 3.21 acres and of that area only 1.63 acres is within the Murfreesboro UDO boundary compared to the entire development of Hamilton Crossing Phase I and II, which is 15.77 acres.

The site is surrounded by commercial services on the north and east with residential development enclosing the site along the west and south. Hamilton Crossing Road is the only street that fronts the portion of the site that is within the Murfreesboro UDO.

MODIFICATION REQUEST DETAILS

The proposal is requesting one major modification, deviations of over 20 percent or more, which must be approved by the Planning Commission.

UDO Requirement: The required front yard setback on the primary street, Hamilton Crossing, for residential uses shall be within 20-80 feet and shall address the primary street. The front yards of the 6 units facing Hamilton Crossing Road do not comply.

Major Modification Request: The 6 units fronting Hamilton Crossing Road are setback at 12 feet, a deviation of 40% of the required setback range. The same 6 units fronting Hamilton Crossing Road are designed so the front yard is internal, which does not address Hamilton Crossing Road.

ANALYSIS

Front Yard Setback - Hamilton Crossing Road

The intent of the front yard setback requirement along a primary street frontage, in this instance Hamilton Crossing, is to ensure people engage and may access the buildings directly. The 6 multi-family units within the Murfreesboro UDO front approximately 177 feet of Hamilton Crossing. The entire development, including the area that is not included in the UDO, has approximately 748 feet of frontage on Hamilton Crossing. The area that is seeking the modification is small in comparison to the overall site. If the 6 multi-family units met the 20-foot minimum required setback, the development would no longer appear cohesive and connected, and the 6 units would be notably different than the remainder of the development. Additionally, the UDO seeks that the front yard addresses the primary street. Orienting the 6 units' front yard to Hamilton Crossing Road would create a stark visual difference and add inconsistency in the overall development.

STAFF RECOMMENDATION

Due to the site being partially within the Murfreesboro Pike UDO and ensuring that the residential community keeps a uniform design, staff recommends approval of the major modification to the front yard setback along Hamilton Crossing Road, with conditions.

CONDITIONS

1. Pedestrian improvements at the intersection of Hamilton Church Rd and Murfreesboro Pike shall be provided. The improvements will consist of ped landing on the Northwest corner of Hamilton Church Road, poles and ped-head signals, crosswalk striping, and median improvements. This will also require the signal phasing at this intersection to be modified for a protected pedestrian phase. Final design may require adjustments due to existing field conditions along Murfreesboro Pike.
2. A letter shall be provided to Council Member Styles for this area, stating this development's agreement to construct the improvements out-lined above in lieu of conducting and submitting a traffic impact study to NDOT. This letter shall be included with the building permit submittal.
3. Right-of-Way dedication shall be recorded prior to issuance of any building permits for Phase 2.
4. Century Communities shall construct the residential development along Hamilton Crossing with brick and hardy board, no vinyl.

Approve with conditions. (8-0)

Resolution No. RS2022-317

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013UD-002-040 is approved with conditions.
(8-0)

CONDITIONS

1. Pedestrian improvements at the intersection of Hamilton Church Rd and Murfreesboro Pike shall be provided. The improvements will consist of ped landing on the Northwest corner of Hamilton Church Road, poles and

ped-head signals, crosswalk striping, and median improvements. This will also require the signal phasing at this intersection to be modified for a protected pedestrian phase. Final design may require adjustments due to existing field conditions along Murfreesboro Pike.

2. A letter shall be provided to Council Member Styles for this area, stating this development's agreement to construct the improvements out-lined above in lieu of conducting and submitting a traffic impact study to NDOT. This letter shall be included with the building permit submittal.

3. Right-of-Way dedication shall be recorded prior to issuance of any building permits for Phase 2.

4. Century Communities shall construct the residential development along Hamilton Crossing with brick and hardy board, no vinyl.

35. 2022S-204-001

WEST MEADE PARK, INC

Council District 23 (Thom Druffel)

Staff Reviewer: Abbie Rickoff

A request to amend a previously approved plat to reduce setbacks on properties located at 181, 185, 189, 193, 197, and 198 Carnavon Parkway, approximately 160 feet west of Harcourt Circle, zoned RS40 (12.1 acres), requested by Rebecca Cunningham, applicant; Sunnyside Hills, LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Amend a previously approved plat to reduce the platted setbacks.

Plat Amendment

A request to amend a previously approved plat to reduce setbacks on properties located at 181, 185, 189, 193, 197, and 198 Carnavon Parkway, approximately 160 feet west of Harcourt Circle, zoned Single-Family Residential (RS40) (12.1 acres).

SITE DATA AND CONTEXT

Location: The site is located along Carnavon Parkway, west of Harding Pike.

Street type: The site has frontage on Carnavon Parkway, identified as a local street with an existing standard right-of-way width of 60 feet.

Approximate Acreage: 12.1 acres or approximately 527,076 square feet.

