



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

January 12, 2023
4:00 pm Regular Meeting

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

MISSION STATEMENT

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

Commissioners Present:

Greg Adkins, Chair
Lillian Blackshear
Edward Henley
Stewart Clifton
Mina Johnson
Jeff Haynes
Jim Lawson
Brian Tibbs
Councilmember Brett Withers

Staff Present:

Lucy Kempf, Executive Director
Lisa Milligan, Planning Manager II
Amelia Lewis, Planner II
Laszlo Marton, Planner 1
Donald Anthony, Planner II
Tara Ladd, Legal

Commissioners Absent:

Jessica Farr, Vice Chair

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

Please remember to turn off your cell phones.

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

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

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

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

Writing to the Commission

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

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

Speaking to the Commission

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

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

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

Legal Notice

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



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

MEETING AGENDA

A: CALL TO ORDER

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

B: ADOPTION OF AGENDA

Mr. Lawson moved and Mr. Haynes seconded the motion to adopt the agenda. (9-0)

C: APPROVAL OF DECEMBER 08, 2022 MINUTES

Mr. Lawson moved and Mr. Henley seconded the motion to approve the meeting minutes of December 8, 2022. (9-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Benedict expressed her constituents' concerns regarding flooding, views, noise and removal of vegetation regarding Item 27.

Councilmember Hausser spoke in favor of Item 24.

Councilmember Toombs spoke in favor of Items 18, 35, 37 and 40.

Councilmember Parker spoke in favor of Items 34a and 34b.

Councilmember Taylor spoke in favor of Items 20a and 20b.

E: ITEMS FOR DEFERRAL / WITHDRAWAL 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19, 25, 28a, 28b, 31, 32, 45, 18, 38, 42, 43, 49

Ms. Milligan stated Ms. Blackshear has recused herself from Items 13, 14, 16, 28a, 28b and 46.

Mr. Lawson moved and Ms. Johnson seconded the motion to approve the Deferred and Withdrawn Items. (9-0)

F: CONSENT AGENDA ITEMS 52, 53, 54, 55, 56, 60

Ms. Milligan stated Ms. Blackshear has recused herself from Items 24, 44 and 56.

Mr. Lawson moved and Mr. Tibbs seconded the motion to approve the Consent Agenda. (9-0)

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

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

G: ITEMS TO BE CONSIDERED

1. 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 February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 88P-038-001 to the February 9, 2023, Planning Commission meeting. (9-0)

2. 2015SP-069-003

SHELBY WOODS (AMENDMENT)

Council District 06 (Brett Withers)

Staff Reviewer: Logan Elliott

A request to amend a Specific Plan on properties located at 1409 Davidson Street and Davidson Street (unnumbered), approximately 240 feet east of South 14th Street, zoned SP (9.64 acres), to permit 337 multi-family residential units, requested by Dale & Associates, applicant; Upside LLC, owner.

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2015SP-069-003 indefinitely. (9-0)

3. 2023S-016-001

840 OLD LEBANON DIRT ROAD

Council District 12 (Erin Evans)

Staff Reviewer: Dustin Shane

A request for final plat approval to create 11 lots on property located at 840 Old Lebanon Dirt Road, at the southwest corner of Old Lebanon Dirt Road and New Hope Road, zoned RS15 (5.3acres), requested by Dale & Associates, applicant; Wise Group, Inc., owner.

Staff Recommendation: Defer to the February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023-016-001 to the February 9, 2023, Planning Commission meeting. (9-0)

4. 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 February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2016SP-024-005 to the February 9, 2023, Planning Commission meeting. (9-0)

5. **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 Indefinitely.

The Metropolitan Planning Commission deferred 2022S-200-001 indefinitely. (9-0)

6. **2022S-232-001**
KING'S SUBDIVISION
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 February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022S-232-001 to the February 9, 2023, Planning Commission meeting. (9-0)

7. **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 two lots on property located at 3525 Old Clarksville Pike, approximately 606 feet west of Whites Creek Pike, zoned R40 and AR2A, (9.15 acres), requested by Chap Surveyors, applicant; Millie & Kirk M Sweeney, owners.

Staff Recommendation: Defer to the February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022S-247-001 to the February 9, 2023, Planning Commission meeting. (9-0)

8. **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 February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022S-259-001 to the February 9, 2023, Planning Commission meeting. (9-0)

9. **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 February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022S-264-001 to the February 9, 2023, Planning Commission meeting. (9-0)

10. **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 February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-036-001 to the February 9, 2023, Planning Commission meeting. (9-0)

11. **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 at 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 February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-071-001 to the February 9, 2023, Planning Commission meeting. (9-0)

12. **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 February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-079-001 to the February 9, 2023, Planning Commission meeting. (9-0)

- 13. 2022SP-080-001**
408 WOODLAND STREET
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 February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-080-001 to the February 9, 2023, Planning Commission meeting. (8-0-1)

- 14. 2023SP-003-001**
630 DIVISION STREET
Council District 19 (Freddie O'Connell)
Staff Reviewer: Hazel Ventura

A request to rezone from DTC to SP zoning for property located at 630 Division Street, approximately 130 feet east of 7th Avenue South, (0.09 acres), to permit a mixed-use development, requested by Chisel Workshop, applicant; Jim & Candace Higgins, owners.

Staff Recommendation: Defer to the February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023SP-003-001 to the February 9, 2023, Planning Commission meeting. (8-0-1)

- 15. 2022Z-014TX-001**
BL2022-1409/Murphy
Staff Reviewer: Molly Pike & Seth Harrison

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

Staff Recommendation: Defer to the February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022Z-014TX-001 to the February 9, 2023, Planning Commission meeting. (9-0)

- 16. 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 February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2018SP-026-009 to the February 9, 2023, Planning Commission meeting. (8-0-1)

17. 2022Z-018TX-001

BL2022-1509/Syracuse

Staff Reviewer: Donald Anthony

A request to amend Chapters 17.36 and 17.40 of the Metropolitan Code to create a Two-Story Residential Overlay district (Proposal No. 2022Z-018TX-001).

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend the Zoning Code to create a Two-Story Residential Overlay district.

PROPOSED AMENDMENTS TO TITLE 17

The proposed text amendment would amend Section 17.36 of the Zoning Code to add Article XVI, creating a Two-Story Residential Overlay district. Additional changes to Section 17.36 of the Zoning Code include renumbering the Detached Accessory Dwelling Unit (DADU) Overlay District to Article XVII and revising Section 17.40.740.C.3. to clarify that Council members are not required to pay fees when applying for the Two-Story Residential Overlay.

The following text shows the proposed amendment as filed.

Section 1. That Chapter 17.36 of the Metropolitan Code is hereby amended by creating Article XVI – Two-Story Residential Overlay, as follows:

17.36.630 Purpose and intent.

The two-story residential overlay district provides appropriate building height standards in residential areas necessary to maintain and reinforce the established form and character of residential development in a particular area.

17.36.640 - Overlay designation.

A Two-Story Residential Overlay district shall be created according to the procedures of Chapter 17.40, Article III and depicted as a geographical area on the official zoning map.

17.36.650 - Guidelines.

- A. Principal Structures. Principal structures shall not exceed two stories in 35 feet in height as measured from the finished grade.
- B. Accessory Structures. Accessory structures shall not exceed one story or sixteen feet in height as measured from the finished grade, whichever is less. The top elevation of an accessory structure shall not exceed the top elevation of the principal structure.

17.36.660 - Permitted land uses.

The range of land uses permitted within a two-story residential overlay district shall be those permitted by the underlying zoning district(s) as established by the zoning district land use table of Section 17.08.030.

17.36.670 - Variation of conventional standards.

The two-story residential overlay district varies the conventional standards of the underlying zoning district(s) as established in Chapter 17.12, Sections 17.12.020 and 17.12.060.

17.36.675 - Two-Story Residential Overlay District.

- A. Application for a Two-Story Residential Overlay District. Lots included in a district must be contiguous.
- B. Historic Overlay District. A two-story residential overlay district shall not be applied in an adopted historic overlay district. Adoption of a historic overlay district shall supersede an adopted residential accessory structure overlay district and only the requirements of the historic overlay district shall apply.
- C. Contextual Overlay District. A two-story residential overlay district shall not be applied in an adopted contextual overlay district. Adoption of a contextual overlay district shall supersede an adopted residential accessory structure overlay district and only the requirements of the contextual overlay district shall apply.
- D. Urban Design Overlay District. A two-story residential overlay district shall not be applied in an adopted urban design overlay district. Adoption of an urban design overlay district shall supersede an adopted residential accessory structure overlay district and only the requirements of the urban design overlay district shall apply.
- E. Urban Zoning Overlay. A two-story residential overlay district shall not be applied in the adopted urban zoning overlay district. Expansion of the urban zoning overlay district shall supersede an adopted two-story residential overlay district and only the requirements of the urban zoning overlay district shall apply.
- F. Eligible Zoning Districts. Two-story residential overlay districts shall only be applicable in single family (RS and RS-A) and one- and two-family (R and R-A) residential zoning districts. Two-story residential overlay districts shall not be applied to property within specific plan (SP) zoning districts.

- G. Planning Commission Recommendation. The planning commission shall review a proposed two-story residential overlay district application for conformance with the general plan. The planning commission shall act to recommend approval, approval with conditions or disapproval of the application. Within ten working days of an action, the commission's resolution shall be transmitted in writing to the applicant, the metro clerk, the zoning administrator and all other appropriate governmental departments.
- H. Council Consideration. The metropolitan council shall consider an ordinance establishing a two-story residential overlay district according to the procedures of Article III of Chapter 17.40 (Amendments). All property owners within and proximate to a proposed two-story residential overlay district shall be notified according to the procedures of Article XV of Chapter 17.40.
- I. Final Site Plan Approval. For property located within a two-story residential overlay district, a final site plan application shall be submitted for review and approval by the zoning administrator in a manner consistent with the procedures of Section 17.40.170A. The applicant is required to submit all necessary information to the zoning administrator and to certify the accuracy of the submitted information.
- J. Modifications to Design Standards Not Permitted. Two-story residential overlay districts shall be adopted with the standards outlined in 17.36.590 (Guidelines). Modifications to these standards shall not be permitted. Variance requests shall follow the process outlined in Chapter 17.40.
- K. Changes to a Two-Story Residential Overlay District Boundary. A proposed change in the geographic boundary of a two-story residential overlay district on the official zoning map shall be considered by the council according to the procedures of Article III of Chapter 17.40 (Amendments).

Section 2. That Article XIV. – Detached Accessory Dwelling Unit (DADU) Overlay District of Chapter 17.36 is renumbered as Article XVII.

Section 3. Section 17.40.740.C.3 is hereby amended by deleting in its entirety and replacing with the following:

Applying the urban design overlay district, historic preservation district, neighborhood conservation district, urban zoning overlay district, contextual overlay district, corridor design overlay district, residential accessory structure overlay district, two-story residential overlay district, or detached accessory dwelling unit overlay district as provided in Chapter 17.36.

BACKGROUND

Maximum building heights for single-family and two-family residential units are established in Table 17.12.020.A. of the Zoning Code. For all districts except DTC, the maximum height for single-family residential units in residential zoning district is three stories. The maximum height of an accessory structure is one story of 16 feet in zoning districts with a minimum lot size of less than 40,000 square feet. In districts with a minimum lot size of 40,000 or greater, an accessory structure may have a height of up to two stories and 24 feet. Heights are typically measured from finished grade to the highest point of the structure.

ANALYSIS

The proposed amendment to the Zoning Code establishes a new Two-Story Residential Overlay district, which is intended to support a neighborhood's existing form and character. The Two-Story Residential Overlay would limit the height of a principal structure to two stories up to 35 feet and an accessory structure to one story up to 16 feet. An accessory structure would not be permitted to have a height greater than that of its principal structure. All heights would be measured from finished grade.

The proposed overlay could be implemented in any area with underlying R, R-A, RS, or RS-A zoning. The overlay would not affect land uses; all uses permitted by the underlying zoning district would continue to be permitted with the overlay. The proposed amendment clarifies that in cases where the standards established by the Two-Story Residential Overlay district conflict with those of other design-related overlay districts—including Historic Overlay District, Contextual Overlay District, Urban Design Overlay District, and Urban Zoning Overlay—the standards set forth in the other overlay district shall apply.

When considering rezoning, recommendations set forth in the Community Character Manual may include lesser heights or heights based on surrounding context; in such cases, SP zoning may be deemed more suitable than a bulk zoning district. In cases where desired building height exceeds the maximum permitted in the Zoning Code, an applicant may seek a variance from the Board of Zoning Appeals.

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. (9-0)

Resolution No. RS2023-01

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-018TX-001 is approved. (9-0)

18. 2022Z-019TX-001

BL2022-1508

Staff Reviewer: Dustin Shane

A request to amend Sections 17.08.030, 17.16.030, and 17.16.160 of the Metropolitan Code, Zoning Regulations to change the Multi-family use in the IWD – Industrial Warehousing/Distribution and IR – Industrial Restrictive zoning districts from being permitted with conditions to requiring a special exception (Proposal No. 2022Z-019TX-001).

Staff Recommendation: Approve.

APPLICANT REQUEST

A request to amend Sections 17.08.030, 17.16.030, and 17.16.160 of the Metropolitan Code, Zoning Regulations to change the Multi-family use in the IWD – Industrial Warehousing/Distribution and IR – Industrial Restrictive zoning districts from being permitted with conditions to requiring a special exception.

PROPOSED AMENDMENTS TO TITLE 17

The proposed bill would amend the Zoning Code to change the multi-family use in the IWD and IR districts from being permitted with conditions to requiring a special exception. Special exceptions require a public hearing and approval by the Board of Zoning Appeals (BZA).

The proposed changes are shown below with text to be added shown in underline and text to be deleted shown with strikethrough.

Section 1. That the Zoning District Land Use Table in Section 17.08.030 of the Metropolitan Code is hereby amended as shown in Exhibit A.

Section 2. That Subsection 17.16.030.E.3 of the Metropolitan Code is hereby deleted in its entirety.

Section 3. That Subsection 17.16.030.F.9 of the Metropolitan Code is hereby deleted in its entirety and subsequent subsections renumbered accordingly.

Section 4. That Subsection 17.16.160.C is deleted in its entirety and replace with the following new Subsection C:

C. Multi-family.

1. In IWD and IR Districts.
 - a. Accessory to the Manufacturing, Artisan use.
 - i. A maximum of two units per lot shall be permitted as an accessory use to Manufacturing, Artisan use.
 - ii. Residential uses shall be supported by the Community Plan, as determined by the planning department.
 - iii. No hazardous materials or uses shall be located within an unsafe distance of the proposed residential use, as evidenced by the testimony presented to the board of zoning appeals. Notices shall be sent to all property owners within three hundred feet no later than 30 days prior to the board of zoning appeals hearing date notifying them of the proposed residential use, the board of zoning appeals hearing date, and requesting information regarding hazardous materials or uses located within an unsafe distance of the proposed residential use. The zoning administrator shall make a recommendation to the board of zoning appeals as to the adequacy of the distance between the proposed residential use and any hazardous materials.
 - b. Adaptive Residential Development. A multi-family use shall be permitted provided it is located within an existing structure located within the urban services district having the majority of its frontage on an arterial street or collector street as shown on the adopted Major Street Plan and where a minimum of forty percent of the existing structure's gross floor area is devoted to residential uses, subject to the conditions below. Otherwise, all other requirements and standards established by other chapters of this title, as well as any other applicable metropolitan government, state or

federal regulation, shall apply to the development and use of properties shown on the final site plan. In case of conflict between the standards of this section and other chapters of this Zoning Code, the provisions of this section shall control:

- i. Structure Eligibility. All structures within the IWD and IR districts shall meet the following requirements to be eligible for the multi-family use:
 - A. The structure must be determined to be worthy of conservation by the Metro Historical Commission.
 - B. The structure must be a minimum of 50 years old at the time of application for the special exception.
 - C. The structure must be preserved with no additions, deletions, or alterations which would be inconsistent with the historic nature of the building or significantly alter the building's exterior appearance (i.e., blocking out windows with brick or other materials).
 - ii. Residential Floor Area. No density or floor area ratio shall apply to those portions of a non-residential building converted to a residential use.
 - iii. Building Orientation. A primary building entrance shall be oriented to the arterial street, to the extent feasible. On a corner lot, entrances shall be determined by the board of zoning appeals.
 - iv. Parking. Parking spaces shall be required for any residential, commercial and/or retail use in accordance with Chapter 17.20. In addition, no more than one and one-half spaces shall be required per a residential dwelling unit. Tandem residential parking may be no more than two cars in depth. If parking is provided in a new deck or structure, the ground floor of the parking facility abutting a public street shall contain commercial or retail uses for seventy-five percent of the street frontage. The commercial or retail area shall have a minimum depth of twenty feet, a minimum height of fourteen feet (floor to floor) for the first floor of the garage at street level, with each storefront having between fifty-five percent and eighty-five percent glazed window area along the garage wall facing the public street.
 - v. Traffic Impact Study. No traffic impact study shall be required, except the board of zoning appeals may require a study for developments of one hundred dwelling units or greater.
 - vi. Landscaping. Notwithstanding Section 17.24.050(A), any single addition that increases the total building area by twenty-five percent or more of an existing building, in whole or in part, shall provide landscaping as required by this title. Where the number of parking spaces is increased by twenty-five percent, either through a parking lot expansion or the construction of a new parking lot, interior parking lot landscaping shall be required.
 - vii. Viable Industrial Uses. The board of zoning appeals shall determine that the project will not displace viable industrial uses. The multi-family use shall not displace viable industrial uses.
 - viii. Hazardous Materials or Uses. No hazardous materials or uses shall be located within an unsafe distance of the proposed residential use, as evidenced by the testimony presented to the board of zoning appeals. Notices shall be sent to all property owners within three hundred feet no later than 30 days prior to the board of zoning appeals hearing date notifying them of the proposed residential use, the board of zoning appeals hearing date, and requesting information regarding hazardous materials or uses located within an unsafe distance of the proposed residential use. The zoning administrator shall make a recommendation to the board of zoning appeals as to the adequacy of the distance between the proposed residential use and any hazardous materials.
 - ix. Alternative Standards. Where a proposed residential development cannot comply with standards of this subsection, the board of zoning appeals may approve alternative standards. The board shall determine that the applicant has demonstrated that the relief being requested will not be injurious to surrounding properties, nor violates the adopted general plan. The board shall not act on any application requesting alternative standards without first considering recommendations from the planning commission and the historic zoning commission.
2. In the IG District.
 - a. Accessory to the Manufacturing, Artisan use.
 - i. A maximum of two units per lot shall be permitted as an accessory use to Manufacturing, Artisan use.
 - ii. Residential uses shall be supported by the Community Plan, as determined by the planning department.
 - iii. No hazardous materials or uses shall be located within an unsafe distance of the proposed residential use, as evidenced by the testimony presented to the board of zoning appeals. Notices shall be sent to all property owners within three hundred feet no later than 30 days prior to the board of zoning appeals hearing date notifying them of the proposed residential use, the board of zoning appeals hearing date, and requesting information regarding hazardous materials or uses located within an unsafe distance of the proposed residential use. The zoning administrator shall make a recommendation to the board of zoning appeals as to the adequacy of the distance between the proposed residential use and any hazardous materials.

