



# **METROPOLITAN PLANNING COMMISSION**

## **DRAFT MINUTES**

**December 08, 2022**  
**4:00 pm Regular Meeting**

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

### **MISSION STATEMENT**

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

Commissioners Present:  
Jessica Farr, Vice Chair  
Edward Henley  
Mina Johnson  
Jim Lawson  
Jeff Haynes  
Brian Tibbs  
Councilmember Brett Withers

Staff Present:  
Lucy Kempf, Executive Director  
John Houghton, Assistant Director  
Lisa Milligan, Planning Manager II  
Andrea Barbour, Planner II  
Logan Elliott, Planner II  
Dustin Shane, Planner II  
Donald Anthony, Planner II  
Alex Dickerson, Legal

Commissioners Absent:  
Greg Adkins, Chair  
Lillian Blackshear  
Stewart Clifton

**Lucy Alden Kempf**  
Secretary and Executive Director, Metro Planning Commission

**Metro Planning Department of Nashville and Davidson County**  
800 President Ronald Reagan Way, P.O. Box 196300 Nashville, TN 37219-6300  
p: (615) 862-7190; f: (615) 862-7130

## Notice to Public

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### Please remember to turn off your cell phones.

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

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

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

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

### Writing to the Commission

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

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

### Speaking to the Commission

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

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

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

### Legal Notice

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



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

# MEETING AGENDA

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## A: CALL TO ORDER

The meeting was called to order at 4:04 p.m.

## B: ADOPTION OF AGENDA

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

## C: APPROVAL OF NOVEMBER 10, 2022 MINUTES

Mr. Henley moved and Ms. Johnson seconded the motion to approve the meeting minutes of November 10, 2022. (7-0)

## D: RECOGNITION OF COUNCILMEMBERS

Councilmember Syracuse spoke in favor of Item 32.

Councilmember Toombs spoke in favor of Items 22, 35 and 36.

## E: ITEMS FOR DEFERRAL / WITHDRAWAL 1, 2, 3, 4, 5a, 5b 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 26, 29a, 29b, 34, 44

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

## F: CONSENT AGENDA ITEMS 45, 46, 50

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

Mr. Houghton left the meeting.

Ms. Kempf joined the meeting.

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

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

## G: ITEMS TO BE CONSIDERED

### 1. 2017NHC-003-003

#### **BOWLING HOUSE CONSERVATION OVERLAY (AMENDMENT)**

Council District 24 (Kathleen Murphy)

Staff Reviewer: Donald Anthony

A request to amend the Bowling House Neighborhood Conservation Overlay District to various properties located on Nebraska Avenue between 46th Avenue N and 46th Avenue N, and various properties located on Nebraska Avenue between 41st Avenue N and 42nd Avenue N, zoned RS7.5 (5.25 acres), requested by Councilmember Kathleen Murphy, applicant; various owners.

**Staff Recommendation: Defer Indefinitely.**

**The Metropolitan Planning Commission deferred 2017NHC-003-003 indefinitely. (7-0)**

**2. 2016SP-024-005  
MCGAVOCK HOUSE SP (AMENDMENT)**

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

A request to amend a Specific Plan for various properties located at the northwest and northeast corners of Cleveland Street and Meridian Street (3.39 acres), to permit an increase in the number of permitted hotel rooms and permit the construction of a new hotel on the site, requested by Fulmer Lucas Engineering, applicant; Invent Communities, owner.

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016SP-024-005 to the January 12, 2022, Planning Commission meeting. (7-0)**

**3. 2018SP-026-009  
THE RESERVOIR (AMENDMENT)**

Council District 17 (Colby Sledge)  
Staff Reviewer: Logan Elliott

A request to amend a Specific Plan for properties located at 1201, 1203, 1205 and 1211 8th Avenue South, 809 Edgehill Ave and 1430 Hillside Avenue, approximately 75 feet east of Horton Avenue, zoned SP (7.63 acres), to amend zones 1, 2, 6, and the associated street sections, requested by Elmington Capital Group, applicant; Park at Hillside, LLC, owner.

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018SP-026-009 to the January 12, 2022, Planning Commission meeting. (7-0)**

**4. 2022COD-005-001  
BL2022-1618/Syracuse**

Council District  
Staff Reviewer: Jason Swaggart

A request to apply a Contextual Overlay District to various properties located east of Pennington Road and northeast of McGavock Pike, zoned RS30 (163.39 acres), requested by Councilmember Jeff Syracuse, applicant; various owners.

**Staff Recommendation: Defer Indefinitely.**

**The Metropolitan Planning Commission deferred 2022COD-005-001 indefinitely. (7-0)**

**5a. 2022CP-011-001  
SOUTH NASHVILLE COMMUNITY PLAN AMENDMENT**

Council District 19 (Freddie O'Connell)  
Staff Reviewer: Cory Clark

A request to amend the South Nashville Community Plan to change the policy from CO and D IN policy to T5 MU policy for properties located at 309, 401, and 407 Driftwood Street, west of the corner of Driftwood Street and Nestor Street, zoned OG (9.39 acres), Hawkins Partners, Inc., applicant; River Partners II, LLC, owner. (See associated case #2022SP-083-001)

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022CP-011-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**5b. 2022SP-083-001  
DRIFTWOOD SP**

Council District 19 (Freddie O'Connell)  
Staff Reviewer: Donald Anthony

A request to rezone from OG to SP zoning for properties located at 309, 401, and 407 Driftwood Street, approximately 565 feet north of Hermitage Avenue, (9.39 acres), to permit a mixed-use development, requested by Hawkins Partners, Inc., applicant; River Partners II, LLC, owner. (See associated case #2022CP-011-001).

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022SP-083-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**6. 2022SP-057-001  
THE BEND – NORTHGATE GLEAVES FARM**

Council District 15 (Jeff Syracuse)  
Staff Reviewer: Amelia Lewis

A request to rezone from AR2a, CS, and R15 to SP zoning on properties located at 2400 Pennington Bend Road (unnumbered) and McGavock Pike (unnumbered), approximately 61 feet north of Opry Mills Drive, (214.37 acres), to permit a mixed-use development, requested by Gresham Smith, applicant; Gleaves Farm, LTD. L.P., LLC, NG Nashville LLC, owners.

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022SP-057-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**7. 2022SP-071-001  
LIBERTY LANE**

Council District 10 (Zach Young)  
Staff Reviewer: Logan Elliott

A request to rezone from R10 to SP zoning on properties located 203, 205, 209, 217, 219, 253, 255, 257, 259, and 261 Liberty Lane, 215B, 257B, and 253B Liberty Lane, approximately 251 west of Peeples Court, (26.59 acres), to permit all uses in the RM4 zoning district, requested by Liberty Capital Development, applicant; Linda W. Highers, Revocable Trust, Liberty Capital Development, LLC, O.I.C. Townhomes at Liberty Lane, O.I.C. Townhomes at Liberty Lane I, O.I.C. Townhomes at Liberty Lane II, Bobby Eugene Rager, ETUX, Rosemary Partners, LLC, owners.

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022SP-071-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**8. 2022SP-079-001  
HILLSIDE SP**

Council District 15 (Jeff Syracuse)  
Staff Reviewer: Donald Anthony

A request to rezone from IR to SP zoning for property located at 717 Spence Lane, approximately 256 feet northeast of the corner of Murfreesboro Pike and Spence Lane, (5.5 acres), to permit multi-family residential uses, requested by Bradley Arant, applicant; Hillside Crossings, LLC, owner.

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022SP-079-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**9. 2022SP-080-001**  
**408 WOODLAND STREET SP**  
Council District 06 (Brett Withers)  
Staff Reviewer: Donald Anthony

A request to rezone from CS to SP zoning for property located at 408 Woodland Street, approximately 275 feet north of Stone Bluff Drive, located within the East Bank Redevelopment District (0.79 acres) to permit a hotel use, requested by Fulmer Lucas Engineering LLC, applicant; Jack Allinder Jr. ET UX, owners.

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022SP-080-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**10. 2022SP-086-001**  
**14TH & HYNES**  
Council District 19 (Freddie O'Connell)  
Staff Reviewer: Donald Anthony

A request to rezone from MUI-A to SP zoning on properties located at 207, 215, 217, 219, 221 and 225 14th Avenue North, southwest of the corner of Hynes Street and 14th Avenue North, (1.24 acres), to permit a mixed use development, requested by Roers Capital, LLC, applicant; Aurora Enterprises, LLC, Dean Dairy Fluid, LLC owners.

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022SP-086-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**11. 2022SP-087-001**  
**6010 PASQUO ROAD SP**  
Council District 35 (Dave Rosenberg)  
Staff Reviewer: Donald Anthony

A request to rezone from AR2a to SP zoning on a portion of property located at 6010 Pasquo Road, approximately 520 feet south of Nunahi Trail, (5.3 acres), to permit 20 multi-family residential units, requested by Dale & Associates, applicant; Nancy A. Tritschler, owner.

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022SP-087-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**12. 2022Z-098PR-001**  
Council District 08 (Nancy VanReece)  
Staff Reviewer: Logan Elliott

On Consent: No  
Public Hearing: Open

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 January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022Z-098-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**13. 2022Z-130PR-001**

Council District 17 (Colby Sledge)

Staff Reviewer: Dustin Shane

A request to rezone from IR to MUL-A-NS zoning for property located at 469 Chestnut Avenue, approximately 69 feet north of Humphreys Street (0.94 acres), requested by Fulmer Lucas Engineering, applicant; Chestnut Street Properties, owner.

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022Z to the January 12, 2022, Planning Commission meeting. (7-0)**

**14. 2022S-232-001**

**KING'S SUB**

Council District 09 (Tonya Hancock)

Staff Reviewer: Donald Anthony

A request for final plat approval to create five lots on property located at 445 Neely's Bend Road, approximately 117 feet west of the corner of Neely's Bend Road and Forest Park Road, zoned RS5 (2.01 acres), requested by Delle Land Surveying, applicant; Darren C. & Stacy King, owners.

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022S-232-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**15. 2022S-247-001**

**MILLIE SWEENEY & KIRK M. SWEENEY**

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 January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022S-247-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**16. 2022S-259-001**

**RESUB OF LOT 2 ON PLAN OF RURAL HILLS ACRES**

Council District 32 (Joy Styles)

Staff Reviewer: Amelia Lewis

A request for final plat approval to create three lots on property located at 1306 Rural Hill Road, approximately 1,060 feet south of Hickory Highlands Drive, zoned R15 (3.54 acres), requested by Dale & Associates, applicant; Yasir Mohamed, owner.

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022S-259-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**17. 2022S-274-001**  
**RESUBDIVISION OF LOT 86, MURRAY HEIGHTS**

Council District 30 (Sandra Sepulveda)  
Staff Reviewer: Eric Matravets

A request for final plat approval to create two lots on property located at 3804 Syfert Lane, approximately 250 feet north of Melmack Drive, zoned R10 (0.57 acres), requested by Campbell, McRae & Associates, applicant; Jonathan Buntin, owner.

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022S-274-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**18. 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 January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022S-200-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**19. 88P-038-001**  
**LONG HUNTER CHASE**

Council District 33 (Antoinette Lee)  
Staff Reviewer: Logan Elliott

A request to amend a Planned Unit Development located at Hobson Pike (unnumbered), at the corner of Hobson Pike and Smith Springs Pkwy (6.11 acres), zoned RS15, to revise access points, requested by Long Hunter Chase, applicant; Living Waters Homes LLC & TN Homes LLC & Tadros, Sam, owners.

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022S-232-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**20. 2022Z-014TX-001**

BL2022-1409/Murphy  
Staff Reviewer: Molly Pike

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

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022Z-014TX-001 to the January 12, 2022, Planning Commission meeting. (7-0)**



## 21. 2022Z-017TX-001

BL2022-1471/Parker

Staff Reviewer: Amelia Lewis

A request to amend Sections 16.24.030 and 17.04.060 of the Metropolitan Code of Laws to amend the definition of family. (Proposal Number 2022Z-017TX-001).

**Staff Recommendation: Approve amendments to Title 17 with a substitute.**

### APPLICANT REQUEST

Amend the Zoning Code as it relates to the definition of Family in the Zoning Code.

### PROPOSED AMENDMENTS TO TITLE 17

The proposed text amendment includes changes to Titles 16 and 17 of the Metro Zoning Code. Planning is only required to make a recommendation on the Title 17 changes. The Planning Commission will only provide a recommendation to Metro Council for the changes to Title 17. Text in the existing code to be removed are shown in strikethrough, and new sections of the code to be added are shown in underline.

Section 1. That Section 16.24.030 of the Metropolitan Code of Laws is amended by deleting the definition of "Family" and replacing it with the following:

~~"Family" means for purposes of this chapter, an individual, or two or more persons related by blood, marriage or law, or, unless otherwise required by federal or state law, a group of not more than three unrelated persons living together in a dwelling unit.~~

"Family" means for purposes of this chapter:

1. An individual; or
2. Two or more persons related by blood, marriage or law; or
3. A group of two or more unrelated persons living together in a dwelling unit, not to exceed the limitations in 16.24.400.J.

Section 2. That Section 17.04.060 of the Metropolitan Code of Laws is amended by deleting the definition of "Family" and replacing it with the following:

"Family" means one of the following:

- ~~1. An individual, or two or more persons related by blood, marriage or law, or, unless otherwise required by federal or state law, a group of not more than three unrelated persons living together in a dwelling unit. Servants and temporary nonpaying guests having common housekeeping facilities with a family are a part of the family for this code;~~
- ~~2. A group of not more than eight unrelated mentally retarded, mentally handicapped, or physically handicapped persons, including two additional persons acting as houseparents or guardians, living together as a single housekeeping unit in accordance with Tennessee Code Annotated § 13-24-102. For purposes of this subsection, 'mentally handicapped' and 'physically handicapped' includes persons being professionally treated for drug and/or alcohol dependency or abuse. For the purposes of this subsection, "mentally handicapped" does not include persons who are mentally ill and, because of such mental illness, pose a likelihood of serious harm as defined in Tennessee Code Annotated § 33-6-501, or who have been convicted of serious criminal conduct related to such mental illness.~~
- ~~3. A group of not more than eight unrelated persons over the age of sixty five, including two additional persons acting as houseparents or guardians, living together as a single housekeeping unit.~~
1. An individual, or
2. Two or more persons related by blood, marriage or law, or,
3. A group of two or more unrelated persons living together in a dwelling unit, not to exceed the limitations in 16.24.400.J.
4. A group of not more than eight unrelated persons with disabilities including three additional persons acting as support staff or guardians, who need not be related to each other or to any of the persons with disabilities, residing together in a home in accordance with Tennessee Code Annotated § 13-24-102. For purposes of this subsection, 'persons with disabilities' includes persons with a physical or mental impairment which substantially limits one or more of such person's major life activities, a record of having such an impairment, or being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)). For the purposes of this subsection, "persons with disabilities" does not include persons who pose a substantial likelihood of serious harm as defined in Tennessee Code Annotated § 33-6-501, or who have been convicted of serious criminal conduct related to such disability.
5. A group of not more than eight unrelated persons over the age of sixty-five, including two additional persons acting as house parents or guardians, living together as a single housekeeping unit.

## COUNCIL

The proposed amendment passed on first reading at the October 4th, 2022, Council hearing. The second reading for the item was deferred at the November 2nd, 2022, Council hearing and is schedule for public hearing on December 6, 2022.

## BACKGROUND

Previous amendments to the definition of "Family" changed the definitions of subsections 2 and 3, while subsection 1 has remained the same since the 1998 Code. Changes to subsections 2 and 3 were modified in 2006 (BL2006-1171), 2008 (BL2008-151), and 2009 (BL2009-535) to bring definitions closer to Tennessee Code Annotated definitions.

## ANALYSIS

The current definition of family includes a provision for the number of unrelated individuals to be considered as a family. For unrelated individuals living together, a maximum of three individuals shall be considered a family. If the individuals are related by blood, marriage, or law, the limitation of three does not apply. The text amendment currently filed would remove this maximum of three unrelated individuals and proposes that occupancy maximums be a function of Title 16. Under Property Standards, Section 16.24.400.J., occupancy limits are dependent on the square footages of the living room, dining room, kitchen, and bedrooms.

Since the introduction of this proposed amendment, Planning staff has been working with Metro Codes, Metro Council staff, and the sponsor of this legislation to make modifications. The proposed substitute is below.

The substitute would:

1. Add a new definition to the Code for "dwelling unit."
2. Change the maximum number of unrelated individuals, from three to seven, to be considered a family.

Staff determined that these two changes were necessary for two reasons. The first is to provide a definition of dwelling unit, as each dwelling unit is intended for one family. The second change is to increase the number of unrelated individuals to be considered a family, while still providing a limitation.

## Substitute

Section 1. That Section 16.24.030 of the Metropolitan Code of Laws is amended by deleting the definition of "Family" and replacing it with the following:

"Family" means for purposes of this chapter:

1. An individual; or
2. Two or more persons related by blood, marriage or law; or
3. A group of two or more unrelated persons living together in a dwelling unit, not to exceed ~~the limitations in 16.24.400.J~~ seven persons. Such group may include a combination of related and unrelated persons.

Section 2. That Section 17.04.060 of the Metropolitan Code of Laws is amended by deleting the definition of "Dwelling unit" and replacing it with the following:

"Dwelling unit" means a single unit providing complete, independent living facilities for one family including permanent provisions for living, sleeping, eating, cooking and sanitation.

~~Section 23.~~ That Section 17.04.060 of the Metropolitan Code of Laws is amended by deleting the definition of "Family" and replacing it with the following:

"Family" means one of the following:

1. An individual, or
2. Two or more persons related by blood, marriage or law, or,
3. A group of two or more unrelated persons living together in a dwelling unit, not to exceed ~~the limitations in 16.24.400.J~~ seven persons. Such group may include a combination of related and unrelated persons.
4. A group of not more than eight unrelated persons with disabilities including three additional persons acting as support staff or guardians, who need not be related to each other or to any of the persons with disabilities, residing together in a home in accordance with Tennessee Code Annotated § 13-24-102. For purposes of this subsection, 'persons with disabilities' includes persons with a physical or mental impairment which substantially limits one or more of such person's major life activities, a record of having such an impairment, or being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)). For the purposes of this subsection, "persons with disabilities" does not include persons who pose a substantial likelihood of serious harm as defined in Tennessee Code Annotated § 33-6-501, or who have been convicted of serious criminal conduct related to such disability.
5. A group of not more than eight unrelated persons over the age of sixty-five, including two additional persons acting as house parents or guardians, living together as a single housekeeping unit.

**ZONING ADMINISTRATOR RECOMMENDATION**

No exception taken.

**FISCAL IMPACT RECOMMENDATION**

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

**STAFF RECOMMENDATION**

Staff recommends approval of the proposed substitute.

**Approve amendment to Title 17 with a substitute. (7-0)**

**Resolution No. RS2022-347**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z\*017TX-001 is approved amendment to Title 17 with a substitute. (7-0)

**22. 2022Z-020TX-001**

BL2022-1531/Toombs

Staff Reviewer: Donald Anthony

A request to amend Section 17.16.030 of the Metropolitan Code, Zoning Regulations to require notice to surrounding property owners for adaptive residential developments (Proposal No. 2022Z-020TX-001).

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

Amend the Zoning Code to require mailed notice of proposed adaptive residential developments.

**PROPOSED AMENDMENTS TO TITLE 17**

The proposed text amendment would amend Section 17.16.030.F. of the Zoning Code to add a requirement that written notice of application for an adaptive residential development be mailed to property owners and condominium associations within 1,000 feet of the affected property. The applicant would be responsible for mailing the notices at least 21 days before any permits are issued for the development.

The following text shows the proposed amendment as filed. Staff recommended text to be added to the bill as filed is shown in underline. Staff recommended text to be removed from the bill as filed is shown in strikethrough.