Parcel/Site History: This site is comprised of six existing lots that were platted in 1962 within the West Mead Park, Inc, Section 4, subdivision.

Zoning History: The site has been zoned RS40, Single-Family Residential, since 1987. Prior to the current RS40 zoning, the site was zoned R40, One and Two-Family Residential.

Existing land use and configuration:

The site includes six existing lots located along the south side of Carnavon Parkway and wrapping to the west, around the cul-de-sac where the street terminates. Each existing lot is vacant. Three of the lots are located on the south side of the street and are all slightly under one acre in size (Lot 86 is 0.92 acres; Lot 87 is 0.97 acres; and Lot 88 is 0.94 acres). The remaining three lots wrap around the cul-de-sac and are larger (Lot 89 is 1.11 acres; Lot 90 is 4.31 acres; and Lot 171 is 3.85 acres).

Surrounding land use and zoning:

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

Zoning: Single-Family Residential (RS40)

Min. lot size: 40,000 square feet

Max. building coverage: 0.25

Min. rear setback: 20'

Min. side setback: 15'

Max. height: 3 stories

Min. street setback: 40'. Contextual setbacks would apply in residential areas with an established development pattern.

PROPOSAL DETAILS

The amendment proposes to reduce the platted setbacks on six existing lots along Carnavon Parkway. The subject properties were platted as buildable lots within the West Meade Park subdivision, with setbacks ranging from 125 feet to 150 feet. The amendment proposes to reduce these setbacks to 70 feet.

PLANNING STAFF COMMENTS

When discussing setbacks, there are different types: Zoning-required setbacks and platted setbacks. Zoning-required setbacks can be a set standard or contextual, based on the surrounding character, per the Zoning Code requirements. Platted setbacks, when provided, are recorded with plats and are treated independent of Zoning-required setbacks. If a platted setback exceeds the Zoning-required setback, then the platted setback would become the applicable setback for that lot. Prior to the adoption of Metro's comprehensive zoning, it was not uncommon for plats to include setbacks, particularly when the subdivision was intended to achieve a specific development pattern. The current Zoning Code includes setback requirements with the provision for contextual setbacks, intended to be in keeping with surrounding homes. Therefore, Metro's current Subdivision Regulations generally defer to the setback requirements of the Zoning Code, unless specified by the Subdivision Regulations in certain situations where setbacks would be identified on the plat.

In this case, the request is to amend the platted setbacks. The subject properties were platted as buildable lots in 1962 with multiple other lots spanning several new streets, comprising approximately 98 total acres in Section 4 of the West Meade Park subdivision. Lots were platted with building setbacks that vary from street to street, and even along individual block faces.

In taking a look at the context and surrounding properties, several lots within this subdivision were previously granted setback amendments and have since developed under the amended setbacks. Along Carnavon Parkway, several adjacent properties that were initially platted with 150' front setbacks have since developed with setbacks ranging from 58' to 75', consistent with the setback amendments which were granted to these properties in the 1960's and 1980's. Amendments were likely granted to avoid developing within the areas of steeper slopes and other sensitive features, which are generally located away from the road within the originally platted setback areas.

When staff reviews plat amendment requests to modify setbacks, the request is evaluated against the Zoning Code to ensure that the amended setback does not conflict with the Zoning-required setbacks. In residential areas with an established development pattern, such as this site, the Zoning-required setback becomes contextual based on the setbacks of the nearest surrounding homes. The intent is that the setbacks would be in keeping with the character of the surrounding development pattern for the particular neighborhood. If a block face has developed with homes located closer to the street, then the setback applied to the new home on that block face would be in line with the lesser setbacks. Alternatively, if a block face has developed with deeper setbacks, then the new home would fall in line with that character. Often, the platted setbacks exceed the Zoning-required setbacks, which is the case here.

In this case, the closest surrounding homes along Carnavon Parkway have developed with setbacks that generally appear to be in keeping with the 70' setback requested through the plat amendment. The proposed 70 front setback will permit future development that is in line with the Zoning Code-required contextual setbacks along the block face. Staff recommends including a condition that if the contextual setbacks are determined by Metro Codes to be greater than 70', then the contextual setbacks would apply. Staff would note that the subject lots are existing, buildable lots that are entitled to be developed, regardless of the outcome of this request.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval of the plat amendment, finding the proposed front setbacks to be in keeping with the contextual setbacks along the street.

CONDITIONS

1. On the corrected copy, update the exhibit to include the following note: If contextual setbacks per Metro Zoning are determined to be greater than the proposed 70' front setback, then the contextual front setbacks shall apply.

Ms. Johnson recused herself.

Ms. Milligan stated this Item was heard at a previous Planning Commission meeting and deferred to allow time for the current property owners to have conversations with surrounding neighbors and to have conversations related to potential of lot consolidation.