BACKGROUND

Currently, multi-family uses are permitted with conditions (PC) in IWD and IR zoning districts as accessory to artisan manufacturing (for IR) and under the Adaptive Residential Development provisions of Section 17.16.030.F (for both zoning districts). When permitted as accessory to artisan manufacturing, notices are required to be mailed twenty

days prior to the issuance of a permit. When permitted under the Adaptive Residential provisions, the proposed residential use may only be located in a structure that the historical commission has determined is worthy of conservation, was constructed more than fifty years ago, and is being preserved with no additions, deletions, or alterations which would be inconsistent with the historic nature of the building or significantly alter the building's exterior appearance (i.e., blocking out windows with brick or other materials). Unless relief is being sought from some requirement of the Adaptive Residential regulations or from the other provisions of the zoning code, no public hearing is required.

ANALYSIS

The proposed amendment removes reference to the IWD and IR zoning districts from Section 17.16.030 (PC residential uses) and replaces the existing subsection 17.16.160.C with new language requiring a special exception (SE) for multi-family in these districts. The language requiring notice when multi-family is allowed by SE as accessory to an artisan manufacturing use has been updated to thirty days prior to the BZA hearing (for all industrial zoning districts, including Industrial General). The proposed SE regulations for Adaptive Residential remain the same as the current PC regulations, with the exception that being located within the Downtown Donelson UDO no longer exempts a potential Adaptive Residential building from the requirement that it have the majority of its frontage on an arterial street or collector street.

The proposed changes do not close the possibility of permitting multi-family residential in industrial zoning districts; rather, they add another layer of community oversight to the process. The regulations governing how these projects will look remain unchanged. For these reasons, staff recommends approval of the proposed text amendment.

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 with a substitute.

ORDINANCE NO. BL2022-1508

An ordinance amending Sections 17.08.030, 17.16.030, and 17.16.160 of the Metropolitan Code, Zoning Regulations to change the Multi-family use in the IWD - Industrial Warehousing/Distribution and IR - Industrial Restrictive zoning districts from being permitted with conditions to requiring a special exception (Proposal No. 2022Z-019TX-001).

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

Section 1. That the Zoning District Land Use Table in Section 17.08.030 of the Metropolitan Code is hereby amended as shown in Exhibit A.

Section 2. That Subsection 17.16.030.E.3 of the Metropolitan Code is hereby deleted in its entirety.

Section 3. That Subsection 17.16.030.F.9 of the Metropolitan Code is hereby deleted in its entirety and subsequent subsections renumbered accordingly.

Section 4. That Subsection 17.16.160.C is deleted in its entirety and replace with the following new Subsection C:

C. Multi-family.

3. In IWD and IR Districts.
 - c. Accessory to the Manufacturing, Artisan use.
 - iv. A maximum of two units per lot shall be permitted as an accessory use to Manufacturing, Artisan use.
 - v. Residential uses shall be supported by the Community Plan, as determined by the planning department.

- vi. No hazardous materials or uses shall be located within an unsafe distance of the proposed residential use, as evidenced by the testimony presented to the board of zoning appeals. Notices shall be sent to all property owners within three hundred feet no later than 30 days prior to the board of zoning appeals hearing date notifying them of the proposed residential use, the board of zoning appeals hearing date, and requesting information regarding hazardous materials or uses located within an unsafe distance of the proposed residential use. The zoning administrator shall make a recommendation to the board of zoning appeals as to the adequacy of the distance between the proposed residential use and any hazardous materials.

- d. Adaptive Residential Development. A multi-family use shall be permitted provided it is located within an existing structure located within the urban services district having the majority of its frontage on an arterial street or collector street as shown on the adopted Major Street Plan and where a minimum of forty percent of the existing structure's gross floor area is devoted to residential uses, subject to the conditions below. Otherwise, all other requirements and standards established by other chapters of this title, as well as any other applicable metropolitan government, state or federal regulation, shall apply to the development and use of properties shown on the final site plan. In case of conflict between the standards of this section and other chapters of this Zoning Code, the provisions of this section shall control:

- x. Structure Eligibility. All structures within the IWD and IR districts shall meet the following requirements to be eligible for the multi-family use:
 - D. The structure must be determined to be worthy of conservation by the Metro Historical Commission.
 - E. The structure must be a minimum of 50 years old at the time of application for the special exception.
 - F. The structure must be preserved with no additions, deletions, or alterations which would be inconsistent with the historic nature of the building or significantly alter the building's exterior appearance (i.e., blocking out windows with brick or other materials).

- xi. Residential Floor Area. No density or floor area ratio shall apply to those portions of a non-residential building converted to a residential use.
- xii. Building Orientation. A primary building entrance shall be oriented to the arterial street, to the extent feasible. On a corner lot, entrances shall be determined by the board of zoning appeals.
- xiii. Parking. Parking spaces shall be required for any residential, commercial and/or retail use in accordance with Chapter 17.20. In addition, no more than one and one-half spaces shall be required per a residential dwelling unit. Tandem residential parking may be no more than two cars in depth. If parking is provided in a new deck or structure, the ground floor of the parking facility abutting a public street shall contain commercial or retail uses for seventy-five percent of the street frontage. The commercial or retail area shall have a minimum depth of twenty feet, a minimum height of fourteen feet (floor to floor) for the first floor of the garage at street level, with each storefront having between fifty-five percent and eighty-five percent glazed window area along the garage wall facing the public street.
- xiv. Traffic Impact Study. No traffic impact study shall be required, except the board of zoning appeals may require a study for developments of one hundred dwelling units or greater.
- xv. Landscaping. Notwithstanding Section 17.24.050(A), any single addition that increases the total building area by twenty-five percent or more of an existing building, in whole or in part, shall provide landscaping as required by this title. Where the number of parking spaces is increased by twenty-five percent, either through a parking lot expansion or the construction of a new parking lot, interior parking lot landscaping shall be required.
- xvi. Viable Industrial Uses. The board of zoning appeals shall determine that the project will not displace viable industrial uses. The multi-family use shall not displace viable industrial uses.
- xvii. Hazardous Materials or Uses. No hazardous materials or uses shall be located within an unsafe distance of the proposed residential use, as evidenced by the testimony presented to the board of zoning appeals. Notices shall be sent to all property owners within three hundred feet no later than 30 days prior to the board of zoning appeals hearing date notifying them of the proposed residential use, the board of zoning appeals hearing date, and requesting information regarding hazardous materials or uses located within an unsafe distance of the proposed residential use. The zoning administrator shall make a recommendation to the board of zoning appeals as to the adequacy of the distance between the proposed residential use and any hazardous materials.
- xviii. Alternative Standards. Where a proposed residential development cannot comply with standards of this subsection, the board of zoning appeals may approve alternative standards. The board shall determine that the applicant has demonstrated that the relief being requested will not be injurious to surrounding properties, nor violates the adopted general plan. The board shall not act on any application requesting alternative standards without first considering recommendations from the planning commission and the historic zoning commission.

- 4. In the IG District.
 - b. Accessory to the Manufacturing, Artisan use.

- iv. A maximum of two units per lot shall be permitted as an accessory use to Manufacturing, Artisan use.

- v. Residential uses shall be supported by the Community Plan, as determined by the planning department.
- vi. No hazardous materials or uses shall be located within an unsafe distance of the proposed residential use, as evidenced by the testimony presented to the board of zoning appeals. Notices shall be sent to all property owners within three hundred feet no later than 30 days prior to the board of zoning appeals hearing date notifying them of the proposed residential use, the board of zoning appeals hearing date, and requesting information regarding hazardous materials or uses located within an unsafe distance of the proposed residential use. The zoning administrator shall make a recommendation to the board of zoning appeals as to the adequacy of the distance between the proposed residential use and any hazardous materials.

Section 5. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 6. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Approve. (9-0)

Resolution No. RS2023-02

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-019TX-001 is approved. (9-0)

19. 2023Z-001TX-001

BL2022-1581

Staff Reviewer: Dustin Shane

A request to amend Metropolitan Code Sections 17.12.040 and 17.28.103 to regulate the location of electric utility meters in residential areas and to amend the requirements for underground utilities for new residential developments.

Staff Recommendation: Defer to the February 23, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023Z-001TX-001 to the February 23, 2023, Planning Commission meeting. (9-0)

20a. 2022CP-008-002

NORTH NASHVILLE COMMUNITY PLAN AMENDMENT

Council District 21 (Brandon Taylor)

Staff Reviewer: Cory Clark

A request to amend the North Nashville Community Plan by changing from T3 Suburban Neighborhood Maintenance policy to T3 NC Suburban Neighborhood Center policy for property located at 1833 Ed Temple Boulevard, zoned R6 (3.32 acres), requested by Smith Gee Studio, applicant; William H. Otey Jr., ET UX, owners (see associated case 2022SP-076-001).

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend North Nashville Community Plan to change the community character policy.

Major Plan Amendment

A request to amend the North Nashville Community Plan to change the community character policy for property located at 1833 Ed Temple Drive from Suburban Neighborhood Maintenance (T3 NM) policy to Suburban Neighborhood Center (T3 NC) policy (approximately 3.32 acres).

NORTH NASHVILLE COMMUNITY PLAN

Current Policy

Suburban Neighborhood Maintenance (T3 NM) policy is intended to maintain the general character of developed suburban residential neighborhoods. These policy areas will experience some change over time, primarily when buildings are expanded or replaced. Efforts should be made to retain the existing character of the neighborhood, in terms of its development pattern, building form, land use, and the public realm. Enhancements may be needed to improve pedestrian, bicycle, and vehicular connectivity.

Requested Policy

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

BACKGROUND

The site is a vacant lot that was once home to the former Eldorado Motel. It opened in 1957 and was demolished in 2012. The motel was listed in the Negro Motorist Green Book, an annual directory of dining, entertainment, and lodging facilities for African Americans' road trips throughout the United States between the 1930's and 1960's. Upon its opening, the Eldorado Motel held the distinction as being Nashville's only lodging choice listed in this publication. Today, the site is bordered on the south by an active railway and petroleum storage facilities. Ted Rhodes Golf Course is west of the site with the Cumberland River being further west from the course. Directly across from the site, near the intersection of Ed Temple Drive and Buchanan Street, is Howard Congregational United Church of Christ. Lastly, Cumberland Gardens Neighborhood, a residential neighborhood consisting primarily of single-family structures, is located east of the site.

This plan amendment was requested in conjunction with Case 2022SP-076-001, a request to change the zoning for property located at 1833 Ed Temple Drive from Residential (R6) to Specific Plan (SP) to permit a mixed use development. The current land use policy and zoning applied to the plan amendment area does not allow for mixed use development. As such, the applicant has requested to amend the existing land use policy and change the current zoning to support their mixed use development.

COMMUNITY PARTICIPATION

On December 13, 2022, Metro Nashville Planning Department staff conducted an in-person community meeting to discuss the applicant's plan amendment and zoning requests. Notices were mailed to 240 property owners in a 1,300 foot buffer of the plan amendment site. Details of the community meeting were made readily available on Metro Nashville Planning Department's webpage. Approximately 16 people attended, including Councilmember Brandon Taylor, neighborhood residents, the applicant team, and Planning Department staff. The applicant team discussed their proposal to construct a mixed use development consisting of residential units and a motel to honor the history of the former Eldorado Motel. Meeting attendees then asked questions and shared concerns with key themes of:

- Percentage of minority participation during the construction phase;
- Displacement occurring because of the area's growth, including the proposed mixed-use development, and potential accompanying gentrification;
- Increase in property taxes and property values;
- Number of and rental prices of residential units; and
- Creation of additional traffic on Ed Temple Boulevard.

Prior to the December 13th community meeting the applicant team participated in a town hall event in November 2022, to discuss their proposal for a mixed use development. The meeting was hosted by Councilmember Taylor and was held at St. Luke CME Church.

ANALYSIS OF SUBURBAN NEIGHBORHOOD CENTER (T3 NC) 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 site as a Transition and Infill area. These areas may have moderately dense residential and small-scale offices that are appropriate along and around prominent corridors and centers to provide a harmonious connection to surrounding neighborhoods.

Transition and Infill areas provide transitions, in building types as well as scale and form, between higher intensity uses or major thoroughfares and lower density residential neighborhoods.

Amending to T3 NC is appropriate as it allows the site to be infilled with a small-scale mixed-use development along a prominent corridor, optimally situated to provide residents with a space to live, work, and play within the North Nashville neighborhood.

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 North Nashville Community Plan makes use of community character policies, designed to coordinate elements of development which ensure that the intended character for the community is achieved. To maintain the long-term

sustainability of North Nashville, neighborhoods need to offer an appropriate mix of adequate housing types at a range of densities and styles to accommodate the needs and desires of residents. Achieving this goal requires applying appropriate policies at key locations in the community. The former Eldorado Motel site has been a vacant lot since 2012 and the current policy, T3 NM, has not been implemented. Amending the site to T3 NC is appropriate because it permits the opportunity to introduce a new housing type aimed at helping relieve some of the housing shortage being experienced in North Nashville along with a small square footage of non-residential neighborhood uses.

Transportation and Connectivity

T3 NC areas feature moderate to high levels of connectivity with well-connected street networks, sidewalks, and mass transit leading to surrounding neighborhoods and open space. Pedestrian and bicycle connectivity to surrounding neighborhoods and existing or planned transit is high and is provided in the form of sidewalks, bikeways, and greenways.

The site is located at the intersection of Ed Temple Boulevard and Buchanan Street. Ed Temple Boulevard is classified as a mixed use arterial boulevard, and Buchanan Street is classified as a collector-avenue by the Major and Collector Street Plan. Ed Temple Boulevard connects to Clarksville Pike, a mixed use arterial boulevard, which provides access into communities including Bordeaux, Whites Creek, and MetroCenter. This prominent intersection also provides residents access to Buchanan Street to allow travel into other parts of North Nashville, further east into Germantown, and southeast into Downtown.

There is existing sidewalk spanning the entire front of the site along Ed Temple Boulevard and throughout the neighborhood near the site. This sidewalk network allows pedestrian access up to Clarksville Pike, Tennessee State University, and to the nearby Cumberland Gardens Neighborhood. Bicycle access is provided via an existing bikeway running in front of the site along Ed Temple Boulevard. This bikeway provides the opportunity to access destinations from the site such as the Metro Center/North Rhodes Park Neighborhood, and Tennessee State University. In addition, the applicant will establish a connection from the site, allowing access to the nearby Cumberland River Greenway.

WeGo Route 77 provides local public transit service for the site. One of its transit stops is located on the southeast corner of the site near the intersection of Ed Temple Boulevard and Buchanan Street. This route begins in North Nashville, travels across several community areas such as Green Hills-Midtown and South Nashville before ending in the Antioch community area near the Nashville International Airport. In addition, the WeGo Route 77 provides links to other public transit routes giving access to other parts of Nashville and Davidson County.

The adjacent Nashville and Western railway are designated for potential future rail passenger use. The train would run approximately 43 miles connecting Nashville, Ashland City, and Clarksville. If this concept comes to fruition, the proposed development will have another travel option.

Due to its location the site provides the opportunity for users to utilize several mobility options for accessing various destinations in North Nashville and beyond.

Relationship to Surrounding Policies

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

- Open Space (OS) policy is applied to property, the Ted Rhodes Golf Course, north and west of the site.
- Suburban Neighborhood Maintenance (T3 NM) policy along with a contextual overlay is applied to the Cumberland Gardens Neighborhood east of the site.
- Civic (CI) policy has been applied to property, east of the site, which houses a power substation.
- District Impact (D I), District Industrial (D IN), and District Major Institutional (D MI) policies are applied to several properties located south and southeast from the site.

Analysis Summary

Amending the Community Character Policy from Suburban Neighborhood Maintenance (T3 NM) to Suburban Neighborhood Center (T3 NC) is appropriate for the following reasons as it:

- Supports a mixed use development aligning with the intent of the NashvilleNext Concept Map's Transition and Infill category.
- Allows construction of a mixed use development providing a new housing type in the neighborhood.
- Offers a strategic location that delivers adequate connectivity and mobility options for accessing North Nashville and other areas of the city.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (9-0)

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022CP-008-002 is approved. (9-0)

20b. 2022SP-076-001

1833 ED TEMPLE BLVD SP

Council District 21 (Brandon Taylor)

Staff Reviewer: Amelia Lewis

A request to rezone from R6 to SP zoning for property located at 1833 Ed Temple Boulevard, at the northwest corner of Ed Temple Boulevard and Buchanan Street, (3.32 acres), to permit a mixed-use development, requested by Smith Gee Studio, applicant; William H. Otey Jr., ET UX, owners (see associated case 2022CP-008-002).

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

Preliminary SP to permit a mixed-use development

Zone Change

A request to rezone from One and Two-Family Residential (R6) to Specific Plan (SP) zoning for property located at 1833 Ed Temple Boulevard, at the northwest corner of Ed Temple Boulevard and Buchanan Street, (3.32 acres), to permit a mixed-use development.

Existing Zoning

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 20 lots with 5 duplex lots for a total of 25 units, based on acreage alone. 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 office and/or commercial uses.

NORTH NASHVILLE COMMUNITY PLAN

Existing Policy

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.

Proposed Policy

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

SITE CONTEXT AND PLAN DETAILS

The 3.32 acre site is located at the northwest intersection of Ed Temple Boulevard and Buchanan Street. The southern property line is adjacent to an existing rail line. The western property line of the site abuts the Ted Rhodes golf course. The surrounding properties to the north and east are zoned R6 and Single-Family Residential (RS5) and have been established with primarily single-family uses. The properties to the south and southeast are zoned Industrial Warehousing/Distribution (IWD) and Agricultural/Residential (AR2a). These properties include Exxon facilities and agricultural uses affiliated with Tennessee State University.