Section 1. That Section 17.16.030 of the Metropolitan Code, Subsection F, is hereby amended by adding the following requirement as a subsequently numbered subsection:

\_\_\_\_. Notice. Applicants seeking an adaptive residential development use shall provide mailed notice of the proposed use and the total number of dwelling units proposed, to all property owners within one thousand feet of the subject property at least twenty-one days prior to the issuance of any permit related to the proposed adaptive residential development. Properties owned by the applicant shall not be included in the distance measurement for public notice. In addition to notification of individual property owners, an incorporated condominium association registered with the metropolitan clerk as requesting notification shall also be notified.

**BACKGROUND**

The Zoning Code establishes standards for adaptive residential developments, which are residential units permitted by right or condition in non-residential zoning districts. Section 17.16.030.F. limits adaptive residential developments to: 1) lots or existing buildings in the urban services district having the majority of their frontage on an arterial or collector street; or 2) lots or existing buildings in the Downtown Donelson Urban Design Overlay District. A minimum of 40 percent of the existing or proposed building’s gross floor area must be devoted to residential uses. For developments that qualify as adaptive residential developments, Section 17.16.030.F. further establishes standards for residential floor area, building orientation, driveway access, parking, and landscaping.

**ANALYSIS**

The proposed amendment to the Zoning Code adds a requirement that the applicant for an adaptive residential development provide written notice of the proposed use—including the number of residential units—to all property owners within 1,000 feet of the affected property at least 21 days prior to the issuance of any permits.

The Zoning Code requires that an applicant for an adaptive residential development submit a final site plan to the zoning administrator for review and approval. Upon approval of the final site plan, an applicant may begin applying for

necessary permits. The Zoning Code currently does not require the applicant to notify neighboring property owners of the application for a final site plan or any necessary permits. The proposed public notice would be for informational purposes and would not entitle any party to a hearing or appeal.

**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.

**Approve. (7-0)**

**Resolution No. RS2022-348**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z\*020TX-001 is approved. (7-0)

**23a. 2022CP-011-002**

**CRAIGHEAD AVE.**

Council District 17 (Colby Sledge)

Staff Reviewer: Cory Clark

A request to amend the South Nashville Community Plan to change the policy in an area along the north side of Craighead Street, east of Interstate 65 and west of Bransford Avenue, from District Industrial (D IN) policy to Urban Mixed Use Neighborhood (T4 MU) policy, zoned IR (25.69 acres), Centric Architecture, applicant; various owners. (See associated case 2022Z-141PR-001).

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Amend South Nashville Community Plan to change the policy.**

Minor Plan Amendment

A request to amend the South Nashville Community Plan to change the policy in an area along the north side of Craighead Street, east of Interstate 65 and west of Bransford Avenue, from District Industrial (D IN) policy to Urban Mixed Use Neighborhood (T4 MU) policy, Conservation (CO) policy will remain in place.

**SOUTH NASHVILLE COMMUNITY PLAN**

**Current Policy**

District Industrial (D IN) policy is intended to maintain, enhance, and create Districts that are dominated by one or more industrial activities, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. D IN areas typically have a highly connected internal street network adequate for the movement of freight traffic, which is also connected to external interstate systems and arterial boulevards.

Conservation (CO) policy recognizes the presence of sensitive environmental features, such as steep slopes and floodways/floodplains.

**Requested Policy** (Note: Conservation policy remains in place.)

Urban Mixed Use Neighborhood (T4 MU) policy is intended to maintain, enhance, and create urban, mixed use neighborhoods with a diverse mix of moderate to high density residential, commercial, office, and light industrial land uses. T4 MU areas have high levels of connectivity and complete street networks with sidewalks, bikeways, and existing or planned transit.

**BACKGROUND**

This plan amendment was requested in conjunction with Case 2021Z-141PR-001, a request to change the zoning for property located at 492 Craighead Street from Industrial Restrictive (IR) to Mixed Use Limited Alternative No STRP (MUL-A-NS) to permit mixed use development. The existing industrial-focused policy, applied to the plan amendment area, does not support residential and mixed use development. As such, the applicant has requested to amend the existing policy to Urban Mixed Use Neighborhood (T4 MU) to support mixed use development.

The site is adjacent to an active railway and Interstate 65. In addition, the site is located east of Eighth Avenue South, a prominent, growing commercial corridor with existing and new mixed-use developments. Along Craighead Street,

businesses provide mental health treatment, personal fitness, graphic design, and pet care. The neighborhood surrounding the site consists of single and two-family housing, industrial businesses, and warehouses. Lastly, social gathering and spectator sport destinations such as the Fairgrounds, Fair Park dog park, GEODIS Stadium, Nashville Flea Market, and the Nashville Superspeedway are located near the site. The properties along the south side of Craighead Street were not included in the study area as they are in the satellite city of Berry Hill.

As part of the application process and in discussing with the district Councilmember, Planning determined that the plan amendment is minor and does not require a community meeting.

### **ANALYSIS OF URBAN MIXED-USE NEIGHBORHOOD (T4 MU) POLICY NashvilleNext Growth and Preservation Concept Map**

The Growth & Preservation Concept Map (Concept Map) is a county-wide vision and tool to shape improvements in quality of life so that new development and redevelopment align with community values. The Concept Map designates the plan amendment area as Transition & Infill and Special Impact (recognizing the current industrial policy). Transition & Infill areas are comprised of higher density housing that is appropriate along and around corridors and centers to provide a harmonious connection to surrounding neighborhoods. Several areas in South Nashville are experiencing tremendous growth and infill development such as Chestnut Hill, Wedgewood–Houston, and Nolensville Pike, creating mixed use areas that provide a diversity of commercial, residential, and retail services to the surrounding neighborhoods.

### **Community Character Policy**

Community character policies guide zoning and development decisions. Nashville-Davidson County is divided into 14 Community Plan areas which provide history and context along with community-specific issues, strategies, and visions of how different places in the community could change over time. The South Nashville Community Plan (Community Plan) makes use of community character policies, tailored to the urban and suburban character of South Nashville neighborhoods. The Community Plan focuses on a strong asset of South Nashville which is its convenient location. South Nashville's proximity to downtown, several interstates, and other major corridors make it an ideal destination to live, work, and play for residents of the city. As previously mentioned, Eighth Avenue South, a prominent commercial corridor with existing and new mixed use developments, is located east of the site. The site is well-positioned to support the continued development and expansion of mixed use activities in South Nashville.

### **Transportation and Connectivity**

T4 MU areas feature high levels of connectivity and complete street networks with sidewalks, bikeways, and existing or planned transit. The site is along Craighead Street which is classified as a mixed use collector-avenue by the Major and Collector Street Plan. The site is located between Eighth Avenue South, a mixed use arterial-boulevard to the west, and Bransford Avenue, a collector-avenue to the east. An interchange with Interstate 65 is located to the north along Wedgewood Avenue. Further east is Nolensville Pike, another mixed use arterial-boulevard. There is an existing sidewalk along a portions of Craighead street although the sidewalk is interrupted by numerous curb cuts. The applicant will be installing a sidewalk along the entire frontage of the property at 492 Craighead Street as part of the development. Bicycle access from the site is provided via an existing bikeway with its origin at the intersection of Eighth Avenue South and Craighead Street, running in front of the site along Craighead Street, and connecting to Nolensville Pike to the east. In addition, this bikeway connects with another existing bikeway traveling north and south along Bransford Avenue.

WeGo Route 8 provides local public transit service directly to downtown Nashville. One of the transit stops for this route is located near the intersection of Eighth Avenue South and Craighead Street, approximately a seven-minute walk west from the site. WeGo Route 77 provides local connector public transit service to link with Route 8. One of the transit stops for this route is located near the intersection of Bransford Avenue and Craighead Street, approximately a six-minute walk east from the site. The site is in a convenient location to utilize several mobility options for accessing various destinations throughout the city.

### **Relationship to Surrounding Policies**

The site's relationship to surrounding policy areas is as follows:

- Urban Neighborhood Maintenance (T4 NM) policy is applied to a neighborhood, located north of the site, that is primarily single and two-family housing. T4 NM is also applied to a neighborhood across Interstate 65.
- Several properties south of the site have a combination of District Industrial (D IN) and Conservation (CO) policies applied to them. These properties are located in Berry Hill.
- To the west, across Interstate 65, Urban Neighborhood Evolving (T4 NE) policy is applied to one property.
- West and southwest, across Interstate 65, Urban Community Center (T4 CC) policy is applied to properties near and along Eighth Avenue South.

### **Analysis Summary**

Amending the Community Character Policy from District Industrial (D IN) to Urban Mixed Use Neighborhood (T4 MU) is appropriate for the following reasons:

- Amending the policy to support mixed use activities is appropriate as it allows the site to align with the intent of the NashvilleNext Concept Map's Transition and Infill category.
- T4 MU policy is appropriate for the site as it supports the continued development and expansion of mixed use activities in South Nashville and provides a range of services and housing options for nearby and future residents.
- The site is appropriate for T4 MU policy due to its convenient location and adequate access, connectivity, and mobility choices to various destinations throughout South Nashville and beyond.
- Application of T4 MU policy allows for the development of mixed use activities like those seen along Eighth Avenue South, but at a less intense scale that is appropriate for this area, located between Eighth Avenue South and Nolensville Pike and nearby the Fairgrounds.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. (7-0)**

**Resolution No. RS2022-349**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022CP-011-002 is approved. (7-0)

**23b. 2022Z-141PR-001**

Council District 17 (Colby Sledge)

Staff Reviewer: Amelia Lewis

A request to rezone from IR to MUL-A-NS zoning for property located at 492 Craighead Street, approximately 125 feet west of Oceanside Drive (5.8 acres), requested by Centric Architecture, applicant; MSA Investors, LLC, owner. (See associated case 2022CP-011-002).

**Staff Recommendation: Approve if the associated plan amendment is approved Disapprove if the associated plan amendment is not approved.**

**APPLICANT REQUEST**

**Zone change from IR to MUL-A-NS.**

Zone Change

A request to rezone from Industrial Restrict (IR) to Mixed-Use Limited – Alternative – No Short Term Rentals (MUL-A-NS) zoning for property located at 492 Craighead Street, approximately 125 feet west of Oceanside Drive (5.8 acres).

**Existing Zoning**

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

**Proposed Zoning**

Mixed Use Limited – Alternative – No Short Term Rental Properties (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.

**SOUTHEAST NASHVILLE COMMUNITY PLAN**

**Existing Policy**

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

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

**Proposed Policy**

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.

Note: The CO policy would remain in place on the site.

**SITE AND CONTEXT**

The subject property is 5.8 acres located on the north side of Craighead Street, east of Interstate 65. The properties to the north are zoned One and Two-Family Residential (R6) and have been established with residential land uses. To the east and south of the subject site, the properties are zoned IR and have been developed with a mix of land uses including industrial, commercial, and medical/office. Along the western property line is an existing rail line.

**ANALYSIS**

Staff finds the proposed MUL-A-NS zoning district to be consistent with the T4 MU policy being proposed with the associated Community Plan Amendment application 2022CP-011-002. The intent of the T4 MU policy is to maintain, enhance, and create urban, mixed use neighborhoods with a diverse mix of moderate- to high density residential, commercial, office, and light industrial land uses. The proposed MUL-A-NS zoning district increases the potential land uses available to be developed on the site, consistent with the goal to provide a mix of uses. The site is located along Craighead Street, a collector avenue, as classified by the Major and Collector Street Plan (MCSP), and is near the intersection of Craighead Street and Bransford Avenue, another collector avenue. The site is also adjacent to the interstate. The surrounding areas include a mix of uses and the location along prominent roadways, which can likely support a mix of uses.

The CO policy on the site is on the site to indicate the presence of slopes ranging from 15 to over 25 percent. Future development should utilize the existing slopes as a feature of the site to avoid modifying drainage patterns in the area.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	5.8	0.6 F	151,589 SF	285	26	29

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 (221)	2.9	1.0 F	126 U	685	43	56

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)	1.45	1.0 F	63,162 SF	2,384	60	241

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)	1.45	1.0 F	63,162 SF	7,086	628	617

Traffic changes between maximum: **IR 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
-	-	-	-	+9,870	+705	+885

**METRO SCHOOL BOARD REPORT**

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

**Projected student generation proposed MUL-A-NS district: 11 Elementary 6 Middle 5 High**

The mix of uses could vary and assumption of impact at this point is premature. Students would attend Fall Hamilton Elementary School, Cameron College Prep Middle School, and Glencliff 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 if the associated plan amendment is approved, and disapproval if the associated plan amendment is not approved.

**Approve. (7-0)**

**Resolution No. RS2022-350**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-141PR-001 is approved. (7-0)

**24a. 2022CP-003-002**

**BORDEAUX-WHITES CREEK-HAYNES TRINITY**

**COMMUNITY PLAN AMENDMENT**

Council District 03 (Jennifer Gamble)

Staff Reviewer: Andrea Barbour

A request to amend the Bordeaux-Whites Creek-Haynes Trinity Community Plan, by changing land use policy for property located at 633 West Green Lane, at the southwest corner of West Green Lane and Whites Creek Pike, (78.22 acres). The request would change the land use policy from T2 RM to T2 NC policy and T3 NE. CO policy remains in place., requested by Catalyst Design Group, applicant; West Green Land Partners LLC, owner. (See associated case #2022SP-043-001).

**Staff Recommendation: Approve changing the policy to Rural Neighborhood Center (T2-NC) policy along Whites Creek Pike and West Green Lane, along with Suburban Neighborhood Evolving (T3-NE) policy in an interior section of the property.**

**APPLICANT REQUEST**

**Amend Community Plan to change Community Character Policy.**

Major Plan Amendment

A request to amend the Bordeaux/Whites Creek/Haynes Trinity Community Plan, by changing land use policy for property located at 633 West Green Lane, at the southwest corner of West Green Lane and Whites Creek Pike, (78.22 acres). The request would change the land use policy from Rural Maintenance (T2 RM) to Rural Neighborhood Center (T2 NC) policy and Suburban Neighborhood Evolving (T3 NE) policy. Conservation (CO) policy remains in place.

**BORDEAUX/WHITES CREEK/HAYNES TRINITY COMMUNITY PLAN**

**Current Policy**

Rural Maintenance (T2 RM) policy is intended to maintain rural character as a permanent living choice. The policy balances maintaining the rural countryside and existing rural development patterns with new residential development.

Conservation (CO) policy is intended to preserve, remediate, and enhance environmentally sensitive land. CO policy identifies land with sensitive environmental features, including, but not limited to, stream corridors, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils. In this instance, CO policy is mainly applied to floodways and floodplains. CO policy would not change.

**Requested Policy** (Note: Conservation (CO) policy remains.)

Rural Neighborhood Center (T2 NC) policy is intended to maintain, enhance, and create rural centers that fit in with rural character and that provide consumer goods and services for surrounding rural areas. Rural neighborhood centers are small-scale, pedestrian friendly areas, generally at the intersection of prominent roads and have access to sewer infrastructure.



Suburban Neighborhood Evolving (T3 NE) policy is intended to create and enhance suburban neighborhoods with the best qualities of classic suburban neighborhoods—greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques.

## **BACKGROUND**

The property at 633 West Green Lane, located north of Briley Parkway and west of Whites Creek Pike, serves as the southern gateway into the Whites Creek Neighborhood. Currently, the property is farmland and pastures along with areas of tree cover. Along West Green Lane to the north are single-family homes.

In 2019, the property was the subject of a land use policy amendment request to change the policy to allow for warehousing uses. The community overwhelmingly rejected that proposal. Since that time, members of that applicant team joined together, purchased the site, and formed a new group to propose a mixed use development for the site that is more aligned with characteristics and uses they heard community members desired.

The plan amendment was requested in conjunction with zone change request 2022SP-043-001 to change the zoning from residential single-and two-family (R10) to Specific Plan (SP) zoning to permit a mixed-use development. The study area is approximately 78.22 acres. The proposed policy amendment would change the policy to allow for a rural mixed use center with a variety of housing types.

## **COMMUNITY PARTICIPATION**

Prior to submitting applications, the applicant and Councilmember Gamble met two times with residents and other stakeholders in the Whites Creek community.

On September 1, 2022, Community Plans staff conducted an in-person community meeting to discuss the applicant's plan amendment and rezoning proposal. Notices were mailed to 200 property owners in a 1,300 foot buffer of the plan amendment site. Details of the community meeting were made readily available on the Planning Department's webpage, and Councilmember Gamble also shared details with her constituents. Approximately 23 people signed-in; however, there were additional community members present. Staff outlined the request to change policy. The applicant team presented site plans and conceptual renderings for the proposed development. Following the presentation, attendees were given the opportunity to ask questions and share comments. Several questions were asked of the applicant, development team, or staff by attendees. Comment cards were also handed out so that people could submit written questions and comments. Questions and comments mainly focused on:

- Preserving mature trees and possibly planting additional trees
- Preserving the floodplain areas
- Traffic impacts
- Housing types, especially the multifamily units
- Design characteristics of the commercial area
- Maintaining rural character

The community meeting lasted almost two hours; however, some people still had additional questions. Post-meeting, Planning staff compiled questions from the meeting and emails and asked the applicant to answer. Responses were then shared with people who attended the meeting along with people who had emailed staff.

The Nashville Tree Conservation Corps has also attended the meetings and has worked with the applicant on preserving additional areas of tree cover within the site.

Since the community meeting was held, there have been eight letters of support and seven letters of opposition submitted to the Planning Department and shared with the Commission. Much of the opposition is focused on allowing multi-family uses as part of this development.

## **ANALYSIS OF T2 RURAL AND T3 SUBURBAN POLICIES**

In this analysis, the subject property, currently in Rural Maintenance (T2 RM) policy, was examined to apply Rural Neighborhood Center (T2 NC) policy to the majority of the site. Staff also analyzed whether to apply Rural Neighborhood Center (T2 NC) policy or Suburban Neighborhood Evolving (T3 NE) policy to the interior portion of the study area.

The proposed policy amendment area, currently in T2 RM policy, is a suitable location for T2 NC and T3 NE policies for the following reasons:

### **NashvilleNext Growth & Preservation Concept Map**

The Growth & Preservation Concept Map (Concept Map) is a county-wide vision and tool to shape improvements in quality of life so that new development and redevelopment align with community values. The Concept Map shows the policy amendment area situated in a location designated as a "Green Network". Green Network areas primarily include natural and rural areas that provide natural resources, ecological services, and passive and active recreation

opportunities. They also include sensitive natural features that can be disturbed or destroyed by development or that pose a health or safety risk when developed.

The area is bordered by Briley Parkway to the south which denotes a transition from the more intensely developed areas to the south from the more rural area of Whites Creek. The requested development would provide goods and services for the surrounding area along with additional housing options, much of it in a rural character. In addition, the development would preserve sensitive natural features, hillsides, and areas of tree cover. Preserving the Green Network area provides protection to the floodway/floodplain areas and provides an opportunity to connect greenways.

#### Key Finding

- The policy amendment area is identified on the Concept Map as Green Network, signifying its sensitive natural features and rural character and is a suitable location to allow a mix of uses and housing options while preserving natural features and keeping with rural character.

#### **Community Character Policy Application**

There are 14 Community Plans which provide the vision and policy guidance of land uses for communities within Davidson County. The Bordeaux/Whites Creek/Haynes Trinity Community Plan makes use of Community Character Policy elements to ensure those areas continue to grow. The community plan strives to balance growth with preserving the character of established urban and suburban residential neighborhoods and rural areas. The community plan area consists primarily of older and newer suburban development in Bordeaux, more urban and suburban development in Haynes Trinity, and rural development in Whites Creek, Scottsboro, and Bells Bend. Most of Bordeaux/Whites Creek/Haynes Trinity is residential in character, with some commercial and industrial uses. With an abundance of natural resources and proximity to downtown, this area offers many residential options ranging in character from urban to suburban to rural.