**Ms. Blackshear moved and Mr. Henley seconded the motion to open this Item for Public Hearing. (5-0-1)
Ms. Johnson recused herself.**

Ms. Milligan presented the staff recommendation to approve with conditions.

Rebecca Cunningham, 2014 12th Avenue South, spoke in favor of the application.

Dan Stubbs, 1402 Emory Oak Cove, LaVergne, spoke in favor of the application.

Amiee Stubbs, 1402 Emory Oak Cove, LaVergne, spoke in favor of the application.

Drew Cunningham, 2014 12th Avenue South, spoke in favor of the application.

Chair Adkins closed the Public Hearing.

Ms. Farr asked if the Councilmember was in favor or opposition of this proposal.

Chair Adkins stated Councilmember Druffel was in opposition.

Ms. Kempf explained there were two issues. One was doing all six at the same time and as expressed by the applicant, they only wanted to build one house and sell the other three lots. Now they have an update. She spoke to the applicant about consolidation and thinks they are open to it but had some questions about rules about accessory units. Ms. Kempf said they have the option to recommend consolidation as a condition of the setback.

Ms. Farr said it made sense and is the best outcome to put two homes there. She asked if the condition for a lot consolidation was a requirement or that they want them to explore it further.

Ms. Kempf said these are subdivisions where they have a quasi-judicial role. It's not like rezoning where you could put soft language in there. The land development, as it is today, still has six lots. She stated some of the early concerns of the number of lots has been addressed.

Ms. Farr said two homes would be the best scenario and would be in support of adding consolidation as a condition.

Ms. Blackshear said she would be fine with a consolidation condition and recognizes the importance of giving the property owners and potential property owners time to figure out what that would mean for them.

Councilmember Withers thought a 70 foot setback is better than 125 feet or 150 feet. He asked to clarify the accessory building.

Ms. Kempf stated at the last Planning Commission meeting, upon hearing the feedback, they would have a discussion about consolidated lots based on her understanding of what the applicant was doing. She said when they followed up with the applicants today to see where they were, she came to understand there might be an interest in building a small accessory building. She asked Ms. Milligan to explain the options if the Planning Commission were to recommend such a condition.

Ms. Milligan said they would want the owner to talk through the proposal they have with Codes to understand what is permitted by the Zoning Code. They are allowed to have accessory buildings but she is not sure of the classification of them. If they were to recommend approval with conditions, and the condition was that the three lots around the cul-de-sac be consolidated, and the other three lots be consolidated, and for some reason that created a hardship, they could reapply to ask for that condition to be removed.

Councilmember Withers asked if they placed a lot consolidation condition, would that trigger the other requirements of lots of division.

Ms. Milligan said plat consolidation would be a separate application but those are generally administratively approved because you are going from three to one. Consolidation plats are typically reviewed at the staff level.

Councilmember Withers asked if it would trigger the current lots of division requirements.

Ms. Milligan answered it would not on a consolidation and consolidation is a separate category. She said it would not be creating lots; it would be subtracting lots.

Councilmember Withers said he is hesitant to add new restrictions, as the applicants have done a lot of due diligence and have done everything they asked of them.

Mr. Henley said he is in support and was during the last meeting, as well, and has not heard anything to change his stance.

**Mr. Henley moved and Mr. Withers seconded the motion to approve with conditions. (5-0-1).
Ms. Johnson recused herself.**

Approve with conditions. (5-0-1)

Resolution No. RS2022-318

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-204-001 is approved with conditions. (5-0-1)

CONDITIONS

1. On the corrected copy, update the exhibit to include the following note: If contextual setbacks per Metro Zoning are determined to be greater than the proposed 70' front setback, then the contextual front setbacks shall apply.

36. 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 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 February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022S-221-001 to the February 9, 2023, Planning Commission meeting. (8-0)

37. 2022S-231-001

SUBDIVISION PLAT BRITE SOLUTIONS INC. PROPERTY

Council District 11 (Larry Hagar)

Staff Reviewer: Abbie Rickoff

A request for final plat approval to create three lots on property located at 102 McArthur Drive, approximately 160 feet north of Teresa Drive, zoned RS15 (1.14 acres), requested by WT Smith Land Surveying, applicant; Brite Solutions, Inc., owner.

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2022S-231-001 indefinitely. (8-0)

H: OTHER BUSINESS

38. New employee contract for Eric Matravers, Laszlo Marton & Rasheedah Pardue

Resolution No. RS2022-319

“BE IT RESOLVED by The Metropolitan Planning Commission that the New Employment Contract for Eric Matravers, Laszlo Marton & Rasheedah Pardue is **approved. (8-0)**”

39. Historic Zoning Commission Report
40. Board of Parks and Recreation Report
41. Executive Committee Report
42. Accept the Director's Report and Approve Administrative Items

Resolution No. RS2022-320

“BE IT RESOLVED by The Metropolitan Planning Commission that the director’s report is **approved. (8-0)**”

43. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

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 9:16 p.m.