The proposed SP would permit a maximum of 142 units of multi-family or hotel/motel and a maximum of 2,000 square feet of non-residential uses. Permitted uses include multi-family, hotel/motel, and uses of MUN-A-NS. For the purposes of the SP, one hotel room is equivalent to one dwelling unit. The proposed plan includes three detached

structures. Building A is located along the northern property line and is limited to 3 stories in height. Building C is located along the eastern property line, oriented towards Ed Temple Boulevard. Building B is located along the western property line, overlooking the golf course. Buildings B and C are limited to 4 stories in height, with a 10' building setback on the fourth floor.

One vehicular entrance is located along Ed Temple Boulevard. Ed Temple Boulevard is classified as an Arterial-Boulevard in the Major and Collector Street Plan (MCSP). The MCSP requirements along Ed Temple Boulevard includes an 8 foot wide planting strip, 6 foot wide sidewalk, 6 foot wide bikeway, and 2 foot wide bike buffer. A minimum 12 foot wide multi-use path is proposed along the frontage of the site in lieu of the MCSP required sidewalk. The 8 foot wide planting strip is between the curb and multi-use path. The multi-use path will be in a conservation/greenways easement.

The Eldorado Motel was established on the site in 1957. The hotel was later demolished in 2012. Today, the Eldorado Motel sign still remains on the property. The proposed SP would relocate and preserve the existing sign. A condition of approval from Metro Historic was provided given the sign is preserved on the site and a Historic Landmark Sign Overlay is established prior to the approval of the final site plan.

ANALYSIS

The proposed policy on the site is Suburban Neighborhood Center (T3 NC). The intent of this policy is to enhance and create suburban neighborhood centers that are compatible with the general character of suburban neighborhoods as characterized by the service area, development pattern, building form, land use, and associated public realm. Appropriate land uses include mixed-uses, commercial, office, residential, and institutional.

The proposed development is primarily intended to provide either multi-family units or hotel/motel uses. There is a small non-residential component limited to 2,000 square feet to provide opportunities for a mix of uses on the site.

The site is uniquely situated at the intersection of Ed Temple Boulevard and Buchanan Street, bordered by a rail line to the south and Metro Parks property to the west. South of Buchanan Street the area has a large industrial presence or agricultural presence. Across Ed Temple Boulevard to the east is an existing religious institution and a large single-family neighborhood. Given the surrounding mix of uses, it's possible for the site to serve as a neighborhood center to provide opportunities for residential, hotel/motel, and small non-residential uses.

HISTORIC ZONING RECOMMENDATION

Approve with conditions

- Landmark Sign Overlay application submitted or approved prior to final site plan approval.

PARKS RECOMMENDATION

Approve with conditions

- Greenway trail (Multi-use path) shall be minimum 12 feet to 14 feet in width, unless otherwise approved by the Parks Department, and designed and constructed per Metro Parks and Metro ADA standards. Coordinate with Metro Parks Greenways staff.
- Create safe connection from intersection of Ed Temple Boulevard and Buchanan Street to greenway trail.
- Where greenway trail crosses drive entrance, applicant shall provide appropriate signage and traffic control measures to alert motorists and trail users to crossing.
- Plaza and pedestrian entrances to the greenway shall be minimized along greenway trail where possible. Coordinate with Metro Parks Greenways staff on location of connection points.
- Prior to final site plan approval, the conservation greenway easement and easement agreement over the greenway trail shall be approved by the Metro Parks Board and Metro Council and recorded with the Metro Clerk. Coordinate with Metro Parks Greenways staff.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

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

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, on final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Dimension ROW pavement widths for clarity. Note: A private hauler will be required for waste/recycle disposal.
- See Traffic and Parking comments.
- Coordinate w/ NDOT on multi-use tie-in back to existing pedestrian crossing at intersection.
- Remove railroad ROW encroachment of proposed plaza.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Ed Temple Blvd is a multi-modal corridor and this development is within the UZO, no parking is required.
- The full side-walk width and all other MCSP requirements are to be shown in the Public ROW.
- Coordinate with Parks on potential green-way connection/improvements.
- Coordinate with WeGo on any transit stop improvements for the inbound and outbound stops in the area.
- Re-stripe the Westbound approach of Buchanan St to its existing lane configuration at the Ed Temple Blvd intersection.
- Continue to coordinate with NDOT on safety improvements for the at grade rail crossing at Ed Temple Blvd and Buchanan St.
- The following conditions are from the TIS;
 - Ed Temple Blvd & Site Driveway: The TWLTL on Ed Temple Boulevard should be re-striped to designate a northbound left-turn lane with at least 50 feet of storage.
 - Ed Temple Boulevard and Buchanan Street:
 - Crosswalks should be installed across all approaches. The crosswalks across the eastbound and westbound approaches should be striped up to the area of influence of the rail crossing.
 - Install pedestrian signals on all approaches. Modify the signal to include pedestrian phases.
 - Reconstruct the northwest corner to include an ADA compliant pedestrian curb ramp suitable for the new crosswalk.
 - Install detectable warning mats on all corners.
 - Install advanced warning signs be installed on the northbound and southbound approaches to alert drivers to the bump caused by the railway.
 - The developer, NDOT, and CSX should coordinate to improve the rail crossing.

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)	3.32	7.260 D	25 U	290	23	27

*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)	1.66	-	142 U	772	49	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
Retail (820)	0.83	2.0 F	1,000 SF	38	1	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.83	2.0 F	1,000 SF	112	9	10

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+632	+36	+49

METRO SCHOOL BOARD REPORT

Projected student generation existing R6 districts: 3 Elementary 2 Middle 3 High

Projected student generation proposed SP district: 23 Elementary 21 Middle 20 High

The proposed zoning, if developed at the maximum with multi-family, is expected to generate 56 additional students than the existing R6 zoning district. Students would attend Churchwell Elementary School, John Early Middle School, and Pearl-Cohn 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

- Permitted uses shall be limited a maximum of 142 multi-family units or hotel/motel rooms and a maximum of 2,000 square feet of non-residential uses of the MUN-A-NS zoning district. Short term rental property, owner occupied and short term rental property, not owner occupied shall be prohibited.
- Tuck under parking in building A shall be fully screened from the right-of-way along Ed Temple Boulevard. The minimum glazing requirements are required along the eastern façade of building A.
- Preserve the existing hotel sign on the site and gain approval of a Historic Landmark Sign Overlay is prior to the approval of the final site plan.
- On the corrected copy, an A-2 landscape buffer shall be provided along the southern property line.
- On the corrected copy, permitted and prohibited uses shall be outlined consistent with the use condition above.
- On the corrected copy, the drawing on page 12 should be updated to remove transit plaza from railroad right of way. No encroachments into the railroad right of way is approved with this plan.
- On the correct copy, remove references to 5' knee wall along balconies.
- Comply with all conditions and requirements of Metro reviewing agencies.
- 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.
- 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-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
- 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.
- 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.
- 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. (9-0)

Resolution No. RS2023-04

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-076-001 is approved with conditions and disapproved without all conditions. (9-0)

CONDITIONS

1. Permitted uses shall be limited a maximum of 142 multi-family units or hotel/motel rooms and a maximum of 2,000 square feet of non-residential uses of the MUN-A-NS zoning district. Short term rental property, owner occupied and short term rental property, not owner occupied shall be prohibited.
2. Tuck under parking in building A shall be fully screened from the right-of-way along Ed Temple Boulevard. The minimum glazing requirements are required along the eastern façade of building A.
3. Preserve the existing hotel sign on the site and gain approval of a Historic Landmark Sign Overlay is prior to the approval of the final site plan.
4. On the corrected copy, an A-2 landscape buffer shall be provided along the southern property line.
5. On the corrected copy, permitted and prohibited uses shall be outlined consistent with the use condition above.
6. On the corrected copy, the drawing on page 12 should be updated to remove transit plaza from railroad right of way. No encroachments into the railroad right of way is approved with this plan.
7. On the correct copy, remove references to 5' knee wall along balconies.
8. Comply with all conditions and requirements of Metro reviewing agencies.
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. 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-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
11. 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.
12. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
13. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
14. 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.

**21a. 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 Conservation (CO) and District Industrial (D IN) policy to Center Mixed Use Neighborhood (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: Approve.

APPLICANT REQUEST

Amend South Nashville Community Plan to change the community character policy.

Minor Plan Amendment

A request to amend the South Nashville Community Plan by changing from Conservation (CO) and District Industrial (D IN) community character policy to Center Mixed Use Neighborhood (T5 MU) community character policy for properties located at 309, 401, and 407 Driftwood Street (approximately 9.39 acres).

SOUTH NASHVILLE COMMUNITY PLAN

Current Policy

Conservation (CO) policy is intended keep undisturbed environmentally sensitive land features in a natural state and remediate environmentally sensitive features that have been disturbed when new development or redevelopment takes place. 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 the study area, CO policy identifies the Cumberland River's floodplain.

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 arterials.

Requested Policy

Center Mixed Use Neighborhood (T5 MU) policy is intended to maintain, enhance, or create high-intensity urban mixed use neighborhoods that are characterized by a development pattern that contains a diverse mix of residential and non-residential land uses, and that are envisioned to remain or develop in a mixed use pattern. T5 MU areas are intended to be among the most intense areas in Davidson County.

It is important to note that in the T5 Center and T6 Downtown Transects, the built environment is expected to be intense, and these areas are fully developed. However, any construction must follow applicable regulations, including those for stormwater.

BACKGROUND

This plan amendment was requested in conjunction with Case 2022SP-083-001, a request to change the zoning for property located at 309, 401, and 407 Driftwood Street from Office General (OG) to Specific Plan (SP). The applicant is pursuing a Regulatory SP to allow a mixed use development consisting of commercial and residential uses. The existing policy applied to the plan amendment area (site) does not support mixed use development. As such, the applicant has requested to amend the existing policy to Center Mixed Use Neighborhood (T5 MU) to support the proposed mixed use development. The site is adjacent to the overpass for Interstate 24 across from downtown. The Cumberland River is located north of the site. Driftwood Street Detention Basin Station and the WeGo Bus Depot/Center are located east of the site.

This plan amendment is part of a larger framework plan that is being provided by the property owner upon request by the Metro Nashville Planning Department. The overall area for the framework plan is approximately 300 acres and stretches east from Driftwood Street to Omohundro Place and from the Cumberland River moving south and ending at Hermitage Avenue/Lebanon Pike. The framework plan seeks to better understand needs within the area such as multimodal access, flood mitigation and the ability for future development. This framework plan is projected for completion in June of 2023.

COMMUNITY PARTICIPATION

As part of the application process Planning determined that the plan amendment is minor and does not require a community meeting. In this instance, the applicant was hosting a community meeting. On November 9, 2022, the applicant team conducted an in-person community meeting to discuss the applicant's community plan amendment request. Approximately 10 people attended, including Councilmember Freddie O'Connell, the applicant team, neighbors, City Side neighborhood residents, Driftwood Street area property owners, and Planning staff. The applicant team presented their proposal for constructing a mixed use development spanning several properties on Driftwood Street. Attendees then asked questions and shared concerns with key themes of:

- Need for upgrading the existing roadway infrastructure in anticipation of the increase in traffic.
- Questioning the ability for the mixed use development to provide affordable housing.

ANALYSIS OF CENTER MIXED USE NEIGHBORHOOD (T5 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 shows the plan amendment area designated as Green Network due to the Cumberland River's floodplain. The site is in a 100-year floodplain. The applicant is aware that the site must be developed in accordance with Metro Water Services Stormwater Management requirements and will continue their efforts to address all concerns arising from the proposed development's location within the 100-year floodplain.

Key Finding:

- The site's location is adjacent to downtown, and the applicant must follow Metro's stormwater mitigation measures for any development in this area.

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 an 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.

T5 Centers are gathering places for residents and visitors. Residents and visitors meet at centers to engage in commerce, civic, and recreational activities on a grander scale than can be found in their individual neighborhoods or communities. Places identified as "centers" vary in scale and function. Centers may be small enough that they serve a single neighborhood; in that case, the center is part of a complete neighborhood that may exist in T3 Suburban and T4 Urban transect areas. T5 Center applies to generally larger areas that are more intensely developed with a regional service area. T5 Centers are envisioned to evolve over time into complete communities that feature a mixture of housing convenient to commercial, employment, and recreational land uses. Complete communities provide multiple modes of transportation with sidewalk and bikeways or multiuse paths and facilities for mass transit. Streets are framed by buildings with shallow front setbacks or built to the back edge of the sidewalk, creating a pedestrian space for residents and visitors to enjoy retail space or outdoor dining.

T5 MU areas are intended to be among the most intense areas in Davidson County with a diverse mix of residential and nonresidential uses. T5 MU areas are generally centrally located and serve as regional hubs with a variety of facilities. The area's regional role, along with the diversity of building types and uses, results in a mixture of building heights, including high-rise buildings. The site is in an urban setting just a short distance east of downtown. Current policies, Conservation (CO) and District Industrial (D IN), applied to the site present a challenge for developing the site into an urban mixed use neighborhood. Amending the policy to T5 MU prepares the site to align with the continued development and growth of Nashville, especially in a setting adjacent to downtown and its amenities.

Key Findings:

- Amending the policy to T5 MU is appropriate due to this area's location adjacent to downtown.
- T5 MU provides opportunities for an intense mixed use center that features a mixture of housing and transportation options convenient to commercial, employment, and recreational land uses.

Transportation and Connectivity

Major transportation corridors within T5 MU policy areas are intended to move vehicular traffic efficiently. Pedestrian and bicycle connectivity is high and is provided by sidewalks and bikeways. Roadway design for corridors also contributes to a welcoming pedestrian space. Corridors accommodate on-street parking, street trees, and active street-level uses. As a result, residents and visitors move about freely on foot, bicycle, automobile, or mass transit. In addition, a more compact block structure and a highly connected street pattern makes multiple transportation modes attractive and efficient.

The site runs along Driftwood Street, a local street primarily used for heavy freight traffic currently. Hermitage Avenue, which is classified as a mixed use arterial boulevard by the Major and Collector Street Plan, connects to Driftwood Street. Hermitage Avenue provides access to downtown and neighborhoods further east of the site, including Donelson, as it transitions to Lebanon Pike. There is no existing sidewalk pavement along any portion of the site fronting Driftwood Street. However, sidewalks exist along both sides of Hermitage Avenue, within proximity of the site.

WeGo Route 6 provides local public transit service to downtown and east along Lebanon Pike, stopping at various points, and ending at the Hermitage Station for the Music City Star commuter train. The transit stop for this route is located at the intersection of Driftwood Street and Hermitage Avenue and is an approximate three-minute walk from the site. To address connectivity and mobility issues the applicant has committed to several transportation network improvements, including extending Anthes Drive from downtown to connect with Driftwood Street and extending the Rolling Mill Greenway along the Cumberland River through the site.

Key Findings:

- Development of the site will create and enhance access, as including connectivity, and provide mobility options for pedestrians and cyclists to traverse the area in the most efficient and safest manner possible.
- A new street connection with Anthes Drive downtown will be provided.
- Development will extend the Rolling Mill Greenway along the Cumberland River through the site.

Relationship to Surrounding Policies

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

- Conservation (CO) policy is applied to many properties east of the site, recognizing the Cumberland River's floodplain.
- District Industrial (D IN) policy is applied to this area for portions of properties outside of floodplain.
- Center Mixed Use Neighborhood (T5 MU) policy is applied to riverfront properties on the east side of the Cumberland River across from the site.
- Urban Mixed Use Neighborhood (T4 MU) policy is applied to properties south of the site.
- Downtown Neighborhood (T6 DN) policy is applied to properties west of the site.

Key Finding(s):

- Changing the policy to T5 MU for this area aligns with surrounding policies.

Analysis Summary

Amending the Community Character Policy from Conservation (CO) and District Industrial (D IN) to Center Mixed Use Neighborhood (T5 MU) is appropriate for the following reasons:

- Amending to T5 MU policy is appropriate as it allows the site to be a catalyst for development along the Cumberland River while respecting the natural environment through the implementation of robust floodplain mitigation measures.
- The site is adjacent to downtown and along the Cumberland River.
- T5 MU provides opportunities for an intense mixed use center that features a mixture of housing and transportation options convenient to commercial, employment, and recreational land uses.
- The site is appropriate for T5 MU policy due to its ideal location to create and enhance access, connectivity, and mobility choices to downtown, South Nashville, and Donelson as well as points further east along Lebanon Pike.
- A new street connection with Anthes Drive downtown will be provided.
- Development will extend the Rolling Mill Greenway along the Cumberland River through the site.
- Amending the site to T5 MU is appropriate as it aligns with surrounding policies.

STAFF RECOMMENDATION

Staff recommends approval.

Approve with conditions and disapprove without all conditions. (9-0)

Resolution No. RS2023-04

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-076-001 is approved with conditions and disapproved without all conditions. (9-0)

21b. 2022SP-083-001

DRIFTWOOD

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: 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

Rezone from OG to SP to permit a mixed-use development.

Preliminary SP

A request to rezone from Office General (OG) to Specific Plan (SP) on 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.

Existing Zoning

Office General (OG) is intended for moderately high intensity office uses.

Proposed Zoning

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

SOUTH NASHVILLE COMMUNITY PLAN

Existing Policy

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

business parks containing compatible industrial and non-industrial uses. Uses that support the main activity and contribute to the vitality of the D IN are also found.

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

Proposed Policy

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

SITE CONTEXT AND PLAN DETAILS

The site consists of three properties totaling 9.39 acres, located along the west side of Driftwood Street. The site is bounded by a rail spur on the south, Interstate 24 flyover on the west, and the Cumberland River on the north. Wharf Park, a 25-acre riverfront park, is planned on the west side of the Interstate 24 flyover. The site has access from Driftwood Street, a local north-south street that terminates at Hermitage Avenue on the south. The existing right-of-way on Driftwood Street varies. The paved section is narrow, particularly at two railroad underpasses where the pavement width is approximately 22 feet.

The property is currently zoned OG. Adjacent parcels are zoned IR on the east and south and DTC on the west. Adjacent land uses include Metro's bus facility on the east and State-owned right-of-way on the south and west. The subject property lies on the western edge of a mostly industrial area; logistics and transportation-related uses are prominent in the area.