The T2 Rural Transect category applies to the policy amendment area. The T2 Rural Transect provides living and working options, differentiated from suburban and urban categories, offering residents the choice of seclusion within the countryside. T2 Rural land is sparsely developed with primarily agricultural and low-density residential uses, complemented by limited, low intensity commercial uses. T2 Rural also reflects land with sensitive and unique topographic and geological characteristics, scarce prime agricultural land, or landscapes with a historic rural community character. In many cases, residents have chosen these communities largely due to the hillsides, valleys, forests, agriculture, wildlife habitats and rural character found in T2 Rural areas.

T2 Rural areas are near, and sometimes adjacent to, T3 Suburban and even T4 Urban areas. This proximity to more intensely developed areas means rural residents can enjoy convenient access to nearby retail and services while also living in a rural setting. Combined with low-density development patterns, convenient access to retail and services diminishes the market demand for, as well as the need to accommodate, extensive commercial development.

The requested T2 NC policy allows for the site to serve as a neighborhood center, providing goods and services in an area that is a gateway into Whites Creek. In rural centers, the building form complements adjacent neighborhoods served by the center and the infrastructure to which it has access. Typically, rural neighborhood centers are located on smaller properties at the intersection of prominent roads, and, as such, cover four corners. This property, however, is a unique larger property that is bounded by a creek to the west, Briley Parkway and a smaller, undeveloped property to the south, Whites Creek Pike to the east, and West Green Lane to the north.

The proposed development includes a mixed use area, providing retail and services along with live/work units, townhouses, and several open spaces, along Whites Creek Pike and West Green Lane. As one moves west along West Green Lane, the proposed development transitions into single family residential, complementing existing houses on the north side of the street.

This area is considered part of the rural Whites Creek Neighborhood where residents work diligently to protect the area's rural character and rural history. In certain locations including this property, the existing zoning is more suburban in character and has resulted in several nearby residential developments also being suburban in character.

Staff studied whether it was appropriate for T2 NC policy to apply to the entire property. Due to the property's unique location, as discussed above, staff thinks T2 NC could be applied to a portion of the property. The applicant team is proposing as part of their rezoning an area of multifamily buildings, screened from view from Whites Creek Pike. Some in the community are supportive of multifamily housing since currently this housing option is not in the area.

While multifamily structures can be found in T2 NC policy, the applicant is proposing several large apartment buildings with a layout that is more in line with design principles of T3 Suburban Transect areas. As such, and along with T3 Suburban Transect areas located nearby, staff recommends that the most appropriate policy to apply to the

proposed multifamily area is T3 Suburban Neighborhood Evolving (T3 NE) policy. It should be noted, however, that some community members strongly disagree with allowing multifamily development into a low-density rural area. Staff determined that because the proposed area of multifamily is located along Briley Parkway and nearby other Suburban policies, it is appropriate to apply it to this section of the proposed development. This area is wrapped by T2 Rural policies to the north and east and Briley Parkway to the south, thereby containing the proposed T3 NE policy area.

Conservation (CO) policy is applied to the property's areas of floodway/floodplain and steep slopes and will remain in place. The development proposal preserves these areas and provides for a future greenway connection along the creek.

#### Key Findings

- T2 NC policy's intent of promoting rural centers that provide services and a mixture of uses for surrounding rural areas is supported by the proposed design of the commercial/retail spaces.
- Implementation of T2 NC policy provides additional services, amenities, gathering spaces, and housing that complements the surrounding rural neighborhood.
- T3 NE policy is recommended for the multifamily area due to its proposed character; however, the area is contained by Briley Parkway to the south, the creek to the west, and Rural policies to the north and east.
- A mixture of T2 Rural and T3 Suburban Transect policies currently surrounds the proposed development.
- CO policy is implemented in the proposed development with preservation of floodplains and areas of tree canopy and steep slopes, along with creating various open spaces.

#### **Transportation and Connectivity**

Per the Community Character Manual, a rural neighborhood center is located to serve a rural neighborhood and is supported by adequate infrastructure and adequate access, such as the intersection of local and collector streets. The Major and Collector Street Plan (MCSP) is a comprehensive plan and implementation tool for guiding public and private investment in the major streets (arterial-boulevards, arterial-parkways, and collector-avenues) that make up the backbone of the city's transportation system. Whites Creek Pike is classified as an arterial-boulevard and Buena Vista Pike to the west is a collector-avenue. West Green Lane is classified as a local street. The MCSP calls for a future east-west collector to the north; however, further study is needed to see if this connection is still warranted and feasible. The development is proposing access to both Whites Creek Pike to the east and West Green Lane to the north.

Sidewalks are not required in the T2 Rural Transect along an arterial-boulevard, according to the MCSP, as sidewalks are not often found in rural areas. However, in T2 NC areas, pedestrian connectivity is high within the center area, although connectivity may be more limited in surrounding areas. Within the proposed development, buildings are arranged into pedestrian-friendly groupings. Connectivity within the center is provided through coordinated access and circulation. The development is proposing an internal network of streets and sidewalks connecting the mixed use area with the residential areas. The proposed development's various types of open spaces also provide destinations and connections for the development and for the surrounding community.

Access to public transit is provided by WeGo Route 41 with two bus stops located along Whites Creek Pike directly across the street from the site. The current block pattern includes a sidewalk where the bus stops are located along Whites Creek Pike. The neighborhood development pattern lacks crosswalks at the identified bus stops.

#### Key Findings

- Streets, including Whites Creek Pike (arterial-boulevard) and Buena Vista Pike (collector-avenue), along with local streets in the neighborhood area, provide connectivity.
- Public transit infrastructure surrounding the site makes it accessible, but pedestrian infrastructure needs to be improved along Whites Creek Pike to improve safety and access to the proposed development.
- The proposed development will provide a pedestrian friendly mixed use area and internal connectivity.
- A greenway is planned along the creek at the property's western boundary that will become part of the Whites Creek Greenway network.

#### **Relationship to Surrounding Policies**

Currently, the policy amendment area is surrounded by several policies:

- Rural Maintenance (T2 RM) policy is located to the north along West Green Lane and in areas to the east.
- Rural Neighborhood Center (T2 NC) policy is located adjacent to the south of the proposed development on a smaller property that abuts Briley Parkway.
- Suburban Neighborhood Maintenance (T3 NM) policy is applied along Whites Creek Pike to the east and to the west along Buena Vista Pike.
- Suburban Neighborhood Evolving (T3 NE) policy is located on the south side of Briley Parkway to the southwest.
- Suburban Community Center (T3 CC) policy is located on the south side of Briley Parkway.

- Conservation (CO) policy is applied throughout the policy amendment site as well as to the north and south in addition to the western border of the development.
- Open Space (OS) policy is applied west of the site along the creek recognizing the future greenway.

#### Key Finding

Changing the policy to mostly T2 NC policy along with a smaller area of T3 NE policy fits within the larger area's context.

#### **Analysis Summary**

Amending the Community Character Policy from T2 RM to T2 NC and T3 NE is appropriate for the following reasons:

- According to the NashvilleNext Growth and Preservation Concept Map the proposed development is appropriate within the Green Network areas as it is developing with rural character and preserving sensitive environmental features, such as floodplains and areas of tree canopies.
- Implementation of T2 NC policy provides additional services, amenities, gathering spaces, and housing that complements the surrounding rural neighborhood.
- Sensitive environmental features, including floodplains and areas of tree canopy, are being preserved and various open space areas are proposed.
- T3 NE policy is recommended for the multifamily area due to its proposed character; however, the area is contained by Briley Parkway to the south, the creek to the west, and Rural policies to the north and east.
- The proposed policies support preservation of open space, a mix of housing types, and a rural mixed use center along with its small-scale commercial.
- T2 and T3 Transects currently surround the study area, and this policy change blends seamlessly with the surrounding area.
- Public transportation infrastructure is available along with street connectivity provided by Whites Creek Pike (arterial-boulevard) and Buena Vista Pike (collector-avenue).
- The proposed development offers pedestrian connectivity.
- A greenway is planned along the creek at the property's western boundary that will become part of the Whites Creek Greenway network.
- There is community support for the development and more neighborhood amenities.

#### **UPDATE**

Since these two cases were deferred at the November 10, 2022, Planning Commission meeting, the applicant worked with staff to hold another community meeting. In addition, the applicant indicated that they wanted the multifamily area (referred to as District 3 in their Specific Plan) to meet the design principles of T2 Rural Neighborhood Center (T2 NC) policy. Staff advised the applicant to:

- Reduce the maximum building height in the multifamily area to a two-story portion fronting the primary private drive and possibly a three-story portion to the rear for some buildings.
- Have all buildings front a private drive with the longer façade of the building, consistent with the existing form of the first four multifamily buildings.
- Provide a minimum 5-foot sidewalk with a minimum 4-foot grass strip with regularly spaced trees in the grass strip for all private drives in the multifamily area to give these private drives a street character.
- Provide a public access easement on all private sidewalks and on all walking trails within the associated rezoning.
- Provide a landscaping plan for the multifamily area.

After sending these recommendations to the applicant, the applicant team met with staff to discuss this guidance in more detail. The applicant team advised staff that they were unable to reduce the height of buildings or the number of units but would work on other design elements. The applicant resubmitted their site plan on November 28, 2022, but the revised site plan does not fully reflect the guidance staff provided. Many changes were made to address comments but even with additional landscaping, pedestrian connections, and re-orienting one building, staff finds District 3 to still be Suburban in character. As such, staff continues to recommend the policy application reflected in this report.

Staff facilitated a second community meeting on December 1, 2022 held at the Minerva Cultural Center on Whites Creek Pike. Thirty-four people attended the meeting, including staff, the applicant, and Councilmember Gamble. Staff presented the applicant's revised site plan focusing on the proposed Suburban Neighborhood Evolving (T3 NE) policy change. Community members attending the meeting expressed continued concerns about the proposed T3 NE policy, particularly the density/intensity of the proposed multi-family as well as associated traffic impacts especially in the interchange area.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the policy change from Rural Maintenance (T2 RM) policy to Rural Neighborhood Center (T2 NC) policy along Whites Creek Pike and West Green Lane in addition to a smaller area of Suburban Neighborhood Evolving (T3 NE) policy interior in the development.

Vice Chair Farr advised Items 24a and 24b deferred at the last meeting and the Public Hearing has been closed. She asked if there were any updates staff could provide since the last meeting.

Ms. Milligan stated the Item was heard at the Public Hearing at the previous meeting and was deferred. She said there has been an additional community meeting hosted by Planning to discuss and explain the recommendation regarding policy as it related to T3 Neighborhood Evolving in combination with the T3 Neighborhood Center for the project, as well as the SP. Ms. Milligan advised the staff recommendation remains unchanged from the previous presentation and the plan, with a few minor tweaks in the multi-family area, remains unchanged, as well.

Vice Chair Farr asked if Ms. Milligan could share any feedback received at the community meeting.

Ms. Milligan said there was conversation regarding the community feeling that the multi-family was too intense and the application of Neighborhood Evolving in this location with a concern as it would be a creep of Neighborhood Evolving.

Vice Chair Farr asked about the minor tweaks Ms. Milligan mentioned.

Ms. Milligan explained Districts 1 and 2 remain unchanged from the previous plan, except it was clarified where there would be public access easements along some of the trails in the development within the open space. There were minor shifts in one building location in District 3. On the southern portion in District 3 the orientation of the building was changed to create a better frontage along open space. She further explained, there was also inclusion of a planting strip with trees between the drive aisles and sidewalks in District 3, which is the multi-family area.

Vice Chair Farr advised the Commissioners it was up to them whether they want to open the Public Hearing as there were neighborhood residents present at the meeting.

Ms. Kempf stated the Commission's practice tends to be if there is no new information, to keep the Public Hearing closed; but if there is new information or technical analysis that they want to analyze, to re-open. She said in this instance, as they heard from staff, there is no new technical information from the applicant team. Ms. Kempf said they reached out to the two Commissioners who missed the last meeting and they have watched the previous hearing, so all the Commissioners have the same basis of information.

Mr. Lawson felt opening the Public Hearing is within their purview but they need to have some guidelines to do so. He said they heard the case and the Commission needs to discuss it and draw conclusions.

Video inaudible.

Vice Chair Farr called for five minute break to reset their microphone systems due to technical difficulties.

Mr. Dickerson advised the Commissioners to try to deliberate and come to a decision with just staff questions.

Vice Chair Farr asked Ms. Milligan to give a short overview of the project to help them deliberate and to all be on the same page.

Ms. Barbour presented the staff recommendation to approve changing the policy to Rural Neighborhood Center (T2-NC) policy along Whites Creek Pike and West Green Lane, along with Suburban Neighborhood Evolving (T3-NE) policy in an interior section of the property.

Mr. Elliott spoke on the SP application associated with the community plan amendment. He presented the staff recommendation to approve with conditions and disapprove without all conditions if the associated plan amendment is approved and to disapprove if the associated plan amendment is not approved.

Councilmember Gamble spoke in favor of Items 24a and 24b.

Mr. Lawson said this is an ideal development where it is located and feels it merits unanimous approval.

Mr. Haynes thought the staff did a good job at analyzing the policy changes. He said this particular section of Whites Creek is evolving and he is in support of Item 24a. Mr. Haynes stated he was struggling with 2b and asked for more information regarding the heights of buildings C1-4.

Ms. Milligan responded that C1 and C2 are the three-story with a basement building and would appear as three-story on the back side toward the tree preserve area. They would appear as four-story on the street side. She stated they would be considered three-story by the Code but they would appear that way because of the basement level. She said C3 and C4 are three-story.

Mr. Haynes asked what height was permitted in both districts.

Ms. Milligan stated maximum height permitted in District 3 is 52 feet and District 2 has two-story with maximum height of 35 feet.

Mr. Haynes suggested to the Commission and applicant to consider from the roundabout south for the C1-4 buildings, to limit those to two-story in height. He stated that would slightly reduce the density and thought it was a better transition from the roundabout to the interstate and provide a better buffer to the single family residents to the north. Mr. Hayes said these plans are difficult to execute. He thought it was well thought out to integrate commercial uses along Whites Creek with single family with some slightly dense multi-family but would like to see less density and less height in those four buildings.

Mr. Henley stated that dividing the property into the districts shows there is a great amount of respect and attention in trying to achieve multiple goals. He said hearing there have been modifications and attempts to be more conforming is an example of a developer trying to appease the community and trying to bring much needed density and housing to a particular community. Mr. Henley was glad to have clarity on what areas will become public and have public access. He felt that with the amount of activity at this intersect in the community, it is something that is overdue and is excited to see it take shape with the multitude of options it will provide.

Councilmember Withers said this was a great plan before and still feels this is a well done plan and is in support of staff recommendation for Items 24a and 24b.

Ms. Johnson said she was the one struggling with if T3 Neighborhood Evolving Policy was appropriate for District 3 where the multi-family housing is proposed. She stated since this SP is really thoughtful with building placement and orientation, preservation and street connection, she felt this plan is good. Ms. Johnson said in this instance T3 Neighborhood Evolving Policy is appropriate to accommodate the height, massing and orientation. She felt the staff recommendation is reasonable and asked from where the height would be measured.

Ms. Milligan responded that height would be measured as it is measured by the Zoning Code; from finished grade to the four corners average. She said three stories, 52 feet total, as measured by the Zoning Code, taking the four corners at the final grade and those heights from final grade to the top are averaged.

Ms. Johnson asked if that includes the basement.

Ms. Milligan stated that it does include the basement from finished grade to the top. She said this is considered three stories by the Zoning Code.

Ms. Johnson said she would love to see more height difference in the section C1 to C4 to give a better transition to single family, one story 35 feet. She stated if it could be accommodated then she is in favor of the SP to give a better transition; but on the other side, Briley Parkway side, she felt three story, 52 feet, would be appropriate because it would be a buffer towards traffic from Briley. Ms. Johnson asked if a traffic light at Briley Parkway would be considered a condition.

Mr. Elliott stated both of the Briley off ramps would be analyzed for a traffic signal at the time of this development, as well as the 150<sup>th</sup> lot of the Ridgecrest development that is nearby.

Ms. Johnson stated with that condition and future street improvements, she thinks this plan is well thought out and is in favor of the policy change.

Mr. Tibbs stated as far as the use of this plan it is very needed for this area. He thought the site plan worked well with the way the site is and the slopes of it and said he was in support of it.

**Mr. Tibbs moved and Mr. Lawson seconded the motion to approve changing the policy to Rural Neighborhood Center (T2-NC) policy along Whites Creek Pike and West Green Lane, along with Suburban Neighborhood Evolving (T3-NE) policy in an interior section of the property. (7-0)**

**Resolution No. RS2022-351**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022CP-003-002 is approved changing the policy to Rural Neighborhood Center (t2-NC) policy along Whites Creek Pike and West Green Lane, along with Suburban Neighborhood Evolving (T3-NE)policy in a interior section of the property.. (7-0)

## 24b. 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: Approve with conditions and disapprove without all conditions if the associated plan amendment is approved Disapprove if the associated plan amendment is not approved.**

#### APPLICANT REQUEST

**Rezoning from R10 to Specific Plan to permit a mixed-use development.**

##### Preliminary SP

A request to rezone from One and Two-Family Residential (R10) to Specific Plan (SP) zoning for property located 633 W. Green Lane, at the southwest corner of W. Green Lane and Whites Creek Pike, (78.22 acres), to permit a mixed-use development.

##### **Existing 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 289 lots with 71 duplex lots for a total of 360 units, based on acreage only. Application of the Subdivision Regulations may result in fewer lots.*

##### **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.

#### **BORDEAUX - WHITES CREEK - HAYNES TRINITY COMMUNITY PLAN**

##### **Existing Policy**

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.

##### **Proposed Policy (Note: CO policy is to remain)**

T2 Rural Neighborhood Center (T2 NC) is intended to maintain, enhance, and create rural neighborhood centers that fit in with rural character and provide consumer goods and services for surrounding rural communities. T2 NC areas are small-scale pedestrian friendly areas generally located at intersections. They contain commercial, mixed use, residential, and institutional uses.

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.

#### **SITE**

The approximately 78.22-acre site is located on Whites Creek Pike, an Arterial Boulevard, and is located just north of Briley Parkway and directly across from where Green Lane intersects with Whites Creek Pike. The property has the entire southern frontage of West Green Lane, a local street. Whites Creek forms the western border of the site and floodway and floodplain exist on the western portion of the site. A stream with associated stream buffers also extends into the site. A hill is present on the site and steep slopes, as defined in the Metro Zoning Code, are found around this hill. A gas station with a convenience store was recently constructed directly across Whites Creek Pike and otherwise the surrounding area is a mixture of single and two-family land uses.

## **PLAN DETAILS**

The application proposes a Specific Plan zoning district that includes four subdistricts. The associated Community Plan Amendment application, 2022CP-003-002, recommends T2 NC policy be applied to Subdistrict 1, 2, and 4 and that T3 NE policy be applied to Subdistrict 3. The SP includes visioning imagery for the various building types and the images identify specific features that will be incorporated into this project with the final site plan application.

### Subdistrict 1

Subdistrict 1 is located along Whites Creek Pike and W. Green Lane and contains non-residential land use immediately along Whites Creek Pike and W. Green Lane with multi-family residential units (townhouses and live/work townhouses) more interior to the site. Buildings in this subdistrict are generally limited to 2 stories with the townhomes on the hillside being able to use a 2/3 story split condition to work with the grade. This subdistrict includes two privately maintained common areas that will include pedestrian scale amenities that aim to foster a sense of place. The SP also includes architectural, access and parking, and landscape standards that ensure the final site plan application will provide a site layout and overall development that is consistent with the T2 NC Policy applied to this portion of the site.