The application proposes rezoning the subject property to SP to permit a mixed-use development. As the SP is regulatory in nature, the exact uses have not been determined at this time. However, the application includes multi-family residential, retail, restaurant, and hotel uses among those that would be permitted. The application commits to providing a minimum of three uses permitted under MUG-A-NS zoning with a maximum of 1,636 residential units and 500,000 square feet of all other uses permitted under MUG-A-NS.

The plan includes an extension of Anthes Drive, which would provide a connection from the proposed development and Driftwood Street to the future Wharf Park. The proposed Anthes Drive extension would be a local street with a 50-foot right-of-way. Access to WeGo routes 6, 75, 84, and 86 is currently available along Hermitage Avenue with the nearest stop being approximately 500 feet from the subject property. The property is approximately one mile east of the WeGo Star's Riverfront Station.

Proposed maximum building height is 18 stories (188 feet). Along the Driftwood Street frontage, seven stories would be permitted before a 100-foot stepback. Along the proposed Anthes Drive extension and the greenway, seven stories would be permitted before a 35-foot stepback. At least 25 percent of the greenway frontage would have active uses. The exhibits below demonstrate how the proposed building heights would address street frontages and the proposed greenway.

Other proposed bulk regulations include: a build-to zone of zero to ten feet along public street frontages; side and rear setbacks of ten feet; a maximum floor area ratio (FAR) of 4.0; and a maximum impervious surface ratio (ISR) of 0.80.

ANALYSIS

The T5 MU policy is characterized in part by vertical mixed-use development, buildings built to the back edge of the sidewalk with minimal spacing between buildings, and high levels of connectivity. A wide range of uses—including residential and commercial—are appropriate within the T5 MU policy area. The T5 MU policy emphasizes higher intensity development with high lot coverage. Building heights in the T5 MU policy area may range from two to 20 stories or greater.

The proposed SP zoning is consistent with the T5 MU policy proposed in the accompanying Community Plan amendment (2022CP-011-001). The subject property is located in a transitional area with industrial and transportation-related uses; the proposed maximum building height should cause minimal disruption to development patterns in the area. The other proposed standards including setbacks/build-to zones, FAR, ISR, access, and uses are also consistent with the T5 MU policy. The proposed greenway and greenway buffer zones along the Cumberland River frontage align with Conservation policies. Because the proposed SP is consistent with stated policy goals, staff recommends approval.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

PARKS RECOMMENDATION

Approve with conditions

- Applicant to design and build the greenway as part of their project, per Metro standards, to connect to the greenway in Wharf Park and future greenway extension to the south of this development. Consult and coordinate with Metro Parks Greenways and Open Space staff on design requirements and approval, including but not limited to landscaping, lighting and paving materials.
- When designing the greenway, take into consideration the topographical conditions on the adjacent property to the south to prevent slope or other conditions that would prevent the continuation of the greenway trail south towards Browns Creek.
- Design and construction of greenway trail must meet Metro ADA standards and approval of Metro General Services ADA office.
- Dedicate a Conservation Greenway Easement covering the floodway plus 75' and any additional area needed to connect to the Wharf Park Greenway. Consult and coordinate with Metro Parks Greenways and Open Space staff for easement dedication requirements. Easement must be recorded prior to issuance of use and occupancy permit.
- Applicant to provide maintenance of greenway trail and associated landscaping and lighting, to be documented in a participation agreement that runs with the land and is recorded with the easement.

STORMWATER RECOMMENDATION

Approve with conditions

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

METRO 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

- At final: Include proposed public roadway construction drawings(profiles, grades, curvature, drainage inlets). All roadway construction drawings shall comply with NDOT Subdivision Street Design Standards. Callout roadway sections, (access and ADA)ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Show 'Now Entering Private Drive' signage where applicable off public roads. Provide internal stop control at intersections. Provide stopping sight distance exhibits at any relevant intersections and accesses. Dimension ROW pavement widths for clarity. Note: A private hauler will be required for waste/recycle disposal. Comply w/ NDOT traffic comments and conditions.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- The site-specific traffic study must be scoped, completed, and finalized with NDOT prior to Final SP approval.
- Coordinate with WeGo and NDOT on the multimodal needs in this area prior to traffic study finalization and include those recommendations in the traffic study. Site access and mobility is subject to change with traffic study findings.
- Additional off-site improvements and recommendations are anticipated with the traffic study finalization. These will need to be noted on the Final SP site plan submittal.
- Preliminary traffic analysis identified the following improvements that will need to be implemented: a) Installation of a traffic signal at Driftwood Street & Hermitage Avenue with pedestrian infrastructure. b) Widen Driftwood Street to have a three lane section at the intersection with Hermitage Avenue prior to any occupancy. c) Improve WeGo infrastructure at Driftwood St & Hermitage Ave. d) The Driftwood Street railroad underpass requires improvements and widening to the roadway. Specific details of the infrastructure needs will be determined with the full traffic study analysis. e) Provide adequate public ROW for the Anthes Drive extension through the site to Driftwood Street. f) Improve Driftwood Street to meet NDOT standards. g) Design and construction of a public greenway within the floodway buffer along the property frontage with the Cumberland River will be completed with this development for future connection to the existing greenway.
- A permit from the R.J. Corman Railroad Corporation for any and all related improvements to their structure(s), will be required to be submitted to NDOT prior to approval of the Final SP. Final construction plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. Following approval of final plans by NDOT, a recorded copy of any necessary ROW dedications will need to be submitted to NDOT for building permit approval.

- Documentation identifying the Anthes Drive extension plans (which portions of the road will be built out by whom, when those portions are planned to be built out, and the design & location of the road) must be included with the Final SP submittal. This documentation must be signed/recognized by both involved parties (Driftwood developer and Metro Parks). Additional conversations with NDOT and Planning may need to be had based on this plan. The portion of the design to be constructed by the Driftwood property must be finalized with NDOT and Planning.
- Coordinate with NDOT on the Framework & Master Plan scope prior to the submittal of the Final SP.
- Parking shall be to code.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	9.39	1.5 F	613,543 SF	6,165	603	638

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)	-	4.0 F	1,636 U	-	-	-

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)	-	4.0 F	40,903 SF	1,544	39	156

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)	-	4.0 F	40,903 SF	4,588	407	400

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	-	4.0 F	409 R	4,191	200	281

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+13,072	+573	+847

METRO SCHOOL BOARD REPORT

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

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions if the associated plan amendment is approved. Staff recommends disapproval if the associated plan amendment is not approved.

CONDITIONS

1. Permitted uses include all uses permitted in the MUG-A-NS zoning district. A minimum of three uses permitted under MUG-A-NS zoning shall be provided with a maximum of 1,636 residential units and 500,000 square feet of all other uses permitted under MUG-A-NS.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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 final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
10. Prior to issuance of the 1st use and occupancy, applicant shall extend Anthes Drive as a 50-foot public right-of-way from the site to Wharf Park as depicted on the preliminary SP.
11. Rail crossing/underpass shall be improved to safely and adequately accommodate local traffic. Applicant shall work with affected agencies/parties including NDOT, railroad companies, and others to design a crossing that is safe, efficient, and acceptable to all parties. Exact timing of improvements shall be coordinated with affected agencies/parties; it is expected that improvements will be completed prior to issuance of building permit.

Approve with conditions and disapprove without all conditions. (9-0)

Resolution No. RS2023-05

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-083-001 is approved with conditions and disapproved without all conditions. (9-0)

CONDITIONS

1. Permitted uses include all uses permitted in the MUG-A-NS zoning district. A minimum of three uses permitted under MUG-A-NS zoning shall be provided with a maximum of 1,636 residential units and 500,000 square feet of all other uses permitted under MUG-A-NS.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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 final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted,

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

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

10. Prior to issuance of the 1st use and occupancy, applicant shall extend Anthes Drive as a 50-foot public right-of-way from the site to Wharf Park as depicted on the preliminary SP.

11. Rail crossing/underpass shall be improved to safely and adequately accommodate local traffic. Applicant shall work with affected agencies/parties including NDOT, railroad companies, and others to design a crossing that is safe, efficient, and acceptable to all parties. Exact timing of improvements shall be coordinated with affected agencies/parties; it is expected that improvements will be completed prior to issuance of building permit.

22a. 2022CP-011-003

SOUTH NASHVILLE COMMUNITY PLAN AMENDMENT

Council District 16 (Ginny Welsch)

Staff Reviewer: Andrea Barbour

A request to amend the South Nashville Community Plan to change the policy from Urban Neighborhood Evolving (T4 NE) policy to Transition (TR) policy for properties located at 2200 and 2204 Austin Avenue, 341 Oriel Avenue, southeast of the corner of Austin Avenue and Oriel Avenue, zoned RS5 and OR20 (0.33 acres), Gilly Huts, LLC, applicant and owner. (See associated case #2022Z-145PR-001)

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend Community Plan to change Community Character Policy.

Minor Plan Amendment

A request to amend the South Nashville Community Plan, by changing land use policy for property located at 2200 and 2204 Austin Avenue, and 341 Oriel Avenue (0.18 acres). The request would change the land use policy from Urban Neighborhood Evolving (T4 NE) to Transition (TR) policy.

SOUTH NASHVILLE COMMUNITY PLAN

Current Policy

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

Requested Policy

Transition (TR) policy is intended to enhance and create areas whose primary purposes are to serve as transitions between higher intensity uses or major thoroughfares and lower density residential neighborhoods. These transition areas can minimize land use conflicts while providing opportunities for small-scale offices and a mixture of mainly moderate- to high-density housing types. Housing in TR areas can include a mix of building types.

BACKGROUND

The properties at 2200 and 2204 Austin Avenue, and 341 Oriel Austin Avenue, located south of I-440 and east of Nolensville Pike (the Quonset Hut Village) have served as a live and workspace for creatives. The plan amendment was requested in conjunction with zone change request 2022Z-145PR-001 to change the zoning from RS5 to OR20 zoning located at 2206 Austin Avenue and a portion of property located at 341 and 341 C Oriel Avenue, at the southeast corner of Oriel Avenue and Austin Avenue (0.18 acres).

COMMUNITY PARTICIPATION

On December 1, 2022, Community Plans staff conducted a virtual community meeting to discuss the applicants plan amendment and rezoning proposals. Notices were mailed to 194 property owners in a 600 square feet buffer of the plan amendment site. Details of the community meeting were made readily available on the Planning Department's webpage. To date approximately 17 have viewed the public meeting on YouTube. Staff outlined the request to change policy. The applicant team presented their plan for the property. Following the presentation, attendees were given the opportunity to ask questions and share comments. Several questions were asked of the applicant and staff by attendees. Questions and comments mainly focused on:

- Affordable housing
- Zoning

The community meeting lasted an hour. Since the community meeting was held, there has been one letter of support and two letters of opposition submitted to the Planning Department and shared with the Commission.

ANALYSIS OF T4 NC AND T4 NE URBAN POLICIES

In this analysis, the subject property, currently Urban Neighborhood Evolving (T4 NE), was examined to apply Transition (TR) policy. The proposed policy amendment area, currently T4 NE policy, is a suitable location for TR policy 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 "Transition". Transition and Infill areas primarily include moderately dense residential and small-scale offices that appropriate along and around prominent corridors and centers to provide a harmonious connection to surrounding neighborhoods. They provide housing and offices in proximity to transit and commercial services, increasing the likelihood that residents can walk or bike to meet some of their daily needs. These areas also provide a diversity of housing types.

The area is bordered by I-440 to the north and Nolensville Pike to the east which denotes a transition from these major thoroughfares into neighborhoods. The request would provide continued Transition between major corridors and a traditional existing neighborhood. In the South Nashville community, Transition and Infill areas include areas around existing center and along corridors, such as Nolensville Pike, Murfreesboro Pike, and 100 Oaks.

Key Finding

- The policy amendment area is identified on the Concept Map as Transition and Infill, is a suitable location to allow for Transition policy as it is in alignment with the South Nashville Community Plan.

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 South Nashville Community Plan makes use of Community Character Policy elements to ensure those areas continue to grow. The South Nashville community is centrally located, extending from the southern edge of downtown southward about five miles to the Nashville Zoo at Grassmere; from I-65 eastward to the Donelson/Airport/ Antioch areas. Viewed as a whole, the South Nashville community is a mixed-use area that is predominantly developed, has little vacant land, and has a diversity of land uses. Older residential neighborhoods near downtown are separated from other residential areas to the southeast by I-440 and a band of commercial and industrial uses extending diagonally southwest from the Cumberland River to I-65. The Nolensville Pike and Murfreesboro Pike corridors are flanked by classic, older urban residential neighborhoods, while the pikes themselves are primarily developed with commercial strip development.

South Nashville's concentration of office, commercial, and industrial uses creates a situation called "jobs/housing balance," where there is significant employment in close proximity to residences. This is fairly unique in Nashville/Davidson County, where residential neighborhoods are often separated from employment. The South Nashville community plan prioritized strategically locating new residential development; preserving and expanding affordable housing option; enhancing commercial centers and corridors to provide more desired retail and services; preserving established residential areas; protecting floodway/ floodplain areas; and adding more connectivity, primarily through bikeways, greenways and multi-use paths.

Key Findings

- TR policy supports the neighborhoods need to provide small-scale office and various residential housing types.
- TR policy is applicable when one property wants to use an existing house as an office.

Transportation and Connectivity

Per the Community Character Manual, a Transition area is generally small in geographic size and serve a limited function of providing transitions in scale, intensity, and use at locations between high-intensity and low-intensity policy categories or development. The predominant uses in TR areas are small scale offices and a mixture of residential housing types. General characteristics of TR policy include: high levels of connectivity with complete street networks, sidewalks, bikeways, and mass transit. The edges of TR areas are firm with clearly distinguishable boundaries identified by block structure, alley or street locations, lot pattern, building placement, and uses.

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. Nolensville Pike is classified as an arterial-boulevard to the east and Foster Avenue to the west. Both arterial-boulevards provide access in and out of the neighborhood.

With regards to connectivity vehicular access is preferably obtained from rear alleys or service lanes this includes alleys. Pedestrian and bicycle connectivity to surrounding neighborhoods is desired. Pedestrian and bicycle connectivity is provided by sidewalks or multi-use paths and bikeways. All buildings are accessible by sidewalks. Pedestrian and bicycle connectivity includes connectivity to existing or planned transit. Vehicular connectivity to surrounding neighborhoods and corridors is moderate.

Access to public transit is provided by WeGo Route 52 with one bus shelter (inbound) at the intersection of Melrose Avenue and Nolensville Pike and another outbound across the street. The current block pattern includes a sidewalk where the bus stops are located along Nolensville Pike. There are also crosswalks at the intersection of Melrose Avenue and Nolensville Pike.

Key Findings

- Streets, including Nolensville Pike (arterial-boulevard), along with local streets in the neighborhood area, provide connectivity.
- Public transit and sidewalks near the site make it accessible.

Relationship to Surrounding Policies

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

- Urban Neighborhood Maintenance (T4 NM) policy is located to the north and east of the site.
- Conservation (CO) policy is applied around the northern, western and the southwestern portion surrounding the policy amendment site.
- Urban Mixed-Use Corridor (T4 CM) is located adjacent to the west and south of the proposed policy amendment site.
- Urban Mixed-Use Neighborhood (T4 MU) is located to the west of Nolensville Pike.

Key Finding

- Changing the policy to TR fits within the larger area’s context and acts as a buffer between the T4 NM policy of the surrounding neighborhood.

Analysis Summary

Amending the Community Character Policy from T4 NE to TR is appropriate for the following reasons:

- The policy amendment area is identified on the Concept Map as Transition and Infill, is a suitable location to allow for Transition policy as it is in alignment with the South Nashville Community Plan.
- TR policy supports the neighborhoods need to provide small-scale office and various residential housing types.
- TR policy is applicable when one property wants to use an existing house as an office.
- Streets, including Nolensville Pike (arterial-boulevard), along with local streets in the neighborhood area, provide connectivity.
- Public transit and sidewalks near the site make it accessible.
- Changing the policy to TR fits within the larger area’s context and acts as a buffer between the T4 NM policy of the surrounding neighborhood.

STAFF RECOMMENDATION

Staff recommends approval of the policy change from Urban Neighborhood Evolving (T4 NE) policy to Transition (TR) policy.

Approve. (9-0)

Resolution No. RS2023-06

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022CP-011-003 is approved with conditions. (9-0)

22b. 2022Z-145PR-001

Council District 16 (Ginny Welsch)

Staff Reviewer: Eric Matravets

A request to rezone from RS5 to OR20 zoning for property located at 2206 Austin Avenue and a portion of property located at 341 and 341 C Oriel Avenue, at the southeast corner of Oriel Avenue and Austin Avenue (0.18 acres), requested by Gilly Huts, LLC, applicant; Gilly Huts, LLC, and O.I.C. Gilly Huts, owners. (See associated case #2022CP-011-003)

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

APPLICANT REQUEST

Zone change from RS5 to OR20.

Zone Change

A request to rezone from Single-Family Residential (RS5) to Office/Residential (OR20) zoning for property located at 2206 Austin Avenue and a portion of property located at 341 and 341 C Oriel Avenue, at the southeast corner of Oriel Avenue and Austin Avenue (0.18 acres).

Existing Zoning

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

Proposed Zoning

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 3 units.*

SOUTH NASHVILLE COMMUNITY PLAN

Existing Policy

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.

Proposed Policy

Transition (TR) is intended to enhance and create areas that can serve as transitions between higher-intensity uses or major thoroughfares and lower density residential neighborhoods while providing opportunities for small scale offices and/or residential development. Housing in TR areas can include a mix of types and is especially appropriate for “missing middle” housing types with small- to medium-sized footprints.

SITE AND CONTEXT

The 0.18 acre site is located on the east side of Austin Avenue approximately 180 feet north of Valeria Street. The site is developed and includes one building used as a single-family house at 2206 Austin Avenue, and two buildings used as single-family houses at 341 and 341 C Oriel Avenue, respectively. The property abutting the western property line is zoned CS and is occupied by a warehouse. The properties along the southern property boundary is zoned RS5 and are occupied by single-family houses. The property abutting the eastern property line is zoned RS5 and is occupied by a two-family house. The property to the north is zoned OR20.

ANALYSIS

Staff finds the proposed OR20 zoning district to be consistent with the TR policy being proposed with the associated Community Plan Amendment application 2022CP-011-003. Predominant uses in TR areas are small-scale offices and moderate to high-density residential in various building types. OR20 is an appropriate zone tool to this policy.

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)	0.18	8.712 D	1 U	15	5	1

Maximum Uses in Proposed 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 3-10 (221)	0.09	20 D	2 U	9	1	1

Maximum Uses in Proposed 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)	0.09	0.8 F	3,136 SF	37	29	5

Traffic changes between maximum: **RS5 and OR20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+31	+25	+5

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 district: 0 Elementary 0 Middle 0 High
 Projected student generation proposed OR20 district: 1 Elementary 1 Middle 0 High

The mix of uses could vary and assumption of impact at this point is premature. Students would attend John B. Whitsitt Elementary School, Cameron College Preparatory, and Glenclyff 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 with conditions and disapprove without all conditions. (9-0)

Resolution No. RS2023-06

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-145PR-001 is approved with conditions and disapproved without conditions. (9-0)

- 23. 2017SP-075-005**
CREATIVE WAY VILLAGES SP (AMEND)
 Council District 08 (Nancy VanReece)
 Staff Reviewer: Dustin Shane

A request to amend a portion of a Specific Plan for property located at 555 Creative Way, approximately 310 feet west of Briarville Road, zoned Specific Plan (SP) (4.71 acres), to increase the allowed square footage of non-residential uses within the mixed-use development and to increase the permitted height, requested by TTL USA, applicant; Samaroo Development Group, LLC, owner.

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

APPLICANT REQUEST

Amend a portion of an existing SP.

Amended SP

A request to amend a portion of a Specific Plan for property located at 555 Creative Way, approximately 310 feet west of Briarville Road, zoned Specific Plan (SP) (4.71 acres), to increase the allowed square footage of non-residential uses within the mixed-use development and to increase the permitted height.

Existing Zoning

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

MADISON COMMUNITY PLAN

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

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

PLAN DETAILS

The site is located along the south side of Cheron Road, west of Briarville Road. The site is approximately 4.71 acres in size and is partially developed. The proposed SP amendment will increase the allowed square footage of non-residential uses within the mixed-use development from 7,400 square feet to 19,800 square feet, increase the permitted height of Building M to 2 stories in 40 feet, and clarify that the originally approved 81 multi-family residential units consist of 73 multi-family residential units and 8 hotel rooms, which was unclear on the original plans (the uses appeared to be conflated, with the bill not mentioning the hotel use).

Site Plan

No change in the approved site plan or elevations is requested: the original building footprints with their allowed heights would have resulted in 19,800 square feet of non-residential uses, but through an oversight the council bill as originally approved and then amended in 2021 limited nonresidential uses to 7,400 square feet. The amendment proposes to rectify this by increasing the allowed non-residential square footage in the council bill approval to 19,800 square feet.

The originally approved bill also permitted 81 multi-family residential uses without mention of hotel uses, but the plans showed 8 hotel rooms with the assumption that these were to be counted as multi-family units. The amendment separates these uses out into 73 multi-family residential units and 8 boutique hotel rooms. Finally, the amendment increases the allowed height of Building M to 2 stories in 40 feet to account for changes in grade that might unnecessarily limit the building's intended height.

All previous conditions of approval remain in place.

ANALYSIS

The amendment to the SP increases the existing entitlements but in a way that was intended from the project's conception but was not captured correctly due to an oversight. The corrected totals are consistent with the T4 Urban Neighborhood Center (T4 NC) policy on the site. No further disturbance to the Conservation (CO) policy areas is proposed.

Staff recommends approval with conditions and disapproval without all conditions.

FIRE MARSHAL RECOMMENDATION

Approve

- 2017SP-075-005 is basically clerical amendment to an existing SP. They're increasing the commercial square footage in line with what was originally shown on the plan (but was miscalculated in the bill language) and allowing more flexibility for height on one of the buildings because of grade (but it's still limited to 2 stories).

STORMWATER RECOMMENDATION

Approve with conditions

- See SWGR 2018072364.

WATER SERVICES RECOMMENDATION

Approve

- No Objection to the Amendment.
- 2017SP-075-005 is basically clerical amendment to an existing SP. They're increasing the commercial square footage in line with what was originally shown on the plan (but was miscalculated in the bill language) and allowing more flexibility for height on one of the buildings because of grade (but it's still limited to 2 stories).

NASHVILLE DOT ROADS RECOMMENDATION

Approve with conditions

- Comply w/ any previous approval conditions.

NASHVILLE DOT TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Ensure all metro codes are being met.

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)	-	-	73 U	396	26	33

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	-	-	8 R	-337	-2	-20

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)	-	-	7,400 SF	279	7	29

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)	-	-	73 U	396	26	33

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	-	-	8 R	-337	-2	-20

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)	-	-	19,800 SF	747	19	75

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
-	-	-	-	+468	+12	+46

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted land uses shall be limited to 73 multi-family residential units and maximum of 19,800 square feet of office, restaurant, or retail use, and 8 hotel rooms within the entire SP. Short term rental properties, owner occupied and short term rental properties, not owner occupied, shall be prohibited in the entirety of the SP.
2. All conditions from BL2021-770 and BL2017-925 apply.
3. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
4. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Approve with conditions and disapprove without all conditions. (9-0)

Resolution No. RS2023-07

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017SP-075-005 is approved with conditions and disapproved without conditions. (9-0)

1. Permitted land uses shall be limited to 73 multi-family residential units and maximum of 19,800 square feet of office, restaurant, or retail use, and 8 hotel rooms within the entire SP. Short term rental properties, owner occupied and short term rental properties, not owner occupied, shall be prohibited in the entirety of the SP.
2. All conditions from BL2021-770 and BL2017-925 apply.
3. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
4. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

24. 2018SP-010-002

TAILGATE BREWERY

Council District 22 (Gloria Hausser)

Staff Reviewer: Eric Matravers

A request to amend a Specific Plan on property located at 7300 Charlotte Pike, at the southwest corner of Charlotte Pike and Old Charlotte Pike, zoned SP (7.35 acres), to permit all uses of CL, brewery, agricultural activity and distillery uses, requested by Elmington Capital Group, applicant; Tailgate RE, LLC, owner.

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

APPLICANT REQUEST

A request to amend a Specific Plan on property located at 7300 Charlotte Pike, at the southwest corner of Charlotte Pike and Old Charlotte Pike, zoned Specific Plan (SP) (7.35 acres), to permit all uses of Commercial Limited, brewery, agricultural activity and distillery uses.

Existing Zoning

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

BELLEVUE COMMUNITY PLAN

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

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

SITE CONTEXT AND PLAN DETAILS

The site is approximately 7.35 acres and is located at the north-west quadrant of the intersection of Charlotte Pike and Old Charlotte Pike. The site contains a brewery with a restaurant and packing plant. The intersection of Charlotte Pike and Old Charlotte Pike currently has residential uses and the remainder of the surrounding area is comprised of single family and two-family residential land uses. Charlotte Pike is a Suburban Mixed Use Arterial Boulevard (T3-M-AB4-S-LM) and Old Charlotte Pike is a Suburban Mixed Use Collector Avenue (T3-M-CA2).

The existing plan is a preliminary regulatory SP and so no detailed site plan is provided.

ANALYSIS

The proposed Specific Plan amendment is appropriate for the Suburban Mixed Use Corridor and Conservation land use policies given scope and scale of the commercial and agricultural uses. The proposed reclassification from microbrewery to brewery is appropriate given the policy and size of the site. The proposed distillery use allows the applicant to expand operations with minimal additional impacts to the surrounding area. The proposed agricultural activity use is limited in scope to uses that support commercial production of existing and proposed uses, and would be appropriate for areas designated CO in particular. The CO policy area on site is designated as such due to the steep slopes around the perimeter of the existing structure, and at the northwestern edge of the site. Rarely found in CO policy are uses that have high lot coverage, large building footprints, and significant impervious surface.

Staff recommends approval with conditions and disapproval without all conditions as the plan is consistent with the T3 CM and CO land use policies.

FIRE MARSHAL RECOMMENDATION

Approve

NDOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT.
- Final design and improvements may vary based on actual field conditions. In general, on final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards.
- Dimension ROW pavement widths along frontage for clarity. Note: A private hauler will be required for waste/recycle disposal.
- Conditions of approval:
 - Site access is to be coordinated with NDOT and may be required to consolidate 2 accesses into one access off Old Charlotte Pike.
 - Access off Old Charlotte Pike may be required to meet intersection spacing code.
 - Reference Major Street Collector Plan, for ROW frontage requirements.
 - Provide stopping site distance exhibits for site existing accesses.

STORMWATER RECOMMENDATION

Approve with conditions

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

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.
- Coordinate with NDOT on the site DW width and location. See roads comments.
- Reference the code for traffic/access study thresholds. If this development requires one, coordinate with NDOT to scope the study. It will need to be completed prior to Final SP approval.
- Based on the Charlotte Pike Mobility Study, it has been recommended to provide sidewalks, crosswalks and enhanced crossing to improve pedestrian safety along Charlotte Pike. This development shall provide sidewalk at the very least, along frontage on Charlotte Pike and a crossing to connect to the existing sidewalk across the street from site. Coordinate with NDOT on these details and potential crossings at the intersection of Charlotte Pike and Old Charlotte Pike, prior to Final SP.

HARPETH VALLEY UTILITIES DISTRICT RECOMMENDATION

Approve with conditions

- Approved as preliminary only. Final constructions plans shall comply with all rules, ordinances, and regulations established by Harpeth Valley Utilities District. Final design and improvements may vary based on actual field conditions and must be approved by the District prior to Final Site Plan/SP. In general, on final: Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval.
- Submittal of an availability study is required before final site plan approval.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to all uses of Commercial Limited, and brewery, agricultural activity and distillery uses as defined by the regulatory SP.
2. 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.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council SP Ordinance, the property shall be subject to the standards, regulations and requirements of the CL zoning district as of the date of the applicable request or application.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. The Final SP plan shall depict any required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
6. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
7. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
8. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. Comply with all conditions of Metro Reviewing agencies.

Approve with conditions and disapprove without all conditions. (8-0-1)

Resolution No. RS2023-08

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-010-002 is approved with conditions and disapproved without conditions. (8-0-1)

CONDITIONS

1. Permitted uses shall be limited to all uses of Commercial Limited, and brewery, agricultural activity and distillery uses as defined by the regulatory SP.
2. 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.

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

25. 2019SP-014-003

GOODRICH TOWNHOMES

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Jason Swaggart

A request to amend a Specific Plan for properties located at 2143, 2145, and 2145B Goodrich Avenue, 2125 Buena Vista Pike and various properties located between Alpine Avenue and Goodrich Avenue, approximately 290 feet northwest of Buena Vista Pike, zoned SP and R8 (2.85 acres), to expand the boundary of the SP to permit 14 additional multi-family residential units for a maximum of 41 units overall and add nonresidential uses, requested by Catalyst Design Group, applicant; various property owners.

Staff Recommendation: Defer to the February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2019SP-014-003 to the February 9, 2023, Planning Commission meeting. (9-0)

26. 2021SP-037-003

1908 LEBANON PIKE RESIDENTIAL (AMENDMENT)

Council District 15 (Jeff Syracuse)

Staff Reviewer: Eric Matravars

A request to amend a Specific Plan on property located at 1908 Lebanon Pike and Lebanon Pike (unnumbered), at the northeast corner of Omohundro Drive and Lebanon Pike (5.92 acres), to modify the maximum height condition, requested by Councilmember Jeff Syracuse, applicant; RSD Lebanon Pike, LLC, owner.

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

APPLICANT REQUEST

Amend Specific Plan to increase height.

Preliminary SP

A request to amend a Specific Plan on property located at 1908 Lebanon Pike and Lebanon Pike (unnumbered), at the northeast corner of Omohundro Drive and Lebanon Pike (5.92 acres), to modify the maximum height condition.

Existing Zoning

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes two residential building types: single-family and multi-family units.

DONELSON–HERMITAGE–OLD HICKORY COMMUNITY PLAN

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

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

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

Supplemental Policy

The site is located within the 14-SAP-01 Supplemental Policy Area (SPA) for Lebanon Pike. The goals of these supplemental policies are to grow mixed-use neighborhoods along Lebanon Pike, improve connectivity to Donelson, maintain the suburban character of the existing neighborhoods, and balance transportation needs for everyone.

SITE CONTEXT AND PLAN DETAILS

The site is located at the northeast intersection of Lebanon Pike and Omohundro Road. The site has frontage along both streets. The site is currently undeveloped.

The properties to the north, east, and west are zoned RS10 and have been developed with one and two-family residential uses. The site at the northwest corner of the intersection, across Omohundro Drive, is multi-family residential. The area on the north side of Lebanon Pike is residential in character. The properties to the south of Lebanon Pike are comprised of a mix of zoning districts including Office Neighborhood (ON), Industrial Warehousing/Distribution (IWD), and RS10 and established with one and two-family residential land uses, civic uses, and commercial uses.

Lebanon Pike is a Suburban Mixed Use Arterial Boulevard (T3-M-AB4-LM).

Site Plan

The proposed SP was approved in 2021 and permits nine single-family lots and 40 multi-family units. The amendment does not change the layout of the plan and is intended to only increase the allowed height. The proposed amendment to the SP would increase the allowable maximum height of structures from 3 stories in 35 feet to 3 stories in 45 feet. The plan and elevations indicate that single-family structures range between approximately 29 feet and 38 feet in height, while multi-family structures range between approximately 40 feet and 44.5 feet in height.

ANALYSIS

Staff recommends approval with conditions of the requested amendment. All conditions from BL2021-857, as amended, shall apply except for condition 3 regulating building height. Building height of single-family structures shall be limited to 3 stories in 40 feet, and building height of multi-family structures shall be limited to 3 stories in 45 feet. Maximum height shall be measured from the average elevation of the finished grade (final ground elevation) to the highest point of the roof.

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

STORMWATER RECOMMENDATION

Approve with conditions

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

Nashville DOT RECOMMENDATION

Approve with conditions

- From Final SP Case: 2021SP-037-002, all previous conditions apply. Additional previous final conditions (-002), Coordinate with WeGo on a bus stop layout and location.

TRAFFIC AND PARKING RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to 9 single-family lots and 40 multi-family units. Short Term Rental Property (STRP) not owner-occupied shall be prohibited and Short Term Rental Property (STRP) owner occupied shall be prohibited.
2. All conditions from BL2021-857, as amended, shall apply except for condition 3 regulating building height.
3. Building height of single-family structures shall be limited to 3 stories in 40 feet, and building height of multi-family structures shall be limited to 3 stories in 45 feet. Maximum height shall be measured from the average elevation of the finished grade (final ground elevation) to the highest point of the roof.
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. 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 RS5 for the single-family lots, and for the multi-family uses, RM20-A, zoning districts 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
10. Comply with all conditions of Metro Reviewing agencies.

Approve with conditions and disapprove without all conditions. (9-0)

Resolution No. RS2023-09

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-037-003 is approved with conditions and disapproved without conditions. (9-0)

CONDITIONS

1. Permitted uses shall be limited to 9 single-family lots and 40 multi-family units. Short Term Rental Property (STRP) not owner-occupied shall be prohibited and Short Term Rental Property (STRP) owner occupied shall be prohibited.
2. All conditions from BL2021-857, as amended, shall apply except for condition 3 regulating building height.
3. Building height of single-family structures shall be limited to 3 stories in 40 feet, and building height of multi-family structures shall be limited to 3 stories in 45 feet. Maximum height shall be measured from the average elevation of the finished grade (final ground elevation) to the highest point of the roof.
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. 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 RS5 for the single-family lots, and

for the multi-family uses, RM20-A, zoning districts 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

10. Comply with all conditions of Metro Reviewing agencies.

27. 2022SP-057-001

THE BEND - NORTHGATE/GLEAVES' FARM DEVELOPMENT

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: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Rezone from AR2a, CS, and R15 to Specific Plan to permit a mixed-use development.

Preliminary SP

A request to rezone from Agricultural/Residential (AR2a), Commercial Service (CS), and One and Two-Family Residential (R15) to Specific Plan (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,

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. *Approximately 197.45 acres of the site is zoned AR2a. Based on this acreage, AR2a would permit a maximum of 83 lots with 20 duplex lots for a total of 103 units. Application of the Subdivision Regulations may result in fewer lots.*

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. *Approximately 8.10 acres of the site is zoned R15. Based on this acreage, R15 would permit a maximum of 19 lots with 4 duplex lots for a total of 23 units. Application of the Subdivision Regulations may result in fewer lots.*

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

Proposed Zoning

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

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.

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

The approximately 214.37-acre site is located on Music Valley Drive, north of McGavock Pike. The site is comprised of three parcels. The site has frontage along Music Valley Drive along the eastern portion of the site, McGavock Pike along the southern portion of the site, and along Pennington Bend along the western portion of the site. The west and south portions of the site contain floodway and floodplain. The site was previously used for farm land.

The surrounding properties to the north are zoned Commercial Attraction (CA), CS, Mixed Use General (MUG) and SP. This area has been developed with commercial uses including RV sales and campgrounds. The surrounding properties to the west are zoned R15 and have been developed with one and two-family residential uses. Further to the west is a portion of the Cumberland River. To the south and southeast of the site, the parcels are zoned CA and CS and the properties have been developed with commercial uses.

PLAN DETAILS

The proposed development is intended to provide an agricultural themed development with a mix of uses including multi-family residential, hotel, restaurant, event center space, RV campsites, cabin spaces, and various campground amenities. Along Music Valley Drive are three vehicular entrances, including the primary entrance into the development. This portion of the site contains the multi-family units, hotel, and event center. The SP permits a maximum of 300 multi-family units in several four story structures at the northeast portion of the site. A five-story, 120 room hotel is located at the intersection of the primary entrance drive, off of Music Valley Drive. South of the primary entrance drive and along Music Valley Drive is a proposed event center, outdoor amphitheater, and associated surface parking for the event center.

The site was previously used for agricultural uses. As such, the intent of the SP plan is to retain features of this previous use including the preservation of existing tree lines as natural buffers for different uses within the site and the preservation and rehabilitation of the existing farm structures on the site. The internal portion of the site is the primary area for campsites, resort event center, and cabins. A total of 450 campsites and cabins are proposed throughout the site. The primary area for campsites are bounded by existing hedgerows, breaking up the areas of campsites, as opposed to one large area of campsites. . The RV sites are organized in a linear pattern and connected by a series of private drives. The cabin sites are intended to be developed with the existing grades in this area and maintaining the existing tree canopy around the cabins.