Subdistrict 1 includes all three access points to the site. An access point is proposed on Whites Creek Pike and aligned with the intersection of Green Lane on Whites Creek Pike. This intersection is planned to be signalized. Also on Whites creek pike is a right in/right out access location. The third access point is located on W. Green Lane and provides access to all three development subdistricts.

### Subdistrict 2

Subdistrict 2 makes up the remainder of the frontage on W. Green Lane, outside of the stream buffer areas, and this area contains 59 single-family residential lots. This subdistrict includes a cul-de-sac at the terminus of W. Green Lane and otherwise, the single-family lots are accessed via private streets.

The SP also includes architectural, access & parking, and landscape standards that ensure the final site plan application will provide a site layout and overall development that is consistent with the T2 NC Policy applied to this portion of the site.

### Subdistrict 3

Subdistrict 3 is the most interior subdistrict to the site, is adjacent to Briley Parkway, and contains up to 325 multi-family residential units in 3 story buildings that are oriented to private drives. This portion of the SP is proposed to be located within the T3 NE policy. This subdistrict includes architectural, access & parking, and landscape standards that ensure the final site plan application will provide a site layout and overall development that is consistent with the T3 NE Policy applied to this portion of the site.

### Subdistrict 4

Subdistrict 4 provides open space and preservation of natural areas and does not permit any buildings other than roads, drives, utilities, and pedestrian pathways that are necessary to serve the other subdistricts. Subdistrict 4 identifies approximately 8.8 acres of tree preservation area. The plan also proposes to replant trees at a 50% replacement rate of the trees that are removed during grading operations. Pedestrian walking trails are provided in this subdistrict and these trails provide pedestrian interconnectivity with Subdistricts 2 and 3 of this SP. Additionally, a Greenway Easement is proposed along Whites Creek in accordance with the Metro Greenways Master Plan.

## **ANALYSIS**

Staff finds the proposed SP zoning district to be consistent with the policy being proposed with the associated Community Plan Amendment application 2022CP-003-002. The land uses, development pattern, and standards included in Subdistricts 1, 2, and 4, are consistent with the guidance provided in the Community Character Manual for the T2 NC policy. The building heights, relationship to the street frontages, location of the associated parking, building massing, and landscaping standards of subdistricts 1, 2, and 4 all aim to provide a rural neighborhood scale development, that is consistent with the intent of the T2 NC policy. Subdistrict 3 is proposed to be within T3 NE policy and staff finds the proposed land use and development form to be consistent with this policy intent. Multi-family development is supported by the T2 NC policy; however, the proposed site plan while meeting some of the criteria of T2 is more in line with the guidance of T3 in the CCM.



The proposed SP zoning appropriately preserves the environmental features that are found within the CO policy area. The steep slopes are shown to remain, approximately 8.8 acres of tree canopy is proposed to remain on site, and the floodway and floodplain are largely preserved with some floodplain modification being proposed, subject to Metro Water Services review and approval with final site plan application.

#### **UPDATE**

Since these two cases were deferred at the November 10, 2022, Planning Commission meeting, the applicant worked with staff to hold another community meeting. In addition, the applicant indicated that they wanted the multifamily area (referred to as District 3 in their Specific Plan) to meet the design principles of T2 Rural Neighborhood Center (T2 NC) policy. Staff advised the applicant to:

- Reduce the maximum building height in the multifamily area to a two-story portion fronting the primary private drive and possibly a three-story portion to the rear for some buildings.
- Have all buildings front a private drive with the longer façade of the building, consistent with the existing form of the first four multifamily buildings.
- Provide a minimum 5-foot sidewalk with a minimum 4-foot grass strip with regularly spaced trees in the grass strip for all private drives in the multifamily area to give these private drives a street character.
- Provide a public access easement on all private sidewalks and on all walking trails within the associated rezoning.
- Provide a landscaping plan for the multifamily area.

After sending these recommendations to the applicant, the applicant team met with staff to discuss this guidance in more detail. The applicant team advised staff that they were unable to reduce the height of buildings or the number of units but would work on other design elements. The applicant resubmitted their site plan on November 28, 2022, but the revised site plan does not fully reflect the guidance staff provided. Many changes were made to address comments but even with additional landscaping, pedestrian connections, and re-orienting one building, staff finds District 3 to still be Suburban in character. As such, staff continues to recommend the policy application reflected in this report.

#### **FIRE MARSHAL RECOMMENDATION**

##### **Approve with conditions**

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

#### **STORMWATER RECOMMENDATION**

##### **Approve**

#### **WATER SERVICES RECOMMENDATION**

##### **Approve with conditions**

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

#### **NASHVILLE DOT RECOMMENDATION**

- Final construction plans and road grades shall comply with the design regulations established by the Nashville Department of Transportation, NDOT.
- Remove the proposed right-in/ right-out access onto Whites Creek Pike.
- At the Green Lane / Whites Creek Pike / Private Street intersection. On the private street at the Whites Creek Pike intersection, provide a driveway ramp per Detail ST-324. Public sidewalk to continue across ramp.
- Whites Creek Pike per the Major and Collector Street plan, MCSP - From review of the MCSP, <https://maps.nashville.gov/MCSP/> , Whites Creek Pike identifies a six (6') bikeway width; a twelve (12') foot Planting Strip Width; and a twelve (12') foot Sidewalk Width.
- At the intersection of West Green Lane and Whites Creek Pike, at the street intersection, provide West Green Lane with a 90-degree centerline angle, wherever possible.
- On the private street at the West Green Lane intersection, provide a driveway ramp per Detail ST-324. Public sidewalk to continue across ramp.
- West Green Lane at Lots 8-14: Provide a circular turnaround at the terminus of West Green Lane. Dedicate right-of-way. See NDOT detail ST-331 for an illustrative example.

#### **TRAFFIC AND PARKING RECOMMENDATION**

- The applicant shall coordinate further with NDOT to address additional improvements along Green Lane.
- Per the TIS, restripe the two-way left-turn lane to provide a northbound left-turn lane at the intersection of Whites Creek Pike and Green Lane/Driveway A with a minimum of 100' storage length.

- The applicant shall coordinate further with NDOT on additional traffic control improvements at the intersection of Whites Creek Pike & Green Lane. If it is identified that further improvements are necessary at this intersection, the developer shall coordinate with NDOT to determine the appropriate pro-rata share contribution for said improvements.
- The applicant shall coordinate with NDOT to determine appropriate pro-rata share to the construction of signals at Briley Parkway ramps.
- Remove proposed right-in/right-out access onto Whites Creek Pike.
- Ensure MCSP requirements are being met and appropriate ROW is dedicated – see NDOT comments
- 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: **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)	78.22	4.356 D	360 U	3,379	260	348

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	78.22	-	59 U	640	47	62

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential(221)	78.22	-	366 U	1,993	122	154

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)	78.22	-	22,500 SF	849	21	86

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)	78.22	-	22,500 SF	2,524	224	220

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+2,627	+154	+174

**METRO SCHOOL BOARD REPORT**

Projected student generation existing R10 district: **53 Elementary 38 Middle 48 High**  
 Projected student generation proposed SP-MU district: **113 Elementary 63 Middle 59 High**

The proposed SP-MU zoning is expected to generate 96 more students than the existing R10

zoning district. Students would attend Alex Green Elementary School, Brick Church College Preparatory School, and Whites Creek High School. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 425 residential dwelling units and a maximum of 45,000 square feet of non-residential uses, as specified on the Specific Plan. Short term rental property, owner occupied, and short term rental property, not owner occupied shall be prohibited in the entire SP.
2. Permitted uses of district 2 shall be limited to single-family residential lots.
3. Permitted uses of district 3 shall be limited to a maximum of 325 multi-family residential dwelling units.
4. 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.
5. 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.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUN zoning district for Subdistrict 1, of the RS10 zoning district for Subdistrict 2, and of the RM15 zoning district for Subdistrict 3, as of the date of the applicable request or application.
9. 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.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

**Mr. Lawson moved and Mr. Tibbs seconded the motion to approve with conditions and disapprove without all conditions. (6-1) Mr. Haynes voted against.**

**Resolution No. RS2022-352**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-043-001 is approved with conditions and disapproved without all conditions. (6-1)

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 425 residential dwelling units and a maximum of 45,000 square feet of non-residential uses, as specified on the Specific Plan. Short term rental property, owner occupied, and short term rental property, not owner occupied shall be prohibited in the entire SP.
2. Permitted uses of district 2 shall be limited to single-family residential lots.
3. Permitted uses of district 3 shall be limited to a maximum of 325 multi-family residential dwelling units.
4. 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.
5. 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.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUN zoning district for Subdistrict 1, of the RS10 zoning district for Subdistrict 2, and of the RM15 zoning district for Subdistrict 3, as of the date of the applicable request or application.
9. 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.
10. 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.

**25. 2021SP-013-003**  
**1803 5TH AVENUE NORTH (AMENDMENT)**

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

A request to amend a Specific Plan for properties located at 1801, 1803 A, and 1803 B 5th Avenue North and 502 A, 502 B, and 502 C Buchanan street, at the northwest corner of Buchanan Street and 5th Avenue North, zoned SP (0.28 acres), and located in the Salemtown Neighborhood Conservation Overlay District, to permit three multi-family residential units and 2,900 square feet of nonresidential uses, requested by Dale & Associates, applicant; O.I.C. Salemtown Court and Martin Construction Company owners.

**Staff Recommendation: Approve with conditions and disapprove without all conditions, APPLICANT REQUEST**  
**Amend an SP to permit 3 multi-family units and 2,900 square feet of non-residential uses.**

Rezoning

A request to amend a Specific Plan for properties located at 1801, 1803 A, and 1803 B 5th Avenue North and 502 A, 502 B, and 502 C Buchanan street, at the northwest corner of Buchanan Street and 5th Avenue North, zoned Specific Plan (SP) (0.28 acres), and located in the Salemtown Neighborhood Conservation Overlay District, to permit three multi-family residential units and 2,900 square feet of nonresidential uses.

**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 nonresidential uses.

Salemtown Neighborhood Conservation Overlay

Neighborhood Conservation Overlay Districts (NHC) are geographical areas which possess a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development. This NHC is intended to preserve historic structures within the Salemtown neighborhood through the implementation of development guidelines by the Metro Historic Zoning Commission and staff.

**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 nonresidential uses.

**NORTH NASHVILLE COMMUNITY PLAN**

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

**SITE CONTEXT AND PLAN DETAILS**

The site is approximately 0.28 acres and is located at the north-west quadrant of the intersection of 5<sup>th</sup> Avenue North and Buchanan Street. The site currently contains one residential unit and an accessory structure. The intersection of 5<sup>th</sup> Avenue North and Buchanan Street currently has commercial uses and the remainder of the surrounding area is comprised of single family and two-family residential land uses. Both 5<sup>th</sup> Avenue North and Buchanan Street are local streets at this location and both streets have on-street parking on both sides of the street.

Site Plan

This application proposes amendments to the previously approved preliminary site plan and proposes to modify the permitted land uses. The application proposes to amend the permitted land uses for the existing residential structure to allow a 1,000 square foot restaurant use within the existing structure. The currently approved plan permits back of house type activities related to the commercial use in the new commercial building included in the application as well as a residential unit within the existing structure.

The site plan changes include removing the driveway on 5<sup>th</sup> Avenue North and replacing this area with sidewalks and pervious surface. Otherwise, the previously approved site plan that is proposed to remain with this amendment is described below.

The site plan proposes to preserve the existing residential structure and to retrofit it with a commercial use and to demolish the detached accessory structure. A one-story commercial structure is proposed at the intersection. Three, 3-story multi-family units are proposed to front onto Buchanan Street with rear-loaded parking on the ground floor of the units. Parking is also provided to the rear of the site off the alleyway. This parking area is screened to the north by a site wall and with landscaping.

The plan proposes for the three multi-family units to have live/work as an accessory use. The plan defines the live/work permitted uses consistently with the home occupation ordinance in the zoning code. The plan proposes for the multi-family and commercial use to be accessed via the alleyway. A dumpster is being provided to serve the commercial uses and is located to the rear of the site near the alleyway.

#### **ANALYSIS**

The proposed Specific Plan is appropriate for the Urban Neighborhood Center land use policy given the proposed form of the residential units and the scale of the commercial uses. The plan proposes an urban form that engages the street with the location of the buildings and appropriately places the parking to side and rear of the development with screening features also being provided. The commercial uses are within structures with a neighborhood and pedestrian scale. The plan has also been reviewed by Metro Historic Zoning staff and the Metro Historic Zoning Commission considered the plan at its March 17, 2021, meeting and approved of the plan with conditions. Staff recommends approval as the plan is consistent with the T4 NC land use policy and is consistent with the Salemtown Neighborhood Conservation Overlay district.

#### **HISTORIC ZONING COMMISSION RECOMMENDATION**

The request does not require change to the historic building; therefore, MHZC takes no exception. The design of the entire project was approved by the MHZC in 2021.

#### **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.

#### **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.

#### **STORMWATER RECOMMENDATION**

##### **Approve with conditions**

- Final SP must match approved SWGR 2021050080 or a revision must be submitted.

#### **NASHVILLE DOT RECOMMENDATION**

##### **Approve with conditions**

Approval of Amendment

- 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.
- Provide a ST-322 drive off 5th.
- Provide ADA compliant ramp at intersection of 5th and Buchanan.
- Provide call out 'Repair/replace any damage to alley ramp during construction'.
- See traffic comments in regards to intersection at final

#### **TRAFFIC AND PARKING RECOMMENDATION**

##### **Approve with conditions**

- Show curb extensions on all corners of the intersection of Buchanan Street and 5th Ave N per NACTO guidelines. Curb extension should be 35 feet in length so account for appropriate site distance. Show this with Final SP submittal.

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

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

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	-	-	2,000 SF	76	2	8

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	-	-	3 U	15	1	2

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)	-	-	1,900 SF	72	2	7

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)	-	-	1,000 SF	112	9	10

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
-	-	-	-	+103	+9	+9

**METRO SCHOOL BOARD REPORT**

Projected student generation existing SP-MU district: 0 Elementary 0 Middle 0 High  
 Projected student generation proposed SP-MU district: 0 Elementary 0 Middle 0 High

The proposed SP is anticipated to generate no additional students beyond what is generated under the current zoning. Students would attend Jones Paideia Magnet School, John Early Museum Magnet Middle School, and Pearl-Cohens Magnet High School. All three schools been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 3 multi-family residential units which permit live/work as an accessory use and 2,900 square feet of retail and restaurant. Live/work uses are limited as per the allowance of Home Occupation in the Zoning Code. Short term rental property – owner occupied and short term rental property – not owner occupied shall be prohibited in the SP.

2. A final site plan application shall be submitted and approved for the site plan modifications associated with this application, specifically the removal of the driveway previously approved on 5<sup>th</sup> Avenue North, prior to the existing house being permitted for any non-residential land use.
3. The proposed right-of-way dedication shall be dedicated by Final Plat prior to the approval of the first building permit, or as determined by the Executive Director of Planning.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN-A zoning district as of the date of the applicable request or application.
7. 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.
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. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

**Resolution No. RS2022-353**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-013-003 is approved with conditions and disapprove without all conditions. (7-0)

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 3 multi-family residential units which permit live/work as an accessory use and 2,900 square feet of retail and restaurant. Live/work uses are limited as per the allowance of Home Occupation in the Zoning Code. Short term rental property – owner occupied and short term rental property – not owner occupied shall be prohibited in the SP.
2. A final site plan application shall be submitted and approved for the site plan modifications associated with this application, specifically the removal of the driveway previously approved on 5<sup>th</sup> Avenue North, prior to the existing house being permitted for any non-residential land use.
3. The proposed right-of-way dedication shall be dedicated by Final Plat prior to the approval of the first building permit, or as determined by the Executive Director of Planning.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN-A zoning district as of the date of the applicable request or application.
7. 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.
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. 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.

**26. 2022SP-036-001  
HARPETH RESERVE**

Council District 35 (Dave Rosenberg)  
Staff Reviewer: Logan Elliott

A request to rezone from AR2a to SP zoning on property located at Mccrory Ln (unnumbered), approximately 474 feet south of Beautiful Valley Dr., ( 3 acres), to permit 28 single-family units, requested by Civil Design Consultants, LLC, applicant; Pointe Hialeah 3, LLC, owner.

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022SP-036-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**27. 2022SP-078-001  
HAMILTON CHURCH PIKE RESIDENTIAL**

Council District 33 (Antoinette Lee)  
Staff Reviewer: Dustin Shane

A request to rezone from AR2A and R15 to SP zoning for property located at 3490 Hamilton Church Road, approximately 47 feet east of Painter Drive, (13.32 acres), to permit 111 multi-family residential units, requested by Catalyst Design Group, applicant; Shams Properties, LLC, owner.

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

**APPLICANT REQUEST**

**Rezone from AR2a and R15 to Specific Plan to permit a multi-family residential development.**

Preliminary SP

A request to rezone from Agricultural/Residential (AR2a) and One and Two-Family Residential (R15) to Specific Plan (SP) zoning for property located at 3490 Hamilton Church Road, approximately 47 feet east of Painter Drive (13.32 acres), to permit 111 multi-family residential units.

**Existing Zoning**

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 2 lots with 2 duplex lots for a total of 4 units.*

One and Two-Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots. *R15 would permit a maximum of 20 lots with 5 duplex lots for a total of 25 units.*

**Proposed Zoning**

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

**ANTIOCH – PRIEST LAKE COMMUNITY PLAN**

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

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.

#### **PLAN DETAILS**

The 13.32-acre site is located on the north side of Hamilton Church Road approximately 800 feet northwest of the intersection with Hobson Pike. The property is heavily wooded and contains a single-family home near the road. To the west are single-family homes zoned AR2a and a residential subdivision zoned RS10. To the east are more single-family homes zoned AR2a, a church zoned CS, and vacant residential land zoned AR2a. A residential PUD subdivision and the Mount View Glad State Natural Area (zoned R15) lie to the north. To the south across Hamilton Church Road are single-family homes zoned AR2a and a mixed residential SP (Case No. 2006SP-077-001).

#### Site Plan

The plan calls for a multi-family residential development consisting of a maximum of 111 attached and detached units at a density of 8.33 units per acre. Parking will be provided by 222 garage parking spaces and 45 surface spaces (a total of 267 parking stalls, which exceeds Code requirements). The units will feature a maximum height of 3 stories with basements in 45 feet (measured per Code).

The plan calls for two public roads traversing the site: one north-south from Hamilton Church Road, which will make a T-intersection with an east-west extension of Painter Road, which in turn will stub out to the east. The MCSP calls for east-west and north-south connections between Mt. View Road, Hamilton Church Road, and Hobson Pike. The roads proposed will advance these connectivity goals. The majority of the units will have frontage on these two roads, with some townhome units in the northern half of the property fronting onto open space. An extension of Coneflower Trail from the neighboring subdivision to the west is proposed for the northwestern corner of the property. Because of space constraints, this road will terminate in a cul-de-sac with cottage units fronting it. ROW will be dedicated along Hamilton Church Road in accordance with the MCSP.

Stormwater facilities will be located within the open space at various places across the site. A note indicates that landscaping and tree density units (TDU) will meet all Code landscaping requirements. The cemetery on site near Hamilton Church Road is labeled on the plans and will remain undisturbed.

For development standards not specified in the SP Plan, the property will be subject to the standards of the RM20 zoning district.

#### **ANALYSIS**

The proposed plan meets many of the goals of the T3 NE policy, such as featuring higher densities, greater housing variety than classic suburban neighborhoods, and moderate setbacks and spacing between buildings, with moderate levels of connectivity to the surrounding street network. The built form is consistent with the policy, which allows for one to three stories generally. The detached units feature driveways with room for parking in front while the townhomes relegate parking to the rear or side. The stream running through the site (Savage Branch) will be protected in accordance with stormwater best practices and crossed by the installation of an open bottom box culvert bridge.