The western portion of the site is a mix of passive recreational areas on the northwest edge, and campsites towards the southwest portion of the site. The northwest portion of the site is identified as an area for passive recreational and productive crops area. The passive recreational area is intended for activities with limited disturbances such as running and walking paths, wildlife viewing, and lawn games. The crops area would provide an area for crop production to be used at the restaurant on the property. A gated vehicular entrance is located along Pennington Bend Road, intended for emergency access only. Where the site has frontage along Pennington Bend Road is a greenway with a 10 foot wide multi-use path and a 50 foot landscape buffer.

The southern portion of the site includes a proposed restaurant, microbrewery and tasting room. Several accessory buildings are located throughout the site to provide site amenities such as welcome center/check-in, camp store, retail, food and beverage, crafts pavilion for classes and demonstrations, events pavilion, restrooms, recreation hall, fitness center, and maintenance buildings. There is one vehicular entrance point along McGavock Pike. Both the McGavock Pike and Music Valley Drive frontages will comply with the requirements of the Major and Collector Street Plan (MCSP) including 6 foot wide planting strips and 8 foot wide sidewalks.

ANALYSIS

A large portion of the site, primarily the western and southern portions of the site, has Conservation (CO) Policy due to floodplain and an existing stream. The intent of the CO Policy is to keep undisturbed environmentally sensitive land features in a natural state and remediate environmentally sensitive features that have been disturbed when new development or redevelopment takes place. Any new development is minimal to protect water quality, minimize infrastructure and public service costs, and preserve the unique environmental diversity of Davidson County, which is important to a healthy economy and overall sustainability.

Approximately 128 acres of the 214 acre site is within the floodplain area. The floodplain and CO policy areas are located on the western portion of the site. A component of the proposed development is to enhance the existing stream at the southwest portion of the site to make it a protected amenity feature of the site. The development proposed in the floodplain includes the restaurant area at McGavock Pike and additional RV campsites. Proposed SP regulations to address the goals of the CO Policy include a minimum of 20 percent of the site retained for open space and 20 percent of the existing tree canopy to be retained. Twenty percent of the development site to be retained for open space would be approximately 42 acres. This area shall be set aside as undeveloped area, not to be disturbed.

The second policy on the site, Suburban Community Center (T3 CC) is located on the eastern portion of the site, adjacent to Music Valley Drive. This portion of the site is largely unencumbered by environmental features. The T3 CC policy areas are described as pedestrian-friendly areas, generally located at prominent intersections, consisting of a mix of uses including, commercial, office, residential, and institutional land uses. This is the portion of the site where the bulk of the development is to occur, including the multi-family uses, hotel, event center, and amphitheater. Development along Music Valley Drive is oriented towards the right-of-way.

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

- Correct General Note 18: "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. 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

- At final: Callout roadway sections, (access and ADA) ramps, sidewalks, curb & gutter, etc. per NDOT detail standards.
- Show 'Now Entering Private Drive' signage where applicable off public roads.
- Provide internal stop control at intersections.
- Provide stopping sight distance exhibits at any relevant intersections and accesses
- Dimension ROW pavement widths for clarity.
- Note: A private hauler will be required for waste/recycle disposal.
- Comply w/ NDOT traffic comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Prior to Final SP approval, the applicant's traffic engineer shall coordinate with NDOT to submit a revised the traffic study that analyzes the appropriate traffic control improvements that shall be installed at each of the study intersections. An updated signal warrant analysis shall be conducted at the Central Access on Music Valley Drive, as well as an updated analysis for the need of any auxiliary-lanes. If a traffic signal/auxiliary-lanes are warranted at the Music Valley Drive & Central Access intersection, the applicant will be required to install the signal and or auxiliary-lanes at the approval of NDOT. Final traffic conditions/improvements will be determined after further review of the revised traffic study, which may result in additional improvements.
- Prior to Final SP approval, the applicant's traffic engineer shall submit a comprehensive event management plan analyzes traffic in and out of the site, while also addressing the parking needs for future events. Further coordination with NDOT will be required.
- At the Central Access on Music Valley Drive, remove the median from the ROW, and the maximum driveway width shall not exceed 35'.
- The Northern proposed tertiary access on Music Valley Drive for the multi-family portion, shall be gated for emergency access only.
- The Southern proposed tertiary access on Music Valley Drive shall be limited to one-way exit only (right-out) for the commercial amusement portion.
- The applicant shall comply with all MCSP requirements; 8' sidewalks and 6' grass-strip on all public frontages.
- At a minimum the applicant will be required to close the roughly 170' sidewalk gap along the North-side of McGavock Pike between this developments Eastern property line and the intersection of Two Rivers Corporate Centre Drive. Additional pedestrian access accommodations at the intersection of McGavock Pike and Two Rivers Corporate Centre Drive may be required upon further analysis.
- Comply with Roads Conditions.
- Ensure final designs follow the codes and requirements of all metro agencies.

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)	202.67	0.50 D	107 U	1,107	81	108

*Based on two-family lots

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)	11.7	0.6 F	305,791 SF	11,544	287	1,165

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
Campground (416)	-	-	450 C	-	2	6

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Event Center (411)	-	-	42,000 SF	89	13	15

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	-	-	300 U	1,633	100	128

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	-	-	10,000 SF	1,122	100	98

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	3.29	-	120 R	928	54	64

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-8,879	-99	-962

METRO SCHOOL BOARD REPORT

Projected student generation existing zoning districts: **14** Elementary **9** Middle **10** High
 Projected student generation proposed SP district: **15** Elementary **11** Middle **9** High

The proposed zoning is expected to generate two additional students than the existing zoning districts. 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 300 multi-family units, a 120 room hotel, agricultural activity, on site agricultural sales, and all other uses of the CA zoning district with the exception of those identified as prohibited uses, as specified on the Specific Plan.
2. If the development is phased, with the final phase of the development the applicant shall provide documentation that the minimum open space and tree canopy amounts have been met on the site.
3. Comply with all Metro Parks requirements regarding greenway dedication, construction, and maintenance for pathway along Pennington Bend.
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 CA zoning district 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.

Ms. Blackshear recused herself from this item. Ms. Blackshear left the meeting.

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

Katie Holmgren, Landscape Architect with Northgate Resorts, 2137 Burton Street SE, Grand Rapids, MI, spoke in favor of the application.

Mickey Sullivan, Gresham Smith, no address given, spoke in favor of the application.

Paul May, 2409 Pennington Bend Road, spoke in favor of the application.

Michael Thomas, 2607 Crump Drive, stated he was speaking on behalf of the Hobbs property and Cumberland Hospitality Group. He spoke in favor of the application.

Ann Gleaves, no address given, spoke in favor of the application.

David Kleinfelter, Reno and Cavanaugh, 424 Church Street, spoke in opposition to the application.

Nancy Quinn stated she owns property on Brush Hill Road which overlooks the proposed development. She spoke in opposition to the application.

Aaron Williamson stated he is the Regional Vice President of Campgrounds of America and is representing addresses 2572 and 2626 Music Valley Drive. He spoke in opposition to the application.

Tony Gottlieb, 4108 Brush Hill Road, spoke in opposition to the application.

DeeDee Vandivort, 5515 Rome Avenue, stated she was not there to speak for or against the project, but wanted to remind the Commission that there are regulations for flood zoning which need to be maintained.

Vicki Burgess, 4016 Brush Hill Road, spoke in opposition to the application.

Beau Nave, 4000 Brush Hill Road, spoke in opposition to the application.

Suzanne Nave, 4000 Brush Hill Road, spoke in opposition to the application.

Matt Heard, 4301 Brush Hill Road, spoke in opposition to the application.

Eller Kelliher, 4014 Brush Hill Road, spoke in opposition to the application.

Donna Center, 4112 Brush Hill Road, spoke in opposition to the application.

Bruce Cordell, 4010 Brush Hill Road, spoke in opposition to the application.

Sylvia Giannitrapani, 1327 Riverwood Drive, asked for consideration for a deferral until independent studies can be done regarding flooding, traffic and environmental concerns.

William Reed, 4002 Brush Hill Road, spoke in opposition to the application.

Shawn Henry, 500 11th Avenue North, stated he was representing Northgate Resorts. He spoke in rebuttal.

Chair Adkins closed the Public Hearing.

Mr. Lawson stated there were so many issues and wished to hear other Commissioners' thoughts first.

Chair Adkins called for a five minute break.

Mr. Haynes asked about the size of the commercial services zoned area.

Ms. Lewis answered the area is 3.5 acres.

Mr. Haynes thought this project is too dense. He stated he was not ready to vote for this but would vote for a deferral as he felt this needed far more work with the community and development team.

Mr. Clifton asked, as a general rule, if they thought of AR2 zoning as no longer tenable in the county.

Ms. Milligan responded by pointing out the orange section on the presentation slide and said it is T3 Community Center policy and a good bit of the property zoned AR2A is in a broad area of Community Center policy. She explained that the Community Center policy was placed on the AR2A zoned property with Nashville Next and this is a commercial concentration; so, for this property, AR2A is likely not appropriate because it is in the larger commercial node of Community Center.

Ms. Kempf said had this been Rural policy, AR2A would have been preferred. She stated it is easier for them in Rural policy if it is AR2A because it is aligned with that.

Mr. Clifton said they are not trying to get rid of AR2A but has seen a dramatic reduction over the last few years. He stated this is a large enough county and felt there needs to be a significant portion to remain AR2A. Mr. Clifton said he would vote for a denial or deferral.

Mr. Henley stated he has a lot of concerns and the impact of the disturbance; environmental, archeological and noise, left him wanting more information. He asked about the restaurant on McGavock Pike and how that was derived and why it was not given the push into the orange section.

Ms. Milligan advised there are other existing commercial along McGavock Pike and when they originally saw the plan, there was more intensity along McGavock Pike and within that area of floodplain, so, it was significantly diminished. She explained the idea was to have a farm-to-table concept so it would be in a location situated with agricultural uses as the setting for the restaurant to utilize. Ms. Milligan said they decreased the amount of disturbance that was shown at McGavock Pike and minimized it from previous plans they have seen.

Mr. Henley said he heard a lot of comments about environmental impacts of which they should take note as they move away from farmland. He recognized there was no occupant uses within the floodplain, although they could build houses in floodplain, and not putting homes in that area was very important.

Councilmember Withers acknowledged there were greenway plans along that side of the river in the vicinity and asked how that greenway network interacts with this site.

Ms. Lewis responded that along the Pennington Bend frontage, the site would have a greenway or public access trail along the frontage from the northwestern portion of the site down into the property.

Ms. Milligan advised this would not be an official Metro greenway. She explained Councilmember Syracuse has been working with other property owners to rethink the idea of the sidewalk into a multi-use path, but that it is privately maintained. It is within an access easement so it can be utilized by the public but privately maintained.

Councilmember Withers said he empathizes with the noise concerns as noise coming off the river can be very unpredictable. He stated if they were to vote for a deferral, it would be helpful for them to hone in on what additional information they are looking for as a Commission in order to make their recommendation to Council.

Ms. Johnson stated she recommends deferral because they did not hear from the Councilmember that represents the area. She said there is still a lot of unknowns and would like more information regarding the reasoning behind the underlying policy, why the Councilmember and staff feel this proposal is more appropriate than other previous more aggressive developments, and noise and sound travel.

Mr. Tibbs stated he would be comfortable with a denial or a deferral. He said he wasn't as concerned with the amphitheater but more so the transition back, as it is a very unique area.

Mr. Lawson stated as they move forward, they must be explicit to the staff of what they expect out of the deferral.

Mr. Haynes said regarding the amphitheater, the noise projecting north and traffic entering and leaving the venue need to be more carefully studied.

Ms. Kempf read a list of information and clarifications requested by the Commissioners. She recommended they start with a deferral date of February 23, 2023 and if the items on the list are not yet complete, they would further work with the applicant to get that done.

Mr. Lawson moved and Ms. Johnson seconded the motion to defer to the February 23, 2023 Planning Commission meeting. (8-0-1) Ms. Blackshear recused herself.

Resolution No. RS2023-10

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-057-001 is deferred to the February 23, 2023 Planning Commission meeting. (8-0-1)

**28a. 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 March 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-082-001 to the March 9, 2023, Planning Commission meeting. (9-0)

**28b. 8-78P-001
SKYVIEW PUD (CANCELTION)**

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 March 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 8-78p-001 to the March 9, 2023, Planning Commission meeting. (9-0)

29. 2022SP-084-001
5646 AMALIE DRIVE

Council District 27 (Robert Nash)
Staff Reviewer: Amelia Lewis

A request to rezone from R10 to SP zoning for property located at 5646 Amalie Drive, approximately 560 feet north of Huntington Parkway, (17.66 acres), to permit a multi-family residential development, requested by Catalyst Design Group, applicant; Amalie Property, LLC, owner.

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

The Metropolitan Planning Commission deferred 2022SP-084-001 to the February 9, 2023, Planning Commission meeting. (9-0)

30. 2022SP-086-001
14TH & HYNES

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

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: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Preliminary SP to permit a mixed-use development.

Preliminary SP

A request to rezone from Mixed Use Intensive Alternative (MUI-A) to Specific Plan (SP) zoning 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.

Existing Zoning

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

Proposed Zoning

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

GREEN HILLS - MIDTOWN COMMUNITY PLAN

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

MIDTOWN STUDY SUPPLEMENTAL POLICY

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

SITE CONTEXT

The site consists of 6 parcels totaling 1.24 acres, located along the west side of 14th Avenue North and at the intersection of Hynes Street. Both streets are local streets. The site also has an alleyway to the rear of the site that connects Hynes Street with Church Street. The property is currently zoned MUI-A and is surrounded by other MUI-A zoned property as well as SP zoned property that permits high-intensity mixed use development. The subject property is currently vacant and used for automobile parking and the surrounding land uses include multi-family residential, office, retail, automobile parking, and vacant.

PLAN DETAILS

The application proposes a 40-story mixed use development in a single structure as demonstrated in the stacking diagram. A porte-cochere for vehicle loading/rideshare/valet is located on Hynes Street and ties into the existing public alley. A private drive is proposed on 14th Avenue and allows for right-out vehicle movements only. This private drive ties into the existing alley as well as the parking garage. The parking garage is partially below grade and partially above grade. The above grade portion of the parking garage is lined with habitable portion of building along Hynes Street and 14th Avenue so the parking garage will not be viewable from either of the frontage streets.

The building addresses the streets at the ground level with commercial uses and the building is setback about 10 feet from the right-of-way line to provide a streetscape that promotes pedestrian activity associated with the commercial uses. The very corner of Hynes Street and 14th Avenue has a public entry plaza that steps the building back and provides a small open space area. The plan provides for larger sidewalks (8 feet wide) than would otherwise be required on a local street (5 feet wide). Additionally, the applicant has worked with NDOT to identify a number of offsite transportation and mobility improvements that are required with this project.

ANALYSIS

The T5 MU policy is characterized in part by vertical mixed-use development, buildings built to the back edge of the sidewalk with minimal spacing between buildings, and high levels of connectivity. A wide range of uses—including residential and commercial—are appropriate within the T5 MU policy area. The T5 MU policy emphasizes higher intensity development with high lot coverage. Building heights in the T5 MU policy area may range from two to 20 stories or greater.

The proposed SP zoning is consistent with the T5 MU policy and proposed standards including building height, setbacks/build-to zones, FAR, ISR, access, and uses are also consistent with the T5 MU policy. The project appropriately addresses the public street frontages with active uses and with open space. The project also appropriately screens the portion of the parking garage that's above ground with habitable portions of the building. Additionally, the application is consistent with the Midtown Study Subdistrict Area 2 guidance to provide high-density mixed-use development.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- OH lines along 14th Ave N will need to be buried/ removed along building frontage. Other access and fire code issues will be addressed prior to construction.

STORMWATER RECOMMENDATION

Approve with conditions

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

METRO WATER SERVICES RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

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

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- The applicant shall contribute towards the planned road diet project to construct dedicated and protected bike lanes on Church Street. Further coordination with NDOT will be required prior to Final SP approval.

- The applicant shall provide bike lanes on 15th Ave between Church Street and Charlotte Pike. Further coordination with NDOT will be required prior to Final SP approval to determine final design.
- The applicant shall either construct or contribute to pedestrian/bike improvements over the I40/I65 interstate within the vicinity of the development. Further coordination with NDOT & TDOE will be required.
- Per the TIS, the applicant shall improve the sidewalk connectivity along the Eastern leg of Hynes Street if the ROW is available.
- The final cross-sections for this development are to be determined at Final SP and shall conform with the most current MCSP.
- Remove all mentions of the required parking being 'none.' Total parking count for this development is to be determined at Final SP.
- Off-peak loading and deliveries for this development shall be enforced to minimize impacts to traffic operations.
- The development shall provide employees, residents, and customers with extensive information about area transit service including routes, nearby stops, and schedules. This information may be provided by an informational kiosk, maps, or posters at prominent locations. Parking/storage options should be provided for bicycle and scooters on-site. Publicize B-cycle services, stop locations, and bike routes.
- Modifications to the above conditions may be required as this development's phase(s) progress but further analysis will need to be conducted to justify said modifications.

Maximum Uses in Existing Zoning District: MUI-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	0.62	5.0 F	135 U	734	46	59

Maximum Uses in Existing Zoning District: MUI-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.31	5.0 F	67,518 SF	2,549	63	257

Maximum Uses in Existing Zoning District: MUI-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.31	5.0 F	67,518 SF	7,574	671	660

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)	-	-	735 U	4,004	242	300

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	-	-	200 R	1,831	95	124

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	-	-	20,000 SF	755	19	77

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-4,267	-424	-475

METRO SCHOOL BOARD REPORT

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

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses include 735 multi-family residential, 200 hotel rooms, and 20,000 square feet of non-residential land uses as permitted under MUI-A-NS. Short term rental properties, owner occupied and short term rental properties, not owner occupied shall be prohibited.
2. The final site plan application shall provide the public entry plaza identified on the site layout.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
7. The final site plan shall 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
8. 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.
9. 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.
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.