The proposed SP allows an appropriately intense residential development that achieves the intent of the policy area. The SP includes design standards that are intended to provide for development that is appropriate to a suburban context while bringing focus to pedestrian spaces. These include providing sidewalks and activating streets with pedestrian entryways, along with planting street trees. Substantially similar SP multi-family developments have been approved to the north and south (Case Nos. 2006SP-070G-13, 2017SP-019-001, and 2006SP-077-001) that provide a precedent for the type of development proposed with this application. The proposed infill development will fit with the evolving nature of this suburban neighborhood in Antioch.

Staff recommends approval with conditions and disapproval without all conditions.

#### **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**

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

#### **WATER SERVICES RECOMMENDATION**

##### **Approve with conditions**

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

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

**NASHVILLE DOT RECOMMENDATION**

**Approve with conditions**

With final:

- Include proposed public roadway construction drawings(profiles, grades, drainage).
- Roadway construction drawings(profiles, grades, curvature) shall comply with NDOT Subdivision Street Design Standards and/or AASHTO standards.
- 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 internal stop control at intersections.
- Provide additional signage at median road section.
- Provide stopping sight distance exhibits at any relevant intersections and accesses.
- Provide ADA ramps at corners of public road intersections.
- Provide bridge and culvert plans. Bridge and culvert plans will be reviewed through NDOT's bridge program.
- Dimension ROW pavement widths for clarity.
- Note: A private hauler will be required for waste/recycle disposal.
- Comply w/ additional NDOT traffic comments.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- The sight distance at the Painter Dr & Mt. View Rd intersection for vehicles egressing appears to be inadequate. At Final SP submit a stamped sight distance exhibit that illustrates the requirements for SSD and ISD per AASHTO guidance.
- From the TIS, If NDOT determines that a roundabout/mini-roundabout can be accommodated at the intersection of Hamilton Church & Mt. View Rd the applicant shall construct or contribute to this intersection improvement. Further coordination with NDOT will be required to determine a final design.
- On the median section of the new public road taper/transition striping that is per MUTCD guidance will be required.
- At the intersection of the Painter drive extension and the New Public Rd, appropriate traffic control that is per MUTCD guidance shall be installed.
- Comply with Roads comments.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	5.37	0.50 D	4 U	54	8	5

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	7.95	2.904 D	19 U	226	19	21

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	13.32	-	111 U	603	38	49

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+323	+11	+23

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing AR2a and R15 districts: 7 Elementary 6 Middle 4 High  
 Projected student generation proposed SP-MR district: 18 Elementary 12 Middle 11 High**

The proposed SP-R zoning is expected to generate 24 more students than the existing AR2a and R15 zoning districts. Students would attend Edison Elementary School, J.F. Kennedy Middle School, and Antioch High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 111 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
3. Change purpose note to read: "The purpose of this SP is to receive preliminary approval to permit the development of a 111-unit multi-family development as shown."
4. Continue to work with community on signage, fencing and survey for grave site area.
5. 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.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
9. 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.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Mr. Lawson left the meeting.

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

Jerrold Cunningham, Catalyst Design Group, 5100 Tennessee Avenue, spoke in favor of the application.

Twana Chick, Cane Ridge Community Club, spoke in opposition to the application.

Mr. Cunningham spoke in rebuttal.

**Vice Chair Farr closed the Public Hearing.**

Mr. Tibbs asked if they were willing to get the archeology study.

Mr. Cunningham answered that prior to moving forward to the final SP, they are definitely open to doing that.

Mr. Tibbs felt that is appropriate with the cemetery being so close by. He stated he is in support of this.

Ms. Johnson said it was great that the applicant is committed to the preservation of the historic site and conduct an archeology study prior to disturbance and asked for it to be added as a condition. She stated she is in support with the condition.

Councilmember Withers stated this was a good plan and thought it was great to extend the street and provide a new connection for the neighbors to get to Hamilton Church Road. He said he is in support of staff recommendation.

Mr. Henley said he likes the plan. He stated it was great to see housing coming to an area that was somewhat cut off from a lot of the access to the community and supports the plan.

Mr. Haynes asked about the location of the cemetery.

Ms. Milligan stated that looking on the left side of the presentation slide, by the entrance drive, the notched-out portion that is not included in the plan, just to the south of the entrance drive, is what has been identified as the location.

Mr. Haynes asked if it has been determined that the cemetery is outside the boundary of their property lines.

Ms. Milligan stated they have excluded what is believed to be the entire extent of the cemetery outside of the SP.

Mr. Haynes said as long as they add that condition, he is in support.

Ms. Kempf clarified that if they want to add a condition prior to final issuance, they could recommend a completion of an archeologic survey.

Ms. Milligan suggested that prior to final site plan approval, they continue to work with the community regarding signage, survey and fencing of the cemetery.

**Mr. Haynes moved and Mr. Tibbs seconded the motion to approve with conditions and disapprove without all conditions including continuing to work with community on signage, fencing and survey for grave site area. (6-0)**

**Resolution No. RS2022-354**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-078-001 is approved with conditions and disapprove without all conditions including continuing to work with community on signage, fencing and survey for grave site area. (6-0)

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 111 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
3. Change purpose note to read: "The purpose of this SP is to receive preliminary approval to permit the development of a 111-unit multi-family development as shown."
4. Continue to work with community on signage, fencing and survey for grave site area.
5. 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.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
9. 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.
10. 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.

**28. 2022SP-081-001**  
**ALBION MUSIC ROW**

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

A request to rezone from CF to SP zoning for properties located at 1503, 1509, 1511, 1515, and 1517 McGavock Street, (1.87 acres), located at the southwest corner of 14th Avenue South and McGavock Street and located within the Arts Center Redevelopment Overlay District and the Music Row Urban Design Overlay District, to permit a mixed-use development, requested by Albion Residential, applicant; Lee A. Beaman, owner.

**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 Core Frame (CF) to Specific Plan (SP) zoning for properties located at 1503, 1509, 1511, 1515, and 1517 McGavock Street, (1.87 acres), located at the southwest corner of 14th Avenue South and McGavock Street and located within the Arts Center Redevelopment District and the Music Row Urban Design Overlay District, to permit a mixed-use development.

**Existing Zoning**

Core Frame (CF) is intended for a wide range of parking and commercial service support uses for the central business District.

**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.

**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.

**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 Subdistrict 1B, which supports mixed-use with active retail, bars, and restaurants; office; live music venues; hotels; residential. In large building footprints, multiple public facing uses are encouraged to maximize activity, including activity on the weekends and evenings.

**SITE**

The project is located at the southwestern corner of the intersection of 14<sup>th</sup> Avenue South and McGavock Street. Both streets are local streets in this location. An alleyway exists to the rear of the site and extends from 14<sup>th</sup> Avenue South to 16<sup>th</sup> Avenue South. The site currently contains office and vehicle parking land uses and the surrounding area contains a variety of residential and non-residential land uses including vehicle parking, retail, restaurant, and office.

## **PLAN DETAILS**

The project proposes two towers consisting of a maximum of 832 residential units and a maximum of 10,720 square feet of non-residential uses on the ground floors of the buildings. The building adjacent to 14<sup>th</sup> Avenue S is proposed to be a maximum of 29 stories and a maximum of 322 feet tall. The second tower to the west mirrors the eastern tower in its footprint and is proposed to be a maximum of 20 stories and 222 feet tall. Architectural elevations are provided with the application and show the massing and architecture of the proposed buildings. All loading and vehicle access points are drawn from the existing alley at the rear of the site.

The two towers are separated by approximately 100 feet and the ground level of the site, outside of the building footprints, is a publicly accessible open space. The ground floor of the buildings address the open space with amenity space and retail/restaurant space. Beneath the ground level open space is a 583 vehicle parking garage that is not visible from either 14<sup>th</sup> Avenue S or McGavock Street as demonstrated in the architectural elevations and renderings included with the application. 14th Avenue S and McGavock Street are primarily addressed with active uses. A portion of the 14<sup>th</sup> Avenue S frontage is addressed with a back-of-house portion of the building and the elevations show a mural installation being provided on this portion of the building that fronts 14<sup>th</sup> Avenue S.

## **ANALYSIS**

The application proposes a development that is consistent with the T5 MU policy guidance. The plan proposes a high intensity development with a mixture of uses in a form that properly addresses the public street frontages with active uses and appropriate building setbacks and streetscapes. The plan provides all vehicle parking within an underground parking structure that is accessed via a public alley, consistent with T5 MU policy guidance. While the building height of the tower adjacent to I-40 exceeds the building height guidance provided in the Music Row Vision Plan, the location of this height adjacent to the interstate where other similar or taller building heights have recently been approved, in combination with the amenity open space that is provided on site between the towers meets the intent of the Music Row Vision Plan. The Music Row Vision Plan describes that subdistrict 1B projects are encouraged to maximize activity, including activity on the weekends and evenings and staff finds the proposed open space with retail/restaurant uses fronting onto this space to be consistent with this goal for the area. Additionally, the entire block north of McGavock Street is within the 1A subdistrict of the Music Row Vision Plan and the Planning Commission recently supported additional building height for this property and the subject application would provide a transition in building height from the boundary of the 1B subdistrict to the more internal portions of this subdistrict. The application also includes a Traffic Impact Study that has been reviewed by NDOT and identifies roadway improvements to be required with this development.

## **FIRE MARSHAL RECOMMENDATION**

### **Approve with conditions**

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

## **STORMWATER RECOMMENDATION**

### **Approve with conditions**

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

## **WATER SERVICES RECOMMENDATION**

### **Approve with conditions**

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

## **MDHA RECOMMENDATION**

- MDHA DRC approval required prior to submittal of the final site plan.

## **NASHVILLE DOT RECOMMENDATION**

### **Approve with conditions**

- See NDOT traffic comments. 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. Proposed public sidewalks, per MCSP and along frontages, shall be in public ROW in lieu of pedestrian easements. Provide loading/unloading BOH exhibit with final. Provide adequate public alley ROW dedication to met NDOT ST-263 and accommodate 2-way vehicular travel.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- The final cross-sections for this SP are to be determined at Final SP and shall conform with the most current MCSP.
- Total parking count for this development is to be determined at Final SP, otherwise the parking shall be developed per metro code.
- All proposed access points for this development shall be from the alley. Sufficient width shall be dedicated to widening the alley to support two-way vehicular flow.
- 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.
- Provide and/or improve the crosswalks, detectable warning mats, and curb ramps at all study intersections.
- The applicant shall coordinate with WeGo and NDOT on any necessary transit improvements that may be required within the study area
- The applicant shall coordinate with NDOT's Walk & Bike manager Anna Dearman (anna.dearman@nashville.gov) on any necessary walk & bike improvements that may be required within the study area.
- At the intersection of Demonbreun St & 14th Ave S the applicant shall;
  - Replace the existing brick crosswalk with a continental style crosswalk to increase visibility.
  - Install a "Turning Vehicles Yield to Peds" sign on the southwest signal pole.
  - Install green pavement markings within the bicycle lanes to better delineate dedicated bicycle space and to increase visibility.
- At the intersection of 16th Avenue S and McGavock Street the applicant shall install a crosswalk and a rectangular rapid flashing beacon across the northbound approach. Further coordination with NDOT will be required on the timeline of installation for this improvement due to the findings of the surroundings Mid-town development's TIS.
- At the intersection of 16th Avenue S, Music Square E, Division Street, and Demonbreun Street (Buddy Killen Circle) the applicant shall install pavement markings and striping through the roundabout.
- 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 shall be a requirement to minimize impacts to traffic operations.
- It shall be a requirement 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. Further coordination with NDOT's Meghan Mathson (meghan.mathson@nashville.gov) will be required to develop a TDM plan prior to Final SP approval.
- As part of the construction of the project, all internal and external driveway connections should be designed such that the departure sight triangles, as specified by AASHTO, will be clear of all sight obstructions, including landscaping, existing vegetation, monument signs/walls, fences, etc.
- Aside from the improvements mentioned above, it is understood that the applicant may be required to make appropriate contributions to the improvements that have been identified from the surrounding Mid-town development's TIS.
- 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: CF**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.87	5.0 F	407,286 SF	15,375	382	1,552

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	1.4	-	832 U	4,553	273	339

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)	0.47	-	10,720 SF	405	10	41

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-10,437	-99	-1,172

**METRO SCHOOL BOARD REPORT**

Projected student generation existing CF district: **5** Elementary **4** Middle **3** High

Projected student generation proposed SP district: **11** Elementary **7** Middle **7** High

The proposed SP zoning is expected to generate 13 additional students than what is typically generated under the existing CF 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 a maximum of 832 multi-family residential units and 10,720 square feet of non-residential land uses as permitted by the MUI-A zoning district. Short term rental property, owner occupied and short-term rental property, not-owner occupied shall be prohibited.
2. The Music Row Urban Design Overlay (2001UD-001-10/BL2001-685) shall be canceled on the subject property prior to the final site plan application approval.
3. A mural or art installation shall be provided on any portion of the 14<sup>th</sup> Avenue ground level façade that is not glazing consistent with the remainder of the ground floor, as shown on the preliminary SP drawings.
4. 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.
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. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

**Resolution No. RS2022-355**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-081-001 is approved with conditions and disapprove without all conditions. (7-0)

**CONDITIONS**

1. Permitted uses shall be a maximum of 832 multi-family residential units and 10,720 square feet of non-residential land uses as permitted by the MUI-A zoning district. Short term rental property, owner occupied and short-term rental property, not-owner occupied shall be prohibited.
2. The Music Row Urban Design Overlay (2001UD-001-10/BL2001-685) shall be canceled on the subject property prior to the final site plan application approval.



3. A mural or art installation shall be provided on any portion of the 14<sup>th</sup> Avenue ground level façade that is not glazing consistent with the remainder of the ground floor, as shown on the preliminary SP drawings.
4. 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.
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. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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.

**29a. 2022SP-082-001  
SKYVIEW**

Council District 24 (Kathleen Murphy)  
Staff Reviewer: Amelia Lewis

A request to rezone from RS5 to SP zoning on property located at 307 Susannah Court, at the corner of Dakota Avenue and 38th Ave N, located within a Planned Unit Overlay District, (9.44 acres), to permit 187 multi-family residential units, requested by Ragan Smith Associates, applicant; Skyview Apartments, L.P., owner. (See associated case 8-78P-001).

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022SP-082-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**29b. 8-78P-001  
SKYVIEW APARTMENTS PUD (CANCELLATION)**

Council District 24 (Kathleen Murphy)  
Staff Reviewer: Amelia Lewis

A request to cancel a Planned Unit Development Overlay District on property located at 307 Susannah Court, at the southwest corner of Dakota Avenue and 38th Avenue North (9.44 acres), zoned RS5, requested by Ragan Smith Associates, applicant; Skyview Apartments, L.P., owner. (See associated case #2022SP-082-001).

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 8-78P-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**30. 2022SP-085-001  
110 FAIRWAY**

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

A request to rezone from R10 to SP zoning for property located at 110 Fairway Drive, approximately 800 feet north of Lebanon Pike, (3.16 acres), to permit 19 multi-family residential units, requested by Centric Architecture, applicant; HJL, LP, owner.

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

**APPLICANT REQUEST**

**Rezoned from R10 to Specific Plan to permit a multi-family residential development.**

### Preliminary SP

A request to rezone from One and Two-Family Residential (R10) to Specific Plan (SP) zoning for property located at 110 Fairway Drive, approximately 800 feet north of Lebanon Pike (3.16 acres), to permit 19 multi-family residential units.

### **Existing 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 14 lots with 3 duplex lots for a total of 17 units.*

### **Proposed Zoning**

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

### **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.

### **PLAN DETAILS**

The 3.16-acre site is located on the west side of Fairway Drive, approximately 800 feet north of the intersection with Lebanon Pike. The L-shaped property currently features a National Historic Register-eligible Cape Cod-style single-family home built in 1947. The rest of the property features a small accessory building and grassy lawn interspersed with trees. The surrounding properties to the west, north, and east are all single-family homes zoned RS20. To the south is The Crossings strip shopping center, anchored by a Publix, zoned SCC Commercial PUD.

#### Site Plan

The plan calls for 19 detached multi-family residential units at a density of six units per acre. The historic home is included in this count and is intended to be preserved. The units will be no taller than two stories and feature a cottage aesthetic. Units will front a central greenspace in the western half of the property and a private drive in the eastern half. The private drive will feature parallel and head-in parking and terminate in a Fire Marshal-approved T-turn. Notes are included indicating that automobile and bicycle parking will be provided per the UZO standard and landscaping buffers will meet the requirements of Code. Private sidewalks will extend down the southern edge of the private drive and connect to the public sidewalks along Fairway Drive and provide pedestrian access to adjacent Downtown Donelson. Stormwater facilities will be located at the northern edge of the site. For development standards not specified in the SP Plan, the property will be subject to the standards of the RM6 zoning district.

### **ANALYSIS**

The site is within a T3 NM policy area, which generally calls for maintaining the established character of suburban areas while allowing some change over time. These areas are characterized by low- to moderate-density residential development and institutional land uses with moderate to deep building setbacks and moderate spacing between buildings. The plan as drawn represents a step up in intensity from the existing neighborhood pattern. However, directly adjacent to the south is a T4 Urban Community Center, part of the Downtown Donelson Urban Design Overlay (UDO). Increased housing choices and walkability are goals of this UDO. The area is also a First Tier Center according to the Nashville Next Concept map. The commercial uses within this center would be directly accessible by pedestrians from the proposed homes.

T3 NM policy allows greater intensity and mixes of housing types within infill areas and where a transition is necessary from more intense uses. The subject property is oddly shaped and unsuited to the type of conventional single-family development mostly found in the neighborhood. The applicant is proposing to utilize the property in a transitional way between the First Tier Center to the south and the established neighborhood to the north and west: though denser than the existing development pattern, the homes will be detached and limited to two stories in height, with pitched roofs and a pronounced cottage-type architectural style. This will allow the buildings to fit with what currently exists and still provide a true transition between the two vastly different policy areas.

The SP includes design standards that are intended to provide for development that is appropriate to a suburban context while bringing focus to pedestrian spaces and infrastructure. The proposed infill development will fit with the existing neighborhood and provide an appropriate transition to the adjacent rapidly developing Downtown Donelson commercial area. Staff recommends approval with conditions and disapproval without all conditions.

### **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**

- Applicant to ensure all necessary easements for downstream storm connection have been granted prior to Final SP approval.

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

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

**NASHVILLE DOT RECOMMENDATION**

**Approve with conditions**

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

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Provide bedroom count per unit to confirm parking requirements are being met.
- Park per code.

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)	3.16	4.356 D	16 U	193	16	17

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	-	-	19 U	102	7	9

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+3 U	-91	-9	-8

**METRO SCHOOL BOARD REPORT**

Projected student generation existing R10 districts: **1 Elementary 1 Middle 1 High**

Projected student generation proposed SP-MR district: **1 Elementary 1 Middle 1 High**

The proposed SP-MR zoning is expected to generate no more students than the existing R10 zoning district. Students would attend Pennington Elementary School, Two Rivers Middle School, and McGavock High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 19 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. Provide landscape buffers per Code requirements.
3. Historic house to remain.
4. Prior to final site plan, conduct an access study.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the preliminary SP for review and approval.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM6 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
9. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
10. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
11. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
12. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any of any building permits.

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

Gina Emmanuel, Centric Architecture, 1206 Buchanan Street, spoke in favor of the application.

Maria Mauthe, General Partner of HJL Properties, spoke in favor of the application.

Patrick Napier, 710 Freda Villa, spoke in favor of the application.

Chuck Goodman, 105 Fairway Drive, spoke in favor of the application.

Michelle Mizzou, 2829 Glen Oaks Drive, spoke in favor of the application.