Approve with conditions and disapprove without all conditions. (9-0)

Resolution No. RS2023-011

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-086-001 is approved with conditions and disapproved without conditions. (9-0)

CONDITIONS

1. Permitted uses include 735 multi-family residential, 200 hotel rooms, and 20,000 square feet of non-residential land uses as permitted under MUI-A-NS. Short term rental properties, owner occupied and short term rental properties, not owner occupied shall be prohibited.
2. The final site plan application shall provide the public entry plaza identified on the site layout.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

7. The final site plan shall 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
8. 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.
9. 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.
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.

**31. 2022SP-087-001
6010 PASQUO**

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 February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-087-001 to the February 9, 2023, Planning Commission meeting. (9-0)

**32. 2023SP-009-001
5901 CALIFORNIA SP**

Council District 20 (Mary Carolyn Roberts)
Staff Reviewer: Dustin Shane

A request to rezone from IR to SP zoning for property located at 5901 California Ave., at the southeast corner of 60th Ave. North and California Ave. (8.12 acres), to permit a mixed-use development, requested by Fulmer Lucas, applicant; Skylight Land, LP, owner.

Staff Recommendation: Defer to the February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023SP-009-001 to the February 9, 2023, Planning Commission meeting. (9-0)

**33. 2023SP-015-001 (formerly 2022Z-098PR-001)
H.G. HILL SP**

Council District 08 (Nancy VanReece)
Staff Reviewer: Logan Elliott

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

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

APPLICANT REQUEST

Preliminary SP to permit a mixed-use development.

Zone Change

A request to rezone from Commercial Service (CS) to Specific Plan (SP) zoning for properties located at 3101 and 3105 Dickerson Pike, at the northeast corner of Dickerson Pike and Broadmoor Drive (9.13 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

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 permits residential uses in addition to office and/or commercial uses.

EAST NASHVILLE COMMUNITY PLAN

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

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
Specific Plan (SP) Standards

1. Uses within this SP shall be limited to all uses permitted by the MUG-A-NS zoning district.

2. All future final site plan applications shall provide, at a minimum, the improvements identified in the Major and Collector Street Plan along the subject site's frontage of Dickerson Pike. With redevelopment of at least 50% of the site by area, as determined by the existing site conditions on the effective date of the SP zoning ordinance, the improvements identified in the Major and Collector Street Plan shall be provided along Broadmoor Drive. Once Planning determines that 50% of the site is being redeveloped with a final site plan application, all Use and Occupancy permits shall be held until the Broadmoor Drive planned Major and Collector Street Plan improvements have been constructed.

3. The final site plan that is submitted that triggers redevelopment of 50% of the site shall indicate that the stream buffers shall be established along Ewing Creek and all buffers for the entire length shall be shown on the final site plan. The final width of stream buffers may vary and may take into account constraints include Broadmoor Road right-of-way, existing and planned sidewalks or greenways, and existing and proposed buildings, with priority given to reestablishing the buffers. Final buffer configurations (length and width) to be approved by Stormwater and any needed variances must be approved by the Stormwater Management Committee prior to final site plan approval of any final site plan that triggers redevelopment of the 50% of the site. The stream buffers must be reestablished prior to issuance of the final U&O for the building that represents 50% redevelopment of the site. If final site plans are submitted in phases, Planning will not approve any final site plans beyond 50% redevelopment prior to the buffers being reestablished.

4. The final site plan that is submitted that triggers redevelopment of 50% of the site shall provide a publicly accessible greenway along Ewing Creek consistent with the Metro Parks Greenway Master Plan. Improvements should be made to create a safe greenway crossing across Dickerson Pike. The greenway should be placed in a dedicated public conservation greenway easement held by Metro Parks along with a Conservation Greenway Easement, including boundary survey and legal description of the easement, to be approved by Metro Park Board and Metro Council. Design to be coordinated and approved by Metro Greenways Division staff, built to Metro Parks standards and Metro ADA requirements, and greenway maintenance to be provided by owner in a participation agreement in perpetuity traveling with the land and approved by Metro Park Board and Metro Council as part of the Conservation Greenway Easement. Trailhead and wayfinding signage per Metro Park Standards should also be provided by developer.

5. All future final site plan applications shall provide the necessary right-of-way or other site layout requirements necessary to accommodate planned improvements identified in *nMotion* or otherwise, as determined by WeGo.
 6. All future final site plan applications shall provide a development generally consistent with the Dickerson North Corridor Study for the Ewing Broadmoor Character Area.
 7. A traffic study shall be submitted with each final site plan application, unless determined to be unnecessary by the traffic engineer, as outlined in section 17.20.140 of the Metro Zoning Code.
 8. The maximum building height within 40' of the eastern property boundary shall be 5 stories. Building height in all other areas shall be consistent with MUG-A-NS zoning and measured per Metro Zoning Code.
 9. All future final site plan applications shall provide building facades constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function.
 10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
- Proposed SP**

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.

The portion of the site in the T4 NE policy area is constrained by stream buffers and there is not enough land in this policy area to develop.

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.

DICKERSON NORTH CORRIDOR STUDY

The Dickerson North Corridor Study is a small area plan produced by the Metropolitan (Metro) Planning Department. Small area plans illustrate the vision for corridors and neighborhoods within Nashville's 14 community planning areas. On a parcel-by-parcel basis, these plans steer the appropriate land use, development character, and design intent guided by goals established by community stakeholders. Like other forms of small area plans, corridor studies are developed through a participatory process that involves Planning Department staff working with stakeholders to establish a clear vision and provide detailed information and solutions to guide the future physical and regulatory characteristics for particular corridors of the city.

SITE CONTEXT AND PLAN DETAILS

The site includes two parcels for a total of 9.13 acres and is located at the north-east corner of Dickerson Pike and Broadmoor Drive. This portion of Dickerson Pike is classified as an Arterial Boulevard and Broadmoor Drive is classified as a Collector Avenue in the Major and Collector Street Plan. The site currently contains commercial land uses with surface parking. Ewing Creek crosses the site adjacent to Broadmoor Drive and a stream is located on the northern portion of the site.

Specific Plan

The SP is intended to allow a mixed-use development consistent with the MUG-A zoning district and includes additional standards that require features of the Dickerson North Corridor Study to be provided with major redevelopment of the site, as defined in the SP document. The Dickerson North Corridor Study gives specific guidance for this site and the proposed SP brings this guidance into requirements of the zoning for the property. This includes the daylighting of Ewing Creek along with a greenway to improve the stormwater capacity and to provide vibrant green space in this location. Otherwise, it requires that the final site plan provides appropriate right-of-way for any planned WeGo facilities, the building heights transition to adjacent properties, a TIS be submitted, and that the Major and Collector Street Plan conditions be provided with final site plan application.

ANALYSIS

Staff finds the proposed regulatory SP to be consistent with the T4 CC, T4 NE, and CO policy. The land uses and bulk standards of the MUG-A zoning district are consistent with the intent of the T4 CC policy to encourage development and redevelopment as intense mixed-use areas that provide a mix of uses and services to meet the needs of the larger surrounding urban area. The portion of the site in the T4 NE policy area is constrained by stream buffers and there is not enough land in this policy area to develop. The stream buffers associated with Ewing Creek encompass virtually all of the T4 NE policy area. The SP also provides the infrastructure that the Major and Collector Street Plan calls for and this infrastructure additionally supports the requested intensity of development. The SP also requires that the final site plan application will provided a development consistent with the guidance provided in the Dickerson North Corridor Study.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, on final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Dimension ROW pavement widths for clarity. Note: A private hauler will be required for waste/recycle disposal. Approval comments: 1. Coordinate w/ planning on ROW frontage requirements, per the Major Collector Street Plan. 2. Coordinate w/ NDOT traffic and roads on site access. Currently, there are 2 access points from the adjacent shopping center(same owner). Therefore, some accesses may either need to be removed or consolidated that are in close proximity to Dickerson Pike intersection.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- The applicant shall coordinate with NDOT to scope and develop a traffic impact study to submit for NDOT’s review. The TIS shall be scoped and submitted to NDOT prior to the submittal of the first final site plan for this SP. The TIS shall include a safety section that analyzes the any safety deficiencies within the area that have be identified by NDOT’s High Injury Network and provide recommendations. Any improvements recommended in the TIS or identified after NDOT’s review of the analysis, shall be constructed and/or contributed to by the applicant. Further coordination with NDOT will be required.
- All proposed access points for this SP, whether at existing locations or new locations, are to be approved by NDOT with the submission of each final site plan for this SP. All proposed access points for this SP are to satisfy all the requirements set forth by TDOT and Metro Code.
- Ensure final designs follow the codes and requirements of all metro agencies.

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)	9.13	0.6 F	238,622 SF	9,008	224	909

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)	4.57	3 F	597 U	3,252	197	246
--------------------------------------	------	-----	-------	-------	-----	-----

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	2.28	3 F	297,950 SF	11,248	280	1,135

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)	2.28	3 F	297,950 SF	33,424	2,962	2,911

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+38,916	+3,215	+3,383

METRO SCHOOL BOARD REPORT

The mix of uses could vary and assumption of impact at this point is premature. Students would attend Chadwell Elementary, Jere Baxter Middle School, and Maplewood High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to uses permitted in the MUG-A-NS zoning district.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. The Final SP plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Approve with conditions and disapprove without all conditions. (9-0)

Resolution No. RS2023-012

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-015-001 is approved with conditions and disapproved without conditions. (9-0)

CONDITIONS

1. Permitted uses shall be limited to uses permitted in the MUG-A-NS zoning district.

2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. The Final SP plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

34a. **2022SP-075-001**

LINCOLN TECH SP

Council District 05 (Sean Parker)

Staff Reviewer: Dustin Shane

A request to rezone from CS, ORI, RM20 and RS5 to SP zoning for various properties located west of Gallatin Avenue and north of Douglas Avenue, located within the Nashville Auto Diesel College Institutional Overlay District (16.35 acres), to permit a mixed-use development, requested by Barge Cauthen & Associates, applicant; various property owners. (See associated case #2005P-029-001).

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

APPLICANT REQUEST

Preliminary SP to permit a mixed-use development.

Zone Change

A request to rezone from Commercial Service (CS), Office/Residential Intensive (ORI), Multi-Family Residential (RM20) and Single-Family Residential (RS5) to Specific Plan (SP) zoning for various properties located west of Gallatin Avenue and north of Douglas Avenue, located within the Lincoln College of Technology Institutional Overlay District (16.35 acres), to permit a mixed-use development. (See associated case 2005P-029-001.)

Existing Zoning

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

Office/Residential Intensive (ORI) is intended for high intensity office and/or multi-family uses with limited retail opportunities.

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. *RM20 would permit a maximum of 181 units.*

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 15 units.*

Proposed Zoning

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

SITE CONTEXT AND PLAN DETAILS

The site consists of 21 parcels located west of Gallatin Pike, north of Douglas Lane, and east of Emmett Avenue. All parcels fall south of McClurkan Avenue except Parcel 083, which is north of it. Parcel 083 and the seven parcels south of Strouse Avenue are all one- and two-family residential uses zoned RS5 (except for the parcel at the southwest corner of Strouse Avenue and Trevecca Avenue, which is being used as an office). The RM20-zoned parcels north and west of Strouse and Trevecca Avenues house the main offices of Lincoln College of Technology,

including the historic Renraw House (former home of Percy Warner). East of Trevecca Avenue, the CS- and ORI-zoned parcels house classroom/workshop areas for Lincoln Tech and student dorms. West of Trevecca Avenue surrounding uses are one- and two-family residential, variously zoned RM9-A, RM20, R6, and RS5. East of Trevecca Avenue, surrounding uses include industrial, commercial, and residential uses, zoned CS and RS5.

Site Plan

The SP is intended to create a mixed-use development. The plan authorizes the creation of 950 multi-family residential units and 300,000 square feet of commercial space (a mixture of retail, restaurant, and office). The SP includes a site plan as well as bulk and architectural standards and parking and preliminary landscaping notes. A seven-story mixed use building will occupy the center of the site at the northwest corner of the intersection of Strouse and Trevecca Avenues along with a programmable public open space that will act as the focal point of the development. An activated streetscape with outdoor dining and seating areas is proposed along this frontage. In the northeast corner of the same intersection is a five-story building that will occupy the entire block stretching to Gallatin and McClurkan Avenues, with a parking structure facing McClurkan Avenue and retail ringing the ground floor frontages (but mostly

Building Massing looking North

concentrated across from the open space). The private internal drive between Gallatin Avenue and Trevecca Avenue will be closed off north of Strouse Avenue for this building. Two six-story mixed use buildings occupy the majority of the block in the southeast corner of the intersection of Strouse of Trevecca Avenues, with a four-story mixed use building across Trevecca Avenue to the west. North of Strouse Avenue and behind the stacked flats building are townhomes which transition from a height of four stories down to three at the Emmett and McClurkan Avenue frontages. South of Strouse Avenue, the smaller parcels will include two-family and cottage court residential uses no taller than three stories. Sidewalks and open space will be provided throughout this area. North of McClurkan Avenue, a single-family lot will become five live/work units oriented to the south. Structured parking will be integrated into three of the mixed use buildings. The Renraw house will be shifted to the corner of McClurkan and Trevecca Avenues subject to conditions from Metropolitan Historical Commission staff.

Residential density for the site is approximately 58.10 units per acre. 3.09 acres (18.9% of the site) is open space, with 2.22 acres of that publicly accessible. Landscaping is offered behind the four-story building at Strouse and Trevecca Avenues adjacent to RS5 zoning and north of the live/work units. An A-3 buffer with 8-foot masonry wall is proposed in both cases because of space constraints. Street trees will line all street frontages spaced 30 to 40 feet apart based on space constraints, retail frontage programming, and coordination with utility providers. The area containing the mixed use buildings will use MUG-A fallback zoning while the townhome area and the residential properties south of Strouse Avenue will use R6-A base zoning. Parking in the mixed use district is per the UZO maximum standards or an approved shared parking agreement while parking in the residential district is set at 1.5 spaces per unit, to be provided by private garages, surface parking behind units, and on-street parking. Max ISR is 1.0 in the mixed use district and 0.90 in the residential district, and max FAR is 3.0 for the entire site. A build-to zone of 0 to 15 feet is proposed for the mixed use district with no side or rear setbacks (the live/work units will feature setbacks from the adjacent single-family, however). The residential zone will include a 10-15-foot build-to zone, 0-5-foot side setbacks, and a 20-foot rear setback.

The development will implement the MCSP requirements for ROW dedication along Gallatin Avenue including a 4-foot planting strip and 10-foot sidewalk. Other streets in the development will be classified as active (8-foot sidewalk and 4-foot planting strip) or neighborhood (5-foot sidewalk and 4-foot planting strip). The unlined parking garage frontage along McClurkan Avenue is proposed to be decorated with a mural celebrating the community's history. The mixed use buildings will be brick, brick veneer, stone, cast stone, cementitious siding, glass, metal panel, , or materials substantially similar in form or function.

EAST NASHVILLE COMMUNITY PLAN

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

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.

Transition (TR) is intended to enhance and create areas that can serve as transitions between higher-intensity uses or major thoroughfares and lower density residential neighborhoods while providing opportunities for small scale offices and/or residential development. Housing in TR areas can include a mix of types and is especially appropriate for “missing middle” housing types with small- to medium-sized footprints.

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

ANALYSIS

The proposed plan meets many of the goals of the three policy areas that guide development on the site. The portion between Gallatin Avenue and Trevecca Avenue, the office use at the southwest corner of Trevecca Avenue and Strouse Avenue, and the majority of the Renraw house property is under the T4 CC policy. The seven-, six-, five-, and four-story mixed use buildings along with the central public open space meet the policy goals of providing an intense mixed use environment consisting of regularly spaced buildings built to the back edge of the sidewalk, relegating parking to behind or within structures, and creating highly connected pedestrian-focused street networks. The development is located along the busiest WeGo BRT Lite route (56 Gallatin Pike). The outlier parcels and part of the residential zone that fall within the T4 NE and TR policies will be developed with appropriately dense single- and multi-family residential uses at a smaller scale, providing an appropriate transition to the surrounding one- and two-family neighborhood. Conservation policy covers a wet weather conveyance along the southern edge of the SP.

Buildings of all types in T4-CC areas are generally three to five stories tall but taller buildings may be found within Tiered Centers such as this one. The buildings contribute to the overall fabric of the center by providing active ground floor uses along Gallatin, Strouse, McClurkan, and Trevecca Avenues, in addition to contextually sensitive development patterns created through the use of townhomes adjacent to the existing single-family fabric. The combination of active uses and residential townhome typology contribute to pedestrian-friendly streetscapes and open spaces throughout the development. Additionally, the development proposes the creation of a large, central open space to serve as a gathering area for the greater neighborhood, framed by active uses and high-density multi-family units. Height will further be mitigated by five-foot setbacks at right-of-way frontages above five stories and the site topography, with the seven-story building located at the low point of the site (approximately eight feet lower than Gallatin Avenue).

The historic Renraw house will be moved to the corner of McClurkan and Trevecca Avenues with the concurrence of Metropolitan Historical Commission staff and according to their stipulated conditions included in this report. This relocation will take place before any other construction. Uses for the preserved home have not yet been identified.