Ljerka Rasmussen, 108 Fairway Drive, spoke in opposition to the application.

James Oldham, 113 Fairway Drive spoke in opposition to the application.

Bob Schwartz, 111 Fairway Drive, spoke in opposition to the application.

Mr. Napier spoke in rebuttal.

Councilmember Syracuse spoke in favor of the application.

**Vice Chair Farr closed the Public Hearing.**

Mr. Henley stated he appreciated the developer for voluntarily addressing the potential considerations for modifications around access to the site as no traffic impact study was required. He asked about their ability to look at the buffer to the north of the private street.

Ms. Milligan advised there is a consistent width of buffer shown along the northern property line. She stated with more significant plantings adjacent to the existing home on Fairway Drive, there are two designations, A buffer and B buffer. She described a B buffer as being a box around an area of the buffer that is adjacent to the existing home and a heavier landscaping. An A buffer has the width stay the same and the density of the plantings would be different between the two areas, trying to get more to where the existing home is.

Mr. Henley stated looking at the context of buffer B extending along the edge that borders all the properties, particularly when it comes to parallel parking, light shed, noise shed from cars, he thought it would make a difference. He said he liked the plan and thought unlocking property that has historically been landlocked for housing is fantastic.

Ms. Milligan stated there is a condition to meet Code requirements for buffering which would require the entirety to be a B, but it is not reflected on the plan.

Councilmember Withers said this is an unusual lot in an ideal location. He stated when they talk about needing missing middle housing this seems like a good version of that especially with limiting it to cottage style houses. Mr. Withers thought the new sidewalks were a nice asset and asked how many parking spaces were provided.

Ms. Milligan advised it is required to meet Code per the UZO standard as a minimum, not no parking which was recently passed. If it is one bedroom, one space. Two bedrooms, two spaces.

Councilmember Withers stated it was good that the parallel parking helps to reduce the impervious surface area and preserves greenspace. He thought it has good sidewalks that connect to the sidewalk on Fairway Drive and it enhances the walkability to the area. Mr. Withers said it is a good site plan and is good to have added housing especially close to schools which he hopes will enhance school enrolment. He stated he is in support of staff recommendation.

Ms. Johnson stated this is a unique location and unique puzzle. She said this is a T3 Neighborhood Maintenance policy next to a T4 Community Center policy and asked if there is a T3 transitional policy.

Ms. Milligan responded that they do have a transition policy but a transition policy goes further in that it allows office uses and higher density residential.

Ms. Johnson felt they need that type of housing stock and appreciates the thought. She stated if this proposal was in the middle of the neighborhood, they would not even consider it. Ms. Johnson said they are considering it because of its unique location but does not want to make any precedent of that and wants to make sure if they approved the plan, there should be some kind of safeguard not having those kinds of things in the middle of Neighborhood Maintenance. Ms. Johnson said this is a unique location and felt this policy is appropriate.

Mr. Tibbs thought this is well done and liked how it is tucked behind and thought the uniqueness and character of the smaller homes will be well welcomed.

Mr. Haynes said the diversity of the housing stock is fantastic and thought the trade off from going from 17 units to 19 units, and an SP to control it, is wonderful. He stated this is a fantastic plan.

**Mr. Haynes moved and Mr. Tibbs seconded the motion to approve with conditions and disapprove without all conditions including historic house to remain and prior to final site plan access study should be conducted. (6-0)**

Vice Chair Farr called for a ten minute break.

**Resolution No. RS2022-356**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-085-001 is approved with conditions and disapprove without all conditions including historic house to remain and prior to final site plan access study should be conducted. (6-0)

**31. 2022SP-088-001  
NOLENSVILLE ROAD APARTMENTS**  
Council District 30 (Sandra Sepulveda)  
Staff Reviewer: Amelia Lewis

A request to rezone from CS and R6 to SP zoning for properties located at 4612 Nolensville Pike and Nolensville Pike (unnumbered) and a portion of property located at 4608 Nolensville Pike, approximately 235 feet east of Taylor Road, (7.15 acres), and located within a Corridor Design Overlay District, to permit 180 multi-family residential units, requested by CSDG, applicant; Mahsa & Mahnoosh Sharifi and Jamshid & Parvin Trust, owners.

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

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**APPLICANT REQUEST**  
**Preliminary SP to permit 180 multi-family units.**

Zone Change

A request to rezone from Commercial Services (CS) and One and Two-Family Residential (R6) to Specific Plan (SP) zoning for properties located at 4612 Nolensville Pike and Nolensville Pike (unnumbered) and a portion of property located at 4608 Nolensville Pike, approximately 235 feet east of Taylor Road, (7.15 acres), and located within a Corridor Design Overlay District, to permit 180 multi-family residential units.

### **Existing Zoning**

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

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *The approximate acreage of R6 on the property, 6.6 acres, would permit a maximum of 40 lots with 10 duplex lots for a total of 50 units. This does not account for compliance with all Metro Subdivision Regulations and the lot count may vary.*

### **Proposed Zoning**

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

### **SOUTHEAST 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.

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.

### **SITE CONTEXT AND PLAN DETAILS**

The 7.15 acre site is located on the east side of Taylor Road, northeast of the intersection of Nolensville Pike and Taylor Road. The site has limited frontage along Nolensville Pike. The surrounding properties along the Nolensville Pike corridor are zoned CS and Commercial Limited (CL) and have primarily been established with commercial land uses. The properties along Taylor Road are zoned R6 and have been developed with one and two-family residential uses in addition to several vacant properties. To the northeast of the site is an existing multi-family development zoned R6.

The proposed plan includes a maximum of 180 multi-family units in several multi-family structures throughout the site. Vehicular access to the site is proposed from Taylor Road. No vehicular access is proposed along Nolensville Pike. Along Taylor Road is a proposed 1 story amenity and office structure and one 3 story multi-family structure. The other buildings on the site are 3 story - 4 story building splits or 4 story buildings. Internal private drives and surface parking serve the site. The site plan shows new sidewalks along the Nolensville Pike and Taylor Road frontages. Landscape buffers against the existing neighborhoods and commercial corridors are shown on the site plan.

### **ANALYSIS**

There are three policies on the site. The Conservation (CO) policy is in place due to a stream buffer along the southeast portion of the site, near Nolensville Pike. This portion of the site is proposed to be undeveloped, consistent with the CO policy guidance. The Suburban Mixed Use (T3 CM) Policy is applied to the southern portion of the site

with frontage along Nolensville Pike. Given that this part remains largely undeveloped due to the environmental features, this policy was not used in the analysis.

The primary policy on the proposed development area of the site is Suburban Neighborhood Evolving (T3 NE). The intent of the T3 NE policy is to create and enhance suburban neighborhoods with the best qualities of classic suburban neighborhoods— greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques. The policy areas are undeveloped, underdeveloped, or suitable for substantial infill and redevelopment and are anticipated to be developed in suburban residential patterns, but at higher densities and with greater housing variety than classic suburban neighborhoods. The site is located north of the Nolensville Pike Corridor and south of an existing residential neighborhood. The proposed plan includes moderate density residential development which can benefit from the access and employment opportunities along a corridor. The proposed residential development is consistent with the existing land use to the north, with more intensity.

According to the policy, allowing for higher-density residential building types placed in relation to corridors and centers adds value to neighborhoods by growing the market and demand for consumer services and the demand for transit. Buildings at the edges of the T3 NE area form transitions in scale and massing where it adjoins lower-density policy areas, with thoughtful attention given to the placement and orientation of buildings within these edges as they relate to their surroundings. The applicant has been coordinating with WeGo and Nashville Department of Transportation (NDOT) regarding opportunities for improving transit adjacent to the site. The buildings internal to the site are proposed at 4 stories, with buildings along Taylor Avenue limited in height to 3 stories, and buildings along the northern property line stepping down to 3 stories adjacent the existing residential development. The proposed development increases intensity off a corridor in a building form supported by the policy. Additional improvements such as new sidewalks are included with the site plan.

#### **FIRE MARSHAL RECOMMENDATION**

##### **Approve with conditions**

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

#### **STORMWATER RECOMMENDATION**

##### **Approve with conditions:**

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

#### **WATER SERVICES RECOMMENDATION**

##### **Approve with conditions**

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

#### **NASHVILLE DOT RECOMMENDATION**

##### **Approve with conditions**

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. 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.
- On final, confirm(dimension) pavement widening, 22 ft. minimum is being met, through curvature, down to Taylor-Nolensville intersection. (cont.) 1-1/2' Mill and overlay will be required to tie-in extents of widening and utility work.
- New public sidewalks are to be in public ROW. Dedicate ROW to accommodate new public sidewalks along Taylor and Nolensville.

#### **TRAFFIC & PARKING RECOMMENDATION**

##### **Approve with conditions**

- Per MCSP requirements, the bike lane needs to be 6 feet wide. This does not include the gutter. Move the curb line back and add pavement along Nolensville Pike where the new sidewalk will be placed to widen the bike lane to 6 feet.
- ADA ramps and detectable warning mats need to be added to the corners of the sidewalk along Nolensville Pike where the new sidewalk is being placed.
- The off-site improvements to the bus stops in the area and the mid-block crossing to the stop across the street need to be shown on the site plan. Reference WeGo's standard transit stop design drawing for the bus stop

improvements and FHWA's Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations for the mid-block crossing requirements.

- See roads comments.
- Parking: The current parking as proposed in the site plan is not adequate. This preliminary SP is approved with the condition that the parking will be adjusted to provide a minimum of 2 spaces per unit. Anything that deviates from this requirement in the Final SP will need to be approved by NDOT and supported with a parking study to justify a reduced number of parking spaces.

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)	0.54	0.6 F	14,133 SF	534	13	54

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	6.61	7.260 D	50 U	366	25	32

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	-	-	180 U	979	61	78

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+79	+23	-8

**METRO SCHOOL BOARD REPORT**

Projected student generation existing CS and R6 districts: **12 Elementary 11 Middle 11 High**  
 Projected student generation proposed SP district: **31 Elementary 24 Middle 17 High**

The proposed zoning expected to generate 38 additional students than the existing CS and R6 zoning district. Students would attend Haywood Elementary School, McMurray Middle School, and John Overton High School. Haywood Elementary and McMurray Middle are identified as having capacity for additional students. Overton High School has been identified as being at 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 180 multi-family units. Short term rental property, owner occupied and short term rental property, not owner occupied shall be prohibited.
2. On the final site plan, retaining walls should be removed from proposed landscape buffers.
3. On the final site plan, the multi-family structure fronting Taylor Road shall have sidewalk from street to building.
4. Enhanced landscaping may be required adjacent to Taylor Road to screen surface parking from the right-of-way.
5. The proposed multi-family structure fronting Taylor Road may require additional architectural features including a sidewalk connection to Taylor Road to provide a relationship between the structure and the sidewalk along Taylor Road..
6. On the corrected plan set, update the purpose note on the coversheet to include prohibited uses.
7. On the corrected plan set, on page C2.00, remove "bicycle parking per Code."



8. With the submittal of the final site plan, submit elevations similar to the elevations provided with the preliminary SP.
9. Comply with all conditions and requirements of Metro reviewing agencies.
10. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
11. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
12. 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.
13. 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.
14. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
15. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

**Resolution No. RS2022-357**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-088-001 is approved with conditions and disapprove without all conditions. (7-0)

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 180 multi-family units. Short term rental property, owner occupied and short term rental property, not owner occupied shall be prohibited.
2. On the final site plan, retaining walls should be removed from proposed landscape buffers.
3. On the final site plan, the multi-family structure fronting Taylor Road shall have sidewalk from street to building.
4. Enhanced landscaping may be required adjacent to Taylor Road to screen surface parking from the right-of-way.
5. The proposed multi-family structure fronting Taylor Road may require additional architectural features including a sidewalk connection to Taylor Road to provide a relationship between the structure and the sidewalk along Taylor Road..
6. On the corrected plan set, update the purpose note on the coversheet to include prohibited uses.
7. On the corrected plan set, on page C2.00, remove "bicycle parking per Code."
8. With the submittal of the final site plan, submit elevations similar to the elevations provided with the preliminary SP.
9. Comply with all conditions and requirements of Metro reviewing agencies.
10. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
11. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
12. 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.
13. 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.
14. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
15. 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.

## 32. 2022HL-007-001

BL2022-1626/Rhoten and Syracuse

Council District 14 (Kevin Rhoten); 15 (Jeff Syracuse)

Staff Reviewer: Donald Anthony

A request to apply a Historic Landmark Overlay District for property located at 2901 and 2910 Elm Hill Pike (at the corner of Elm Hill Pike and Hurt Drive) and 2913 Harper Place (approximately 75 feet east of Colfax Drive), zoned R10 (3.04 acres), requested by Councilmembers Kevin Rhoten and Jeff Syracuse, applicants; Association for the Preservation of TN Antiquities and Buchanan Cemetery, owners.

**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 2901 and 2910 Elm Hill Pike (at the corner of Elm Hill Pike and Hurt Drive) and 2913 Harper Place (approximately 75 feet east of Colfax Drive), zoned Single-Family Residential (R10) (3.04 acres).

#### **Existing Zoning**

Single-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.

#### **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.

#### **DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN**

T3 Suburban Community Center (T3 CC) is intended to enhance and create suburban community centers that serve suburban communities generally within a 10 to 20 minute drive. They are pedestrian friendly areas, generally located at prominent intersections that contain mixed use, commercial and institutional land uses, with transitional residential land uses in mixed use buildings or serving as a transition to adjoining Community Character Policies. T3 CC areas are served by highly connected street networks, sidewalks and existing or planned mass transit leading to surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity. *The T3 CC policy applies to the Buchanan Cemetery property.*

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 policy applies to a portion of the Buchanan Cemetery property.*

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

#### **REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) considered this application at its November 16, 2022, meeting. MHZC staff recommended approval of this application. MHZC staff provided the following background information:

The Buchanan Log House is significant because of its association with James and Lucinda Buchanan, early settlers of the area, and Judge Thomas N. Frazier, an important figure in Reconstruction politics and his son James B. Frazier, Governor of Tennessee from 1903-1905. The primary log house is also significant as one of the oldest examples of a two-story log house in Davidson County. The half-dovetail notched construction with a dovetail purlin in the roof framing is an unusual feature not typically found in Tennessee. The Buchanan Log House is listed in the National Register of Historic Places (1984) and so meets criteria 1 and 5 of section 17.36.120.B. of the ordinance.

The cemetery is not listed on the NRHP, but the site has high historical and archaeological importance because of its association with James and Lucinda Buchanan and other early prominent Nashville residents. The James Buchanan Cemetery is eligible for Historic Landmark designation under criteria 2 and 4 of section 17.36.120.B. of the ordinance.

Recommendation: Staff suggests the Commission recommend to Council that the Buchanan Log House and the James Buchanan Cemetery be adopted as Historic Landmarks and that the existing design guidelines for Historic Landmarks be used to guide future changes.

#### **METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

The Metro Historic Zoning Commission reviewed the request at its November 16, 2022, meeting and recommended that the Buchanan Log House and the James Buchanan Cemetery be adopted as Historic Landmarks and that the existing design guidelines for Historic Landmarks be used to guide future changes.

#### **STAFF RECOMMENDATION**

The proposed Historic Landmark Overlay District is intended to preserve the historic structure and site through the implementation of development guidelines by the Metro Historic Zoning Commission and staff. The applicable policies encourage the protection and preservation of historic structures and sites in the policy areas. Staff recommends approval of the Historic Landmark Overlay District.

**Approve. (7-0)**

#### **Resolution No. RS2022-358**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022HL-007-001 is approved with conditions and disapprove without all conditions. (7-0)

### **33. 2022Z-054PR-001**

Council District 31 (John Rutherford)

Staff Reviewer: Eric Matravers

A request to rezone from AR2A to MUL-A zoning for property located at 6930 Nolensville Pike, approximately 290 feet south of Southpoint Parkway (3.69 acres), requested by Morelock Engineering, LLC, applicant; Zadik Holdings, LLC, owner.

**Staff Recommendation: Approve.**

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#### **APPLICANT REQUEST**

**Zone change from AR2A to MUL-A.**

##### Zone Change

A request to rezone from Agricultural/Residential (AR2A) to Mixed Use Limited-Alternative (MUL-A) zoning for property located at 6930 Nolensville Pike, approximately 422 feet north of Old Burkitt Road (3.69 acres).

##### **Existing Zoning**

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 1 lot with 1 duplex lots for a total of 2 units.*

##### **Proposed Zoning**

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

#### **SOUTHEAST COMMUNITY PLAN**

T3 Suburban Neighborhood Center (T3 NC) is intended to enhance and create suburban neighborhood centers that are compatible with the general character of suburban neighborhoods and provide consumer goods and services for surrounding suburban communities. T3-NC areas are pedestrian-friendly areas, generally located at intersections of suburban streets and consist of mixed use, commercial, office, residential, and institutional land uses.

#### **SITE AND CONTEXT**

The 3.69 acre site is located on the east side of Nolensville Pike approximately 442 feet north of Old Burkitt Road. The site is developed and includes two vacant buildings. The property abutting the northwestern property line is zoned SP and is occupied by a nursing home. The property along the southeastern property line is zoned CL-A and

MUL-A at the front and rear portions, respectively. The properties abutting the northeastern property line are zoned SP and are occupied by a mixture of single-family and multi-family residential uses.

**ANALYSIS**

The proposed MUL-A zoning district is consistent with the T3 NC policy, at this location. The proposed MUL-A district supports residential and non-residential uses. As MUL-A permits residential, it can provide for a transition between the residential uses to the northwest and northeast and the commercial uses to the south. The proposed MUL-A zoning district also includes design standards intended to implement the goals of the T3 NC policy.

**FIRE MARSHAL RECOMMENDATION**

**Approve**

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	3.69	0.50 D	2 U	28	7	2

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	1.85	1.0 F	81 U	440	28	36

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.92	1.0 F	40,075 SF	1,513	37	152

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.92	1.0 F	40,075 SF	4,496	398	392

Traffic changes between maximum: **AR2a and MUL-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+6,421	+456	+578

**METRO SCHOOL BOARD REPORT**

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

**STAFF RECOMMENDATION**

Staff recommends approval.

Mr. Anthony presented the staff recommendation to approve.

Jason Morelock, 4611 Robin Lane, spoke in favor of the application.

Twana Chick, Cane Ridge Community Club, spoke in opposition to the application. She stated they are not ready to start the clock on this development and asked for a deferral to have meetings and get things ironed out so they do not stand in opposition to the project.

George Clark stated he lives up the hill from the property on Pettis Road. He spoke in opposition to the application.

Debbie Buckner stated she lives on Pettis Road. She spoke in opposition to the application.

Mr. Morelock spoke in rebuttal.

**Vice Chair Farr closed the Public Hearing.**

Ms. Johnson stated she understands the community wants to be more involved with appropriate development and the difficulty is that it is straight zoning and even though the development and community may come up with some kind of agreement, they as a Commission, have no authority to enforce it. She said the proposed zone is appropriate for the location. Ms. Johnson would like to see more engagement with the community but as far as the policy and proposed zoning she felt it is suited for the area.

Mr. Tibbs thought the zone change would be appropriate but would feel better if there were community meetings beforehand and the Councilperson having their say-so on it before the Commission moved ahead. Mr. Tibbs stated he would support a deferral because of that.

Mr. Haynes stated he would support a one meeting deferral to get better engagement and get input from the Councilperson.

Mr. Henley said it seems like there was some community engagement and might have been an attempt to make more but it may not have happened yet. He stated that doing a deferral coming into the holidays is something to think about and does not want to set up the applicant for failure. Mr. Henley said as far as appropriateness for this site, there is proof immediately adjacent.

Councilmember Withers stated he would speak in opposition to a deferral. He advised some of the details the community might want are either already handled by regulations and things beyond whatever is in regular departmental reviews are not going to be able to be written into the regulation anyway because it is not an SP. Mr. Withers said what is before them as a Commission is not an SP, but rather a base zone change that meets policy.

Vice Chair Farr stated everything around the plan is an SP and asked if they gave any consideration to that.

Ms. Milligan stated that immediately to the south are properties that are zoned CLA along the front and MUL-A along the rear, so there is a mix of SP. She said looking further to the north along Nolensville Pike are large areas of SCC and according to Planning, the MUL-A was consistent with the policy.

**Councilmember Withers moved and Mr. Henley seconded the motion to approve. (4-2) Mr. Tibbs and Ms. Johnson voted against.**

**Resolution No. RS2022-359**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-054PR-001 is approved. (4-2)

**34. 2022Z-081PR-001**

Council District 28 (Tanaka Vercher)

Staff Reviewer: Dustin Shane

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

**Staff Recommendation: Defer Indefinitely.**

**The Metropolitan Planning Commission deferred 2022Z-081PR-001 indefinitely. (7-0)**

**35. 2022Z-132PR-001**

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Amelia Lewis

A request to rezone from IWD to MUG-A zoning for properties located at 240 and 250 Venture Circle, approximately 532 feet east of French Landing Drive (4.8 acres), requested by United Way of Nashville, applicant; Delta Dental Plan of Tennessee, Nashville Area United Way, owners.

**Staff Recommendation: Disapprove MUG-A and approve MUG-A-NS.**

**APPLICANT REQUEST**

**Zone change from IWD to MUG-A.**

Zone Change

A request to rezone from Industrial/Warehousing/Distribution (IWD) to Mixed-Use General – Alternative (MUG-A) for properties located at 240 and 250 Venture Circle, approximately 532 feet east of French Landing Drive (4.8 acres).

**Existing Zoning**

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

**Proposed Zoning**

Mixed Use General – Alternative (MUG-A) is intended for a moderately 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.

**NORTH NASHVILLE COMMUNITY PLAN**

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

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

**SITE AND CONTEXT**

The site is comprised of two adjacent parcels for a combined acreage of 4.8 acres. The site is access via Venture Circle, east of French Landing Drive. Each parcel has been developed with office buildings and associated surface parking. Surrounding zoning districts include Mixed-Use General (MUG), Mixed-Use Limited (MUL) and IWD. The surrounding properties include a mix of uses including multi-family, office, medical, and commercial.

**ANALYSIS**

The primary policy on the site is District Employment Center Policy (D-EC) policy. The intent of this policy is to provide a mix of commercial and industrial uses with residential as a supportive use, for housing options near employment opportunities. MUG-A allows for a variety of commercial uses, as well as residential. The proposed zoning is consistent with the D EC Policy. However, due to the number of recent rezonings in this area and the subsequent residential development, a careful review of the area and land use mix is needed prior to undertaking future rezonings. There is a balance that must be struck in Employment Centers between employment and supporting residential, and it is critical to ensure that the balance is not tipping too heavily to residential uses.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	4.8	0.8 F	167,270 SF	310	29	32

Maximum Uses in Proposed Zoning District: **MUG-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)	2.4	3.0 F	314 U	1,710	105	133

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.2	3.0 F	156,816 SF	5,920	147	598

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	1.2	3.0 F	156,816 SF	17,592	1,558	1,532

Traffic changes between maximum: **IWD and MUG-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+24,912	+1,781	+2,231

**METRO SCHOOL BOARD REPORT**

The mix of uses could vary and assumption of impact at this point is premature. Students would attend Jones Elementary School, John Early Middle School, and Pearl-Cohn High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends disapproval of MUG-A and approval of MUG-A-NS.

**Disapprove MUG-A and approve MUG-A-NA. (7-0)**

**Resolution No. RS2022-360**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-132PR-001 is disapproved MUG-A and approved MUG-A-NS. (7-0)

**36. 2022Z-133PR-001**

Council District 02 (Kyonzté Toombs)  
Staff Reviewer: Donald Anthony

A request to rezone from RS10 to RM15-A-NS for property located at 1918 South Hamilton Road, at the southeast corner of River Drive and South Hamilton Road (0.3 acres), requested by Pete Prosser, applicant; Mattie & George Thomas Edwards, owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from RS10 to RM15-A-NS.**

### Zone Change

A request to rezone from Single-Family Residential (RS10) to Multi-Family Residential-Alternative-No Short Term Rentals (RM15-A-NS) for property located at 1918 South Hamilton Road, at the southeast corner of River Drive and South Hamilton Road (0.3 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 1 unit.*

### **Proposed Zoning**

Multi-Family Residential-Alternative-No Short Term Rentals (RM15-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM15-A-NS would permit a maximum of 4 units. Owner occupied and not-owner occupied short term rentals would be prohibited uses.*

### **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.

### **SITE AND CONTEXT**

The rezoning application is for a 0.3-acre parcel (Map 070-13, Parcel 141) located at 1918 South Hamilton Road. The property lies at the southeast corner of the intersection of South Hamilton Road and River Drive. The property is currently zoned RS10 and contains a single-family residential unit, which is designated worthy of conservation. Before any demolition or redevelopment can occur on the site, the applicant will be required to verify the historic status of the property and take any steps deemed necessary by the Metro Historic Zoning Commission. Adjacent zoning includes: CL on the northeast; OR20-A on the northwest; R8-A on the west; RS10 on the south; and SP on the east. The SP approved to the east of the subject property would include 15 multi-family dwellings on 1.53 acres; this development has not yet been constructed. Adjacent land uses currently include: commercial on the northwest; vacant property on the northeast; two-family residential on the east; single-family residential on the south; and single-family residential on the west.

### **ANALYSIS**

The applicant proposes rezoning the subject property from RS10 to RM15-A-NS. The requested RM15-A-NS zoning is consistent with the Community Character Manual’s guidance for the T3 NE policy area. The T3 NE policy is characterized in part by moderate-density residential development, a diverse housing mix, and moderate to high levels of connectivity. Recommended building types include a range of housing choices including single-family residential units, low and mid-rise townhouses, and low and mid-rise flats. The proposed RM15-A-NS zoning would allow up to four attached residential units on the property, which would increase density and contribute to diversity of housing types in the area.

The subject property lies approximately 500 feet southeast of the intersection of South Hamilton Road and Clarksville Pike. Properties along and near Clarksville Pike lie within the T3 Suburban Community Center (T3 CC) policy area, which supports more intense land uses, including mixed use and commercial. A variety of businesses including convenience stores with fuel pumps, restaurants, and retailers are centered around the intersection and along the Clarksville Pike corridor. River Drive along the north and east of the subject property includes a mix of single-family and two-family residential units. South Hamilton Road southwest of the subject property is lined with single-family residential units and institutional uses, including a school and a church. Multi-family residential units on the subject property would serve as a transition between the auto-oriented commercial uses along Clarksville Pike to the north and the residential areas along River Drive and South Hamilton Road to the east and southeast.

### **FIRE RECOMMENDATION**

**Approve**



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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.3	4.356 D	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	0.3	15 D	5 U	26	1	3

Traffic changes between maximum: **RS10 and RM15-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 RS10 district: 0 Elementary 0 Middle 0 High  
 Projected student generation proposed RM15-A-NS district: 1 Elementary 0 Middle 1 High

The proposed RM15-A-NS zoning district is expected to generate one more student 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. (7-0)**

**Resolution No. RS2022-361**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-133PR-001 is approved. (7-0)

**37. 2022Z-134PR-001**

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

A request to rezone from CS to OR20-A zoning for property located at 6104 Cowden Avenue, approximately 96 feet west of Marcia Avenue (0.14 acres), requested by Williams Engineering, LLC, applicant; JML Holdings, LLC, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from CS to OR20-A.**

Zone Change

A request to rezone from Commercial Services (CS) to Office and Residential-Alternative (OR20-A) zoning for property located at 6104 Cowden Avenue, approximately 96 feet west of Marcia Avenue (0.14 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**

Office/Residential-Alternative (OR20-A) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *OR20-A would permit a maximum of three residential units.*

**WEST NASHVILLE 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.

**ANALYSIS**

The approximately 0.14-acre property proposed to be rezoned to OR20-A is located on the north side of Cowden Avenue, approximately 96 feet west of Marcia Avenue. Current records indicates that there is an existing home on the property. The adjacent properties located to the north, east and west of the subject property are zoned CS. The zoning on the opposite side of Cowden Avenue is one and two-family residential (R6). The adjacent property to the north is developed and is classified as a strip shopping center. The adjacent property to the east is vacant. The properties on the opposite side of Cowden Avenue and abutting the wester property line is residential.

Staff finds that the proposed OR20-A zoning district is appropriate at this location. The proposed OR20-A zoning district will allow for residential as well as office which can provide a transition from the CS zoning district abutting the northern property line and adjacent to Charlotte Pike to the residential neighborhood zoned R6, on the opposite side of Cowden Avenue. The slight increase in density also supports commercial uses along Charlotte Pike. Charlotte Pike is served with bus service further making additional density appropriate at this location.

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)	0.14	0.6 F	3,659 SF	138	3	14

Maximum Uses in Proposed Zoning District: **OR20-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)	0.07	20 D	3 U	4	-	-

Maximum Uses in Proposed Zoning District: **OR20-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.07	0.8 F	2,439 SF	29	29	4

Traffic changes between maximum: **CS and OR20-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-105	+26	-10

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed OR20-A district: 0 Elementary 0 Middle 0 High

The proposed OR20-A zoning is expected to generate no more students than the existing CS zoning district. Students would attend Charlotte Park Elementary School, H.G. Hill Middle School, and Hillwood High School. There is additional capacity for elementary and high school students. There is no additional capacity for middle school students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. (7-0)**

**Resolution No. RS2022-362**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-134PR-001 is approved. (7-0)

**38. 2022Z-137PR-001**

Council District 05 (Sean Parker)

Staff Reviewer: Amelia Lewis

A request to rezone from CN and RS5 to MUN-A-NS zoning for properties located at 500 E Trinity Lane and property located at Edwin Street (unnumbered), approximately 230 feet east of Jones Avenue (0.44 acres), requested by Dale & Associates, applicant; 500ET Holdings, LLC, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from CN and RS5 to MUN-A-NS.**

Zone Change

A request to rezone from Commercial Neighborhood (CN) and Single-Family Residential (RS5) to Mixed-Use Neighborhood – Alternative – No Short Term Rentals (MUN-A-NS) zoning for properties located at 500 E Trinity Lane and property located at Edwin Street (unnumbered), approximately 230 feet east of Jones Avenue (0.44 acres).

**Existing Zoning**

Commercial Neighborhood (CN) is intended for very low intensity retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

**Proposed Zoning**

Mixed Use Neighborhood – Alternative - No Short Term Rentals (MUN-A-NS) is intended for a low 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.

**EAST NASHVILLE COMMUNITY PLAN**

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

**Supplemental Policy**

The site is located within the Highland Heights Small Area Plan. The Highland Heights Plan was completed after an extensive community engagement process and resulted in updates to the community character policies for the area, as well as establishment of a supplementary Building Regulating Plan and Mobility Plan for the area. The Building Regulating Plan established subdistricts to provide specific guidance on the type of development for each subdistrict.

**SITE AND CONTEXT**

The subject property is comprised of two adjacent parcels located east of the intersection of E Trinity Lane and Jones Avenue. The site has frontage along E Trinity Lane. The properties to the west are zoned CN and to the east and south the properties are zoned Single-Family Residential (RS5). The properties to the north, across E Trinity Lane are zoned Single-Family Residential (RS10) and Multi-Family Residential (RM15-A-NS). The surrounding properties include a mix of uses including single-family residential and non-residential land uses.

**ANALYSIS**

The site is located within the Urban Neighborhood Center (T4 NC) Policy and the M1 Subdistrict of the Highland Heights Supplemental Policy area. The T4 NC policy and M1 policies have many similar characteristics and goals, including: Enhance and create urban neighborhood centers that provide daily needs and services for surrounding urban neighborhoods, generally located at the intersection of two prominent roads, and areas are envisioned to occur at a neighborhood-scale. The site is located just off the corner of the intersection of Jones Avenue and E Trinity Lane. Jones Avenue is classified in the Major and Collector Street Plan (MCSP) as a local street with a planned bike

boulevard, and E Trinity Avenue is classified as an Arterial – Boulevard in the MCSP. The proposed zoning district would permit a range of land uses consistent with the intent of the policy to provide needs and services for the surrounding neighborhood. As the site is immediately adjacent to residential zoning and polices to the east and south, the neighborhood scale of the proposed zoning district is essential to maintain to ensure an appropriate transition between the center policy at the intersection and the residential properties and policies surrounding the site. The proposed MUN-A-NS zoning district is consistent with the intent of the T4 NC Policy and the M1 Subdistrict guidance.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.17	8.712 D	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.27	0.25 F	2,940 SF	111	3	11

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	0.22	0.6 F	6 U	31	3	3

Maximum Uses in Proposed Zoning District: **MUN-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)	0.11	0.6 F	2,875 SF	109	3	11

Maximum Uses in Proposed Zoning District: **MUN-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)	0.11	0.6 F	2,875 SF	323	29	28

Traffic changes between maximum: **RS5/CN and MUN-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+337	+27	+30

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RS5 and CN districts: 1 Elementary 1 Middle 1 High  
 Projected student generation proposed MUN-A-NS district: 4 Elementary 2 Middle 2 High

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

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. (7-0)**

**Resolution No. RS2022-363**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-137PR-001 is approved. (7-0)

**39. 2022Z-138PR-001**

Council District 05 (Sean Parker)

Staff Reviewer: Dustin Shane

A request to rezone from IWD to RM20-A-NS zoning for properties located at 836 and 838 Cherokee Avenue, approximately 150 feet north of Chickasaw Avenue (0.95 acres), requested by Fulmer Lucas Engineering, applicant; Luma Systems LLC, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from IWD to RM20-A-NS.**

Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Multi-Family Residential-Alternative-No Short Term Rental (RM20-A-NS) zoning for properties located at 836 and 838 Cherokee Avenue, approximately 150 feet north of Chickasaw Avenue (0.95 acres).

**Existing Zoning**

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

**Proposed Zoning**

Multi-Family Residential-Alternative-No Short Term Rental (RM20-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM20-A-NS would permit a maximum of 19 units based on acreage alone. Short term rental properties are prohibited.*

**EAST NASHVILLE COMMUNITY PLAN**

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

Highland Heights Study Supplemental Policy

The site is within the Highland Heights Study Supplemental Policy which was approved and adopted by the Planning Commission on June 14, 2018. The Highland Heights Study was completed after an extensive community engagement process and resulted in updates to the community character policies for the area, as well as establishment of a supplementary Building Regulating Plan and Mobility Plan for the area. The community character policy for this site, T4 NE, did not change with adoption of the Highland Heights plan.

This site is within the R5 Subdistrict of the Building Regulating Plan, which is intended to create and enhance neighborhoods with greater housing choice and improved connectivity to form a transition from the edge of the neighborhood’s higher density mixed use. Specific to Cherokee Avenue, this would involve establishing a framework of public infrastructure that would accommodate the increased capacity of residential units over time. The R5 Subdistrict supports a range of residential uses, from two-family dwellings up to mid-rise flats, at varying intensities depending on the location and context.

The Mobility Plan component of the Highland Heights Study, which was incorporated into the Major and Collector Street Plan (MCSP) shows a new alley connection planned for the rear of this property. However, development has occurred on adjacent parcels that has precluded the possibility of making these connections.

**ANALYSIS**

The application consists of two parcels (Map 071-12, Parcels 098 and 099) totaling 0.95 acres in size, located on the south side of Cherokee Avenue, approximately 285 feet west of the terminus of the street. The property currently contains a single-family home and an accessory dwelling unit. Surrounding uses include a single-family home and vacant commercial land zoned IWD and single-family homes to the south zoned RS5.

The application proposes to rezone the property from IWD to RM20-A-NS. Rezoning to RM20-A have taken place at numerous locations along this block on both sides of the street. The property is within the T4 Neighborhood Evolving policy, which encourages moderate- to high-density residential development along highly connected streets. The CCM lists RM20-A, which would permit up to 20 units per acre, as an appropriate zoning under T4 NE policy. The original vision for an alley along the rear of this property is no longer possible, but the site maintains good connections to the wider street network. The proposal also fits the more intense vision for the area offered by the R5 Subdistrict of the Highland Heights Study Supplemental Policy. For these reasons, staff recommends approval of the rezoning.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.95	0.8 F	33,106 SF	98	5	7

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	0.95	20 D	19 U	102	7	9

Traffic changes between maximum: **IWD 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	+2	+2

**METRO SCHOOL BOARD REPORT**

Projected student generation existing IWD districts: 0 Elementary 0 Middle 0 High  
 Projected student generation proposed RM20-A-NS district: 6 Elementary 4 Middle 4 High

The proposed RM20-A-NS zoning is expected to generate 14 more students than the existing IWD zoning district. Students would attend Tom Joy Elementary School, Jere Baxter Middle School, and Maplewood High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. (7-0)**

**Resolution No. RS2022-364**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-138PR-001 is approved. (7-0)

**40. 2022Z-142PR-001**

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

A request to rezone from OL, OR20, and R10 to MUL-A-NS zoning for properties located at 117, 119, and 121 Fairway Drive, approximately 325 feet north of Lebanon Pike (2.49 acres), and located within the Downtown Donelson Urban Design Overlay, requested by Centric Architecture, applicant; HJL, L.P., owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from OL, OR20, and R10 to MUL-A-NS.**

Zone Change

A request to rezone from Office Limited (OL), Office/Residential (OR20), and Single-Family Residential (R10) to Mixed Use Limited-Alternative-No Short Term Rental (MUL-A-NS) zoning for properties located at 117, 119, and 121 Fairway Drive, approximately 325 feet north of Lebanon Pike (2.49 acres) and located within the Downtown Donelson Urban Design Overlay.

**Existing Zoning**

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

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. OR20 would permit a maximum of 13 units.

Single-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 5 lots with 1 duplex lot for a total of 6 units.*

**Proposed Zoning**

Mixed Use Limited-Alternative-No Short Term Rentals (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. *Owner occupied, short term rentals and not owner occupied, short term rentals would be prohibited uses.*

**DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN**

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

**ANALYSIS**

The application consists of three parcels (Map 084-15, Parcel(s) 163 and 164 and Map 095-03, Parcel 017) totaling 2.49 acres in size and located on the east side of Fairway Drive, approximately 290 feet north of the intersection with Lebanon Pike. The property currently contains a one-story office building (converted from a residential use), vacant commercial land, and a single-family home. Surrounding uses include retail and office commercial uses to the south and east zoned CL, a fire station zoned R8 and a Publix-anchored shopping center zoned SCC to the west, and a single-family home to the north zoned R10.

The application proposes to rezone the property from OL, OR20, and R10 to MUL-A-NS. The property is within the T4 Urban Community Center (T4 CC) policy area. T4 CC policy is intended to create mixed-use urban community centers with high levels of connectivity. The CCM lists MUL-A as an appropriate zoning under T4 CC policy. One of the stated goals of the policy is to provide for a mix of uses in proximity to residents, with intensity placed within a quarter mile of intersections. The property lies within this quarter-mile radius and is a short walk from Lebanon Pike, a major commercial and transit corridor.

The property is within Subdistrict 2 of the Downtown Donelson Urban Design Overlay (UDO). The UDO calls for development here to “enhance the suburban character of Lebanon Pike while promoting sustainable development and design through landscaping, access management and transit, signage, and mixed use development standards and an enhanced pedestrian environment.” MUL-A-NS zoning would support these goals of the UDO. MUL-A bulk standards also mirror most closely the bulk standards included in Subdistrict 2.

Allowing a more intense mix of uses at this location would support the adopted policy and overlay goals for the site and give residents more options for meeting daily needs. For these reasons, staff recommends approval of the rezoning.

**FIRE 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: **OL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.7	0.75 F	22,869 SF	254	48	28

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (221)	0.32	20 D	6 U	31	3	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.32	0.8 F	11,151 SF	126	37	14

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	1.15	4.356 D	6 U	78	9	7

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (221)	1.25	1.0 F	54 U	293	19	25

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.62	1.0 F	27,007 SF	1,020	26	103

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.62	1.0 F	27,007 SF	3,030	269	264

Traffic changes between maximum: **OL/OR20/R10 to MUL-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+3,854	+217	+340



**METRO SCHOOL BOARD REPORT**

**Projected student generation existing OL, OR20, R10 districts: 1 Elementary 0 Middle 0 High**

Given the mix of uses permitted by the MUL-A-NS zoning district, the number of residential units ultimately built on site may vary and an assumption as to impact at this point is premature. School students generated by future development would attend Pennington Elementary School, Two Rivers Middle School, and McGavock 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.

Mr. Shane presented the staff recommendation to approve.

Gina Emmanuel, Centric Architecture, 1206 Buchanan Street, spoke in favor of the application.

Chuck Goodman, 105 Fairway Drive, spoke in favor of the application.

Michelle Mizzou, 2829 Glen Oaks Drive, spoke in favor of the application.

James Oldham, 113 Fairway Drive, spoke in opposition to the application.

Patrick Napier spoke in rebuttal.

Councilmember Syracuse spoke in favor of the application.

**Vice Chair Farr closed the Public Hearing.**

Ms. Milligan explained a landscape buffer C. There are three options within a C buffer ranging from 20 feet in width up to 30 feet in width. There has to be a certain amount of trees and shrubs planted within the 20 feet buffer. There is a tighter planting in the 20 feet buffer. The 30 feet buffer has looser plantings. She further explained there a number of trees and shrubs that has to be planted within a standard 100 feet.

Mr. Haynes stated he empathizes with the neighbor to the north but thinks this zone change is appropriate. He said this is an appropriate analysis by staff and supports staff recommendation.

Mr. Henley stated he agreed with Mr. Haynes in that when looking at the surrounding and adjacent parcels, it seems appropriate. He said what is proposed, while it adds more density, is the wider street and turning lane. He asked if this requires a traffic study.

Ms. Milligan stated that would be determined with the building permit. There is a threshold for number of units and square footage of non-residential, if included, and would be analyzed by NDOT with any building permit application and then any appropriate studies would be done.

Councilmember Withers thought this is a good location for adding missing middle housing close to a transit line. He said it seems like there is a good sized buffer to help screen against noise. Mr. Withers thought it is a good plan and supports staff recommendation.

Ms. Johnson felt this proposed usage with the NS designation attached is appropriate. She stated she assumed the buffer and street scape and landscape are controlled by UDO and the buffer to the existing neighbors would be controlled by basic building codes and UDO, like added security. She said she is in support of staff recommendation.

Mr. Tibbs stated this plan is appropriate for the location.

**Mr. Tibbs moved and Mr. Haynes seconded the motion to approve. (6-0)**

**Resolution No. RS2022-365**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-142PR-001 is approved. (6-0)**

#### 41. 2022Z-144PR-001

Council District 16 (Ginny Welsch)

Staff Reviewer: Eric Matravets

A request to rezone from RS7.5 to R8-A zoning for property located at 465 Radnor Street, approximately 270 feet east of Meade Avenue (0.3 acres), requested by Brian Neihoff, applicant; Daniel L. & Mara E. Thompson, owners.

**Staff Recommendation: Approve.**

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#### APPLICANT REQUEST

**Zone change from RS7.5 to R8-A.**

##### Zone Change

A request to rezone from Single Family Residential (RS7.5) to One and Two-Family Residential-Alternative (R8-A) for property located at 465 Radnor Street, approximately 317 feet west of Nolensville Pike (0.3 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 - Alternative (R8-A) 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, and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. R8-A would permit a maximum of 1 lot with 1 duplex lot for a total of 2 units. *Metro Codes makes final determination on duplex eligibility.*

#### **SOUTH NASHVILLE COMMUNITY PLAN**

T4 Urban Neighborhood Evolving (T4 NE) is intended to create and enhance neighborhoods—to include greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques.

#### **SITE AND CONTEXT**

The 0.3-acre site is located on the south side of Radnor Street approximately 317 feet west of Nolensville Pike. The site is developed and includes one single-family home. The properties abutting the western and southern property lines are zoned RS7.5 and each is occupied by a single-family home. The property abutting the eastern property line is zoned R8-A and is occupied by a single-family home and a detached accessory dwelling unit.

#### **ANALYSIS**

Staff finds that the proposed R8-A zoning district is appropriate at this location and is supported by the T4 NE land use policy. The proposed R8-A zoning district will allow for one and two-family residential and is an appropriate transition from the OR20 zoning district to the east and CS zoning district on Nolensville Pike. The slight increase in density also supports commercial uses along Nolensville Pike. Nolensville Pike is served with transit service further making additional density appropriate at this location. The A district will limit access to the alley.

#### 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)	0.3	5.808 D	1 U	15	5	1

#### Maximum Uses in Proposed Zoning District: **R8-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)	0.3	5.445 D	2 U	28	7	2

\*Based on two-family lots

Traffic changes between maximum: **RS7.5 and R8-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 RS7.5 district: 0 Elementary 0 Middle 0 High  
 Projected student generation proposed R8 district: 0 Elementary 0 Middle 0 High

Students would attend Glenclyff Elementary School, Wright Middle School, and Glenclyff High School. All three schools are identified as having additional capacity. Information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. (7-0)**

**Resolution No. RS2022-366**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-144PR-001 is approved. (7-0)

**42. 85-85P-007**

**BRENTWOOD COMMONS PUD (AMENDMENT)**

Council District 04 (Robert Swope)

Staff Reviewer: Amelia Lewis

A request to amend a portion of a Planned Unit Development Overlay District for property located at 760 Old Hickory Boulevard, at the northwest corner of Brentwood Commons Way and Old Hickory Boulevard (4.28 acres), to permit a new hotel; requested by Ingram Civil Engineering Group; Eagle Hospitality, Inc.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Amend a portion of the PUD.**

PUD Amend

A request to amend a portion of a Planned Unit Development Overlay District (PUD) for property located at 760 Old Hickory Boulevard, at the northwest corner of Brentwood Commons Way and Old Hickory Boulevard (4.28 acres), to permit a new hotel.

**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 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.

**SOUTHEAST COMMUNITY PLAN**

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

**PUD HISTORY**

The existing PUD covers approximately 71 acres, including the subject site and additional property at the northeast corner of Brentwood Commons Way and Old Hickory Boulevard. Council approved a site plan in 1985 for a total of 1,307,553 square feet for a mix of uses. In 2011, a final site plan was approved administratively for a hotel with 250 hotel rooms on the site. In 2016, a portion of the PUD was revised which brought the total floor area up to 1,437,574 in the PUD, an increase permitted by the Code. Today, a total of approximately 734 square feet remain as buildable square footage in the PUD. A PUD amendment is required as the proposed plan includes increasing the number of hotel rooms beyond the 250 originally permitted and constructed on the site, as well as increasing the area of developable square footage.

#### **SITE CONTEXT AND PLAN DETAILS**

The site is 4.28 acres located at the northeast intersection of Old Hickory Boulevard and Brentwood Commons Way. The surrounding properties are zoned Office Limited (OL) and Commercial Limited (CL) and have been established with a mix of office and commercial uses. The properties to the north and east of the subject site are also within the same PUD as the subject site.

#### Site Plan

The site has been developed with an existing 8 story hotel with 250 rooms, as approved by the preliminary PUD. The proposed site plan includes a new 5 story hotel with 137 rooms located south of the existing hotel structure. The ground floor of the new hotel structure includes lobby area, meeting rooms, and amenity areas. Floors two through five are hotel rooms. A new five story parking structure is proposed north of the existing hotel.

The site currently has three curb cuts. The first is along the Old Hickory Boulevard at the southwest corner of the site, and two located on Brentwood Commons Way, along the eastern property line. The proposed plan includes to retain all the existing curb cuts, and to provide one additional curb cut along Brentwood Commons Way. A proposed five foot sidewalk is shown along Brentwood Commons Way. An existing 5 foot wide sidewalk is located along Old Hickory Boulevard. The Major and Collector Site Plan (MCSP) calls for a 10 foot wide sidewalk, a 4 foot wide planting strip, and a six foot wide bike lane, and two foot wide bike buffer. At the time of final, this shall be met.

#### **ANALYSIS**

The site is within the D-EC Policy which is intended to maintain, create, and enhance districts where a mixture of office and commercial uses are predominant. Commercial uses such as hotels are considered appropriate land uses within the policy to support the surrounding land uses.

The site currently contains a single hotel structure and associated surface parking. With the addition of the new hotel structure, a significant portion of the existing surface parking is being relocated to new structured parking on the northern portion of the site. The new development on the site would be required to meet current Metro Code parking requirements. With the proposed plan, parking is proposed to be provided at a rate higher than required by the Zoning Code. The D-EC Policy guidance states that "buildings, including the main pedestrian entrance, are oriented to the street or open space." Staff has concerns that the proposed design of the structure favors a building design that is internal facing, as opposed to having a relationship to Old Hickory Boulevard. At the time of Final, staff will need to approve a building design that is able to meet the intent of this policy goal. Staff conditions below include the removal of the seven surface spaces along the access drive, a reduction of one vehicular access drive on Brentwood Commons Way, conditions related to landscaping and the screening of the proposed garage and surface parking spaces, in addition to architectural design to be approved by staff at Final.

#### **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**

- MWS recommends approval, on the following condition: 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. A minimum of 30% of W&S Capacity must be paid before issuance of building permits.

#### **NASHVILLE DOT RECOMMENDATION**

##### **Approve with conditions**

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions.
- The proposed sidewalk along Old Hickory Boulevard shall conform to the MCSP requirements. The sidewalk is to be located within the public right-of-way / dedication of public right-of-way.
- Brentwood Commons Way is listed as a local street. The local street standard is a four (4') foot Planting Strip Width; and a five (5') foot Sidewalk Width. The sidewalk is to be located within the public right-of-way / dedication of public right-of-way.

**TRAFFIC & PARKING RECOMMENDATION**

**Approve with conditions**

- All sidewalks and MCSP requirements are to be shown in the ROW.
- Call out any/all utility relocations.
- Re-stripe Brentwood commons to its existing lane configurations on both directions from Old Hickory Blvd all the way back to the Cul-de-sac.
- Parking is to be per Metro Code.
- Relocate monument sign onto private property.
- Comply with Roads comments.

Maximum Uses in Existing Zoning District: **CL (PUD)**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	-	-	250 R	2,396	120	161

Maximum Uses in Proposed Zoning District: **CL (PUD)**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	-	-	390 R	3,976	190	267

Traffic changes between maximum: **CL (PUD) and CL (PUD)**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+140 R	+1,580	+70	+106

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. Permitted uses are limited to an additional 140 hotel rooms, in addition to the existing 250 hotel rooms on site.
2. The seven surface parking spaces located along the access drive shall be removed.
3. A landscaping plan provided with the final site plan shall provide landscaping to screen proposed surface parking and the garage structure.
4. Final building design shall be subject to Planning Staff review. Building facades fronting public streets shall have glazing and architectural features to ensure a building design that addresses Old Hickory Boulevard.
5. The requirements of the Major and Collector Street Plan (MCSP) shall be met.
6. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
8. Prior to any additional development applications for this property, and prior to or with final PUD plan application, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan

**Approve with conditions. (7-0)**

**Resolution No. RS2022-367**

“BE IT RESOLVED by The Metropolitan Planning Commission that 85-85P-007 is approved with conditions. (7-0)  
**CONDITIONS**

1. Permitted uses are limited to an additional 140 hotel rooms, in addition to the existing 250 hotel rooms on site.
2. The seven surface parking spaces located along the access drive shall be removed.
3. A landscaping plan provided with the final site plan shall provide landscaping to screen proposed surface parking and the garage structure.
4. Final building design shall be subject to Planning Staff review. Building facades fronting public streets shall have glazing and architectural features to ensure a building design that addresses Old Hickory Boulevard.
5. The requirements of the Major and Collector Street Plan (MCSP) shall be met.
6. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
8. Prior to any additional development applications for this property, and prior to or with final PUD plan application, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan

**43. 2022S-255-001  
5915 ROBERTSON AVE**

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

A request for final plat approval to create three lots on property located at 5917 Robertson Avenue, approximately 228 feet east of Stevenson Street, zoned R8 (0.62 acres), requested by Doyle Elkins, applicant; 5915 Robertson, LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Request for final plat to create three residential lots.**

Final Plat

A request for final plat approval to create three lots on property located at 5917 Robertson Avenue, approximately 228 feet east of Stevenson Street, zoned One and Two-Family Residential (R8), (0.67 acres).

**SITE DATA AND CONTEXT**

**Location:** The property is located on the south side Robertson Avenue between Elaine Avenue and Stevenson Street.

**Street type:** The property has frontage on Robertson Avenue. The Major and Collector Street Plan (MCSP) identifies this section of Robertson Avenue as an urban residential collector (T4-R-CA2).

**Approximate Acreage:** 0.67 acres or approximately 29,375 square feet.

**Parcel/Site History:** The parcel consists of Lot 5 and part of Lot 4, Nall Subdivision of Cockrill. The parcel was created in 1974.

**Zoning History:** The property has been zoned R8, One and Two-Family Residential since 1974. The property is also with in the Urban Zoning Overlay (UZO) which was adopted in 2017.

**Existing land use and configuration:** The parcel is occupied with two homes.

**Surrounding land use and zoning:**

- North: Commercial Services (CS)
- South: One and Two-Family Residential (R8)
- East: Commercial Services (CS)
- West: One and Two-Family Residential (R8)

**Zoning:** One and Two-Family Residential (R8)

Min. lot size: 8,000 square feet

Max. building coverage: 0.45

Min. rear setback: 20'

Min. side setback: 5'

Max. height: 3 stories

Min. street setback: contextual

**PROPOSAL DETAILS**

**Number of lots:** 3.

**Lot sizes:** Lot 1 is 8,980 sq. ft. (0.20 acres). Lot 2 is 8,959 sq. ft. (0.20 acres). Lot 3 is 11,436 sq. ft. (0.26 acres).

**Access:** All three lots are oriented to Roberson Avenue. Two access easements are provided to Robertson Avenue. The easements straddle the shared property lines.

**APPLICABLE SUBDIVISION REGULATIONS**

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

Prior versions of Subdivision Regulations for Nashville and Davidson County contained a uniform set of standards that were applied Metro-wide. This did not take into account the diverse character that exists across the County. To achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The property is within the T4 NE policy. For sites within the T4 transect, the conventional regulations found in Chapter 3 are utilized.

**3-1 General Requirements**

Staff finds that all standards are met.

**3-2 Monument Requirements**

Complies. Monuments will be set after plat approval.

**3-3 Suitability of the Land**

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

**3-4 Lot Requirements**

All lots comply with the minimum standards of the zoning code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of R8 zoning at the time of building permit.

**3-5 Infill Subdivisions**

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

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

- a. *All minimum standards of the zoning code are met.*  
Complies. All lots meet the minimum standards of the zoning code.
- b. *Each lot has street frontage or meets the requirements of Section 3-4.2.b for fronting onto an open space or meets the requirements of Sections 4-6.3 or 5-3.1 fronting onto an open space.*  
Complies. All lots have frontage on Robertson Avenue.
- c. *Each lot oriented to an existing street shall meet minimum lot frontage requirements as follows:*
  1. *Within T4 Urban Neighborhood Evolving policy areas, each lot oriented to an existing street shall have a minimum frontage of 40 feet. Lots oriented to the terminus of an existing permanent dead-end shall have a minimum frontage of 35 feet.*  
Complies. All three lots have frontage more than 40 feet.

- d. *The current standards of all reviewing agencies are met.*  
All agencies have recommended approval or approval with conditions.
- e. *The proposed lots comply with any applicable special policy. If the property is also within Neighborhood Maintenance policy and the special policy was adopted to preserve community character, not create infill opportunities, then the standards of Section 3-5.2 also apply.*  
Not applicable.

**3-6 Blocks**

This application does not propose to create any new blocks.

**3-7 Improvements**

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

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

Sidewalks will be required at the time of building permit pursuant to Section 17.20.120 of the Zoning Code.

**3-9 Requirements for Streets**

This application does not propose to create any new streets,

**3-10 Requirements for Dedication, Reservations, or Improvements**

The application proposes a right-of-way dedication to meet the requirements of the Major and Collector Street Plan.

**3-11 Inspections During Construction**

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

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

Nashville Department of Transportation (NDOT) reviews street names and signage requirements for public roads and has recommended approval of this plat. See comments in the recommendations from all agencies section below.

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

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

**3-14 Drainage and Storm Sewers**

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

**3-15 Public Water Facilities**

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

**3-16 Sewerage Facilities**

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

**3-17 Underground Utilities**

Utilities are required to be located underground whenever a new street is proposed, and the application does not include any new streets.

**PLANNING STAFF COMMENTS**

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

**COMMENTS FROM OTHER REVIEWING AGENCIES**

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**



**NASHVILLE DOT RECOMMENDATION**  
**Approve**

**TRAFFIC AND PARKING RECOMMENDATION**  
**Approve**

**WATER SERVICES RECOMMENDATION**  
**Approve with conditions**

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

**STAFF RECOMMENDATION**  
Staff recommends approval with conditions.

**CONDITIONS**

1. Comply with all conditions and requirements of Metro agencies.

**RECOMMENDED ACTION**

Motion to approve proposed subdivision Case No. 2022S-255-001 with conditions.

**Approve with conditions. (7-0)**

**Resolution No. RS2022-368**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-255-001 is approved with conditions. (7-0)

**44. 2022S-264-001**  
**5713-5715 MAUDINA AVE**

Council District 20 (Mary Carolyn Roberts)  
Staff Reviewer: Logan Elliott

A request for concept plan approval to create six lots on properties located at 5713 and 5715 Maudina Avenue, at the southern terminus of Bellmore Avenue, zoned R6 (1.44 acres), requested by Dale & Associates, applicant; Henry. & Sarah. Hood owners.

**Staff Recommendation: Defer to the January 12, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022S-264-001 to the January 12, 2022, Planning Commission meeting. (7-0)**

**H: OTHER BUSINESS**

45. A resolution authorizing the application of a FEMA BRIC Grant in the amount of \$625,000 to be submitted to TEMA before December 31, 2022, who will submit the final application to FEMA in January, 2023. This grant is to provide further planning and analysis on the flood mitigation framework recommended in the 2022 Imagine East Bank Vision Plan.

**Resolution No. RS2022-369**

"BE IT RESOLVED by The Metropolitan Planning Commission that the resolution authorizing the application of a FEMA BRIC Grant in the amount of \$625,000 to be submitted to TEMA before December 31, 2022, who will submit the final application to FEMA in January, 2023. This grant is to provide further planning and analysis on the flood mitigation framework recommended in the 2022 Imagine East Bank Vision Plan is **approved. (7-0)**

46. Employee contract renewal for Kyle Lampert.

**Resolution No. RS2022-370**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Employee Contract Renewal for Kyle Lampert is **approved. (7-0)**

47. Historic Zoning Commission Report  
48. Board of Parks and Recreation Report  
49. Executive Committee Report  
50. Accept the Director's Report

**Resolution No. RS2022-371**

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

51. Legislative Update

**I: MPC CALENDAR OF UPCOMING EVENTS**

**January 12, 2023**

MPC Meeting

4 pm, 700 President Ronald Reagan Way, Howard Office Building, Sonny West Conference Center

**J: ADJOURNMENT**

The meeting adjourned at 7:03 p.m.