Staff recommends approval with conditions if the associated Institutional Overlay cancellation is approved and disapproval if the associated Institutional Overlay cancellation is not approved. The proposed SP allows an appropriately intense mixed use development that achieves the intent of the urban policy areas within which it is located. The SP and the proposed conditions include design standards that integrate the proposed height and density well into the existing urban fabric. The proposal will maximize this prominent location along a multimodal corridor while also providing more opportunities to meet the needs of the surrounding community.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

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

Approve with conditions

- This development will construct an enhanced pedestrian crossing across Gallatin Pike near or between Strouse Avenue and Straightway Avenue per FHWA's Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations. Include the plans for this crossing with the Final SP submittal.
- The development team will continue to coordinate with NDOT on improving the off-set intersection of McClurkan Avenue and Trevecca Avenue. This improvement shall be included with the Final SP submittal.
- In the traffic study, a safety and crash concern was identified at the intersection of Gallatin Pike and Carolyn Avenue, which will be worsened with the trips generated from this development. This development will contribute \$50,000 towards safety improvements at this intersection.
- There are significant delays and concerns with the existing configuration of the Douglas Avenue and Ellington Parkway interchanges and the amount of trips anticipated to travel through/to these intersections. Developer shall modify the NB and SB interchange intersections within the Douglas Avenue existing ROW to add left turn lane storage.
 - Developer shall work with TDOT and NDOT to determine feasibility of modifying the Ellington Parkway off-ramps (at Douglas) to have left and right turn lanes striped in the existing ROW.
- Concurrent with the review of the Final SP phase, complete an interchange study for the NB and SB ramps of Ellington Parkway and Douglas Ave. to assess the future need and feasibility of geometric and/or operational improvements (such as signalization). The scope of this study should be agreed upon by NDOT and TDOT.
- MCSP requirements along Gallatin Pike are called out incorrectly. Between Douglas Avenue and Straightway Avenue, the total ROW per MCSP is 120 feet (60 feet from the centerline of Gallatin). The full 60 feet from centerline to property line must be fulfilled and appropriate dedications will need to be made.
- All on-street parking is maintained by NDOT. NDOT reserves the right to meter any on-street parking within the study area.
- All off-site improvements identified in the traffic study are to be included in the building permit plan set. Call out off-site improvements that are to be done with the Final SP submittal. These improvements include the following:
 - At Gallatin Pike & McClurkan Avenue/Chester Avenue: Modify existing signal to include protected/permissive LT phasing on NB and SB approaches; and, include pedestrian phasing. Install a crosswalk across NB approach. Include ped signal heads, push buttons, ADA ramps & detectable warning mats.
 - At Gallatin Pike & Strouse Avenue: EB approach of Strouse should be widened to include a RTL with a storage length of 150'. Install a crosswalk across the EB approach with ADA ramps and detectable mats.
 - At Gallatin Pike & Straightway Ave: WB approach of Straightway should be striped to include a RTL with 50' storage. Install a crosswalk across the WB approach with ADA ramps & detectable warning mats.
 - At Douglas Ave & Trevecca Ave: If feasible in existing ROW, the SB approach should be widened to include a SB RTL with 75' of storage. Install detectable warning mats on both sides of crosswalk.
 - McClurkan Ave & Trevecca Ave and Strouse Ave & Trevecca Ave: Install crosswalks across all approaches with ADA ramps and detectable warning mats.

NASHVILLE DOT ROADS RECOMMENDATION

Approve with conditions

- With final: Include proposed public roadway construction drawings (profiles, grades, drainage). Roadway construction drawings shall comply with NDOT Subdivision Street Design Standards. Callout roadway sections, (access and ADA) ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Show 'Now Entering Private Drive' signage where applicable off public roads. Provide internal stop control at intersections. Provide stopping sight distance exhibits at any relevant intersections and accesses. Provide adequate sight distance spacing at all access ramps and public streets with on-street parking. All site accesses shall adhere to NDOT and code spacing requirements from adjacent drives and intersections. Dimension ROW pavement widths for clarity. Provide a loading/unloading plan for each aspect of the total development. Provide any truck turning movements relevant to loading/unloading activities. Note: A private hauler will be required for waste/recycle disposal. Comply w/ NDOT traffic comments.
- Conditions of approval:
 - Coordinate Road sections w/ NDOT prior to final. Additional ROW dedication, 11-12 ft., is needed along Gallatin frontage to meet the Major Collector Street Plan.
 - Remove any mid-block ped crossings on public streets.
 - Mandatory referral will be required any alley abandonment.
 - Coordinate w/ NDOT traffic and roads on realignment of East portion of McClurkan and skewed North portion of Emmet Ave.

METROPOLITAN HISTORICAL COMMISSION STAFF RECOMMENDATION

Approve with conditions

Metropolitan Historical Commission staff recommends approval of the plan to relocate the historic Renraw House with the following conditions:

- Applicant to provide and MHC/MHZA staff to review and approve:
 - Moving plans, including conditions assessments, identifying what will be removed from the structure, what will be repaired, anticipated exterior modifications, etc.
 - As-built drawings prior to the move

- Plans for the relocation, including sitework, site plans, and finish elevations for the relocation (i.e., to make sure it is set at the right finish elevation in respect to the grade)
- File for Historic Landmark Zoning Overlay for the relocated structure; relocated property to be landmarked and MHZC to review and approve additions, etc., before additions added to the relocated structure; relocation to utilize original materials and design, including existing foundation stonework.
- Applicant to provide a historical marker recognizing history of the property and former residence; consult with MHC staff regarding text and 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)	2.91	0.6 F	76,056 SF	2,871	71	290

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

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)	0.6	3.0 F	8 U	42	3	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.6	3.0 F	7,841 SF	90	34	11

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	9.05	20 D	181 U	985	61	79

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	2.12	8.712 D	18 U	215	17	19

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)	8.18	-	950 U	5,176	311	385

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	2.05	-	62,500 SF	2,359	58	238

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)	2.04	-	62,500 SF	7,011	622	611

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	4.09	-	175,000 SF	1,826	191	194

Traffic changes between maximum: **CS/ORI/RM20/RS5 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+12,169	+996	+1,025

METRO SCHOOL BOARD REPORT

Projected student generation existing CS, ORI, RM20, RS5: **10 Elementary 8 Middle 9 High**

Projected student generation proposed SP-MU district: **50 Elementary 37 Middle 39 High**

The proposed SP-MU zoning is expected to generate 99 more students than the existing zoning districts. Students would attend Hattie Cotton Elementary School, Jere Baxter Middle School, and Maplewood High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Approve with conditions and disapprove without all conditions.

CONDITIONS

1. Permitted uses shall be limited to 950 multi-family residential units and 300,000 square feet of commercial space as defined on the plan. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited in the entirety of the SP.
2. To encourage the use of Public Transit and reduce the impact of any increased vehicular delays associated with the proposed development, the developer shall construct a new transit stop consistent with a Rapid Service Stop along the western side of the property frontage on Gallatin Pike commensurate with the construction of the contiguous/adjacent parcel. Final design to be worked out with WeGo consistent with their Transit Design Guidelines. If, however, another more appropriate site is found by the City, or if Planning staff and the developer collectively determine it is not feasible to design the stop at this location in a fashion acceptable to Planning/NDOT/WeGO and consistent with the intent of this SP, then the developer shall contribute funds to the City to help facilitate the construction of a stop in another location along Gallatin Pike, rather than constructing the stop, and these funds shall be donated to the City prior to the issuance of the first temporary certificate of occupancy for this property's redevelopment. No final site plans for properties with frontage on Gallatin Pike shall be approved until a determination is made relative to inclusion of a stop or contribution of funds.
3. The location of the new transit stop shall be coordinated with the location of the enhanced cross walk.
4. Provide a plan for the relocation of the Renraw house that includes the timing of the proposed relocation in relation to the other elements of the project, including when Historic Landmark Zoning Overlay status will be requested.
5. Parking in the mixed use district shall be per the UZO maximum standards or an approved shared parking agreement while parking in the residential district is set at 1.5 spaces per unit, to be provided by private garages, surface parking behind units, and on-street parking.
6. Remove all references to stucco on the plans and add the standard Metro architectural note.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. 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.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
10. Comply with all conditions and requirements of Metro reviewing agencies.
11. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the Mixed Use District of the property shall be subject to the standards, regulations and requirements of the MUG-A

zoning district and the Residential District of the property shall be subject to the standards, regulations and requirements of the R6-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

12. 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.
13. 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 including a memo. (9-0)

Resolution No. RS2023-013

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-075-001 is approved with conditions and disapproved without conditions including a memo. (9-0)

CONDITIONS

1. Permitted uses shall be limited to 950 multi-family residential units and 300,000 square feet of commercial space as defined on the plan. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited in the entirety of the SP.
2. To encourage the use of Public Transit and reduce the impact of any increased vehicular delays associated with the proposed development, the developer shall construct a new transit stop consistent with a Rapid Service Stop along the western side of the property frontage on Gallatin Pike commensurate with the construction of the contiguous/adjacent parcel. Final design to be worked out with WeGo consistent with their Transit Design Guidelines. If, however, another more appropriate site is found by the City, or if Planning staff and the developer collectively determine it is not feasible to design the stop at this location in a fashion acceptable to Planning/NDOT/WeGO and consistent with the intent of this SP, then the developer shall contribute funds to the City to help facilitate the construction of a stop in another location along Gallatin Pike, rather than constructing the stop, and these funds shall be donated to the City prior to the issuance of the first temporary certificate of occupancy for this property's redevelopment. No final site plans for properties with frontage on Gallatin Pike shall be approved until a determination is made relative to inclusion of a stop or contribution of funds.
3. The location of the new transit stop shall be coordinated with the location of the enhanced cross walk.
4. Provide a plan for the relocation of the Renraw house that includes the timing of the proposed relocation in relation to the other elements of the project, including when Historic Landmark Zoning Overlay status will be requested.
5. Parking in the mixed use district shall be per the UZO maximum standards or an approved shared parking agreement while parking in the residential district is set at 1.5 spaces per unit, to be provided by private garages, surface parking behind units, and on-street parking.
6. Remove all references to stucco on the plans and add the standard Metro architectural note.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. 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.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
10. Comply with all conditions and requirements of Metro reviewing agencies.
11. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the Mixed Use District of the property shall be subject to the standards, regulations and requirements of the MUG-A zoning district and the Residential District of the property shall be subject to the standards, regulations and requirements of the R6-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
12. 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.
13. 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.

**34b. 2005P-029-001
LINCOLN TECH INSTITUTIONAL OVERLAY CANCEL**

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

A request to cancel an Institutional Overlay for various properties west of Gallatin Avenue and north of Douglas Avenue, located within the Nashville Auto Diesel College Institutional Overlay District, zoned CS, ORI, RM20, and RS5 (16.35 acres), requested by Barge Cauthen & Associates, applicant; 525 Group, LLC and Nashville Acquisition, LLC, owners. (See associated case 2022SP-075-001).

Staff Recommendation: Approve if the associated zone change is approved and disapprove if the associated zoned change is not approved.

APPLICANT REQUEST

Cancel an Institutional Overlay.

Institutional Overlay Cancellation

A request to cancel an Institutional Overlay for various properties west of Gallatin Avenue and north of Douglas Avenue, located within the Lincoln College of Technology Institutional Overlay District, zoned Commercial Services (CS), Office/Residential Intensive (ORI), Multi-Family Residential (RM20), and Single-Family Residential (RS5) (16.35 acres), requested by Barge Cauthen & Associates, applicant; 525 Group, LLC and Nashville Acquisition, LLC, owners. (See associated case 2022SP-075-001.)

Existing Zoning

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

Office/Residential Intensive (ORI) is intended for high intensity office and/or multi-family uses with limited retail opportunities.

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. *RM20 would permit a maximum of 181 units.*

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 15 units.*

EAST NASHVILLE COMMUNITY PLAN

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

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.

Transition (TR) is intended to enhance and create areas that can serve as transitions between higher-intensity uses or major thoroughfares and lower density residential neighborhoods while providing opportunities for small scale offices and/or residential development. Housing in TR areas can include a mix of types and is especially appropriate for "missing middle" housing types with small- to medium-sized footprints.

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.

INSTITUTIONAL OVERLAY HISTORY

Lincoln Tech (formerly Nashville Auto-Diesel College) was established in 1919 and has been in East Nashville for 90 years. An institutional overlay was adopted in 2006 in conjunction with the school's master plan to provide for orderly growth and to prepare the campus to revitalize concurrently with the surrounding neighborhood.

ANALYSIS

The institutional overlay was intended to guide the growth and integration of Lincoln Tech with the surrounding neighborhood. Because Lincoln Tech is relocating, the overlay is no longer necessary, and so a site plan-based specific plan district has been proposed for the properties that currently comprise the campus. Cancelling the institutional overlay would allow for this rezoning to go forward, which conforms to the adopted policies for the area. For this reason, staff supports cancelling the institutional overlay for the subject properties.

STAFF RECOMMENDATION

Staff recommends approval if the associated zone change is approved and disapprove if the associated zone change is not approved.

Approve. (9-0)

Resolution No. RS2023-014

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-029-001 is approved. (9-0)

35. 2023NHC-001-001 LATHAN YOUNGS CONSERVATION OVERLAY

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Amelia Lewis

A request to apply a Neighborhood Conservation Zoning Overlay District to various properties located on Lathan Court and Youngs Lane, zoned R6 and R8 (11.96 acres), requested by Councilmember Kyonzte Toombs, applicant; various owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Apply a Neighborhood Conservation Overlay District.

Neighborhood Conservation Overlay

A request to apply a Neighborhood Conservation Zoning Overlay District to various properties located on Lathan Court and Youngs Lane, zoned One and Two-Family Residential (R6 and R8) (11.96 acres).

Existing Zoning

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots.

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

Proposed Overlay

Neighborhood Conservation Overlay District (NHC) is applied to 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.

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

T4 Urban Mixed Use Corridor (T4 CM) is intended to enhance urban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of urban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

T4 Urban Neighborhood Maintenance (T4 NM) is intended to maintain the general character of existing urban residential neighborhoods. T4 NM areas will experience some change over time, primarily when buildings are

expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T4 NM areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

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.

REQUEST DETAILS

The Metro Historic Zoning Commission (MHZC) considered this application at its November 11, 2022, meeting. Historic Zoning Commission staff recommended approval of this application. The Metro Historic Commission Staff provided the following key summary of the area's importance:

Lathan Court, a short dead-end street in North Nashville and portions of Youngs Lane, are significant for a connection to the development of North Nashville by the African American community and how it reflects the growing middle to upper class Black community of the 1960s and 70s.

The complete report considered with the MHZC includes more background information.

METRO HISTORIC ZONING COMMISSION RECOMMENDATION

A recommendation of approval of the Lathan-Youngs Neighborhood Conservation Zoning Overlay was issued at the Metro Historic Zoning Commission (MHZC) held on November 11, 2022.

The MHZC determined the area to meet criteria 1, 2 and 3 of section 17.36.120 and the adoption of the existing design guidelines with a Lathan-Youngs chapter as described in the staff report, finding that they are consistent with the Secretary of Interior's Standards.

STAFF RECOMMENDATION

Staff recommends approval of the Neighborhood Conservation Overlay District.

Ms. Blackshear joined the meeting.

Ms. Lewis presented the staff recommendation to approve.

Councilmember Toombs spoke in favor of the application.

Eugene Smith, 1908 Lathan Court, spoke in favor of the application.

Vicelia Johnson, 1907 Lathan Court, spoke in favor of the application.

Jamie Hancock, 1900 Lathan Court, spoke in favor of the application.

Chris Koch, 829 Youngs Lane, spoke in opposition to the application.

Councilmember Toombs spoke in rebuttal.

Chair Adkins closed the Public Hearing.

Robin Zeigler, Historic Zoning Administrator, advised why the properties on Youngs Lane were included in the Conservation Overlay application.

Ms. Blackshear thought this looks like a great idea. She stated she would be in support and takes Councilmember Toombs at her word when she stated she will remove any parcels, to extent it makes sense, as it goes to Council.

Mr. Tibbs stated he supports the overlay. He agrees with the unique characteristics of the homes and lot sizes and said it will be interesting to be able to keep and maintain. Mr. Tibbs trusts that the Councilperson will work at Council to work with any lots that need to be removed at that time.

Ms. Johnson stated she is in full support of the Conservation Overlay for both Lathan Court and Youngs Lane.

Councilmember Withers said the houses are one thing but the connection to people who have been of such importance to Nashville's history, as a whole, and especially in the African American community, really warrants considering the request to preserve them. He stated he is in support.

Mr. Henley stated he understood the context of the community and the history. He said the corridor has an institutional dynamic with the school, church and other faith based institutions and that's been a reverence for that area. Mr. Henley said he is in support.

Mr. Clifton stated this is a great idea and from a planning issue it is something they should support, as is.

Mr. Lawson said this is very appropriate.

Mr. Lawson moved and Ms. Blackshear seconded the motion to approve. (9-0)

Chair Adkins called for a ten minute break.

Resolution No. RS2023-015

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023NHC-001-001 is approved. (9-0)

36. 2023Z-001PR-001

Council District 05 (Sean Parker)

Staff Reviewer: Jason Swaggart

A request to rezone from RS5 to RM15-A zoning for property located at 1717 Luton Street, approximately 450 feet south of East Trinity Lane (0.32 acres), requested by Development Management Group, applicant; X5 Construction LLC and Metropolitan Construction LLC, owners.

Staff Recommendation: Disapprove.

The Metropolitan Planning Commission deferred 2023Z-001PR-001 to the February 9, 2023, Planning Commission meeting. (9-0)

37. 2023Z-002PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Jason Swaggart

A request to rezone from OR20 to CL zoning for property located at 2106 Buena Vista Pike, approximately 290 feet northeast of Clarksville Pike (0.14 acres), requested by Fonda El Cubilete, applicant; Wagma A. Dorani, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from OR20 to CL.

Zone Change

A request to rezone from Office and Residential (OR20) to Commercial Limited (CL) zoning for property located at 2106 Buena Vista Pike, approximately 290 feet northeast of Clarksville Pike (0.14 acres).

Existing Zoning

Office/Residential-Alternative (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 three residential units.*

Proposed Zoning

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

BORDEAUX – WHITES CREEK – HAYNES TRINITY 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.

ANALYSIS

The approximately 0.14-acre site is located on the south side of Buena Vista Pike, approximately 200 feet east of Clarksville Pike. The property is occupied by a small one-story commercial building and associated surface parking area. The adjacent zoning district to the south and west is CL. The zoning on the opposite side of Buena Vista Pike is CL. The adjacent zoning to the east is OR20. Adjacent land uses include a mobile home park to the east, a Walgreens to the south and west and multifamily on the opposite side of Buena Vista Pike. Staff finds that the proposed CL zoning is consistent with the policy at this location. The proposed CL zoning district permits commercial uses consistent with the policy and is consistent with the adjacent zoning districts to the north, south and west.

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 3-10 (221)	0.07	20 D	1 U	4	0	0

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)	0.07	0.8 F	2,439 SF	29	29	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.14	0.6 F	3,659 SF	138	3	14

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

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

Given the mix of uses permitted, the number of residential units ultimately built on site may vary and an assumption as to impact at this point is premature. Students would attend Cumberland Elementary, Haynes Middle School or Whites Creek High School.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (9-0)

Resolution No. RS2023-016

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-002PR-001 is approved. (9-0)

38. 2023Z-004PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Laszlo Marton

A request to rezone from RS10 to R10 zoning for property located at 2619 Old Buena Vista Road, approximately 300 feet northwest of Day Street (0.41 acres), requested by Reginald Holder, applicant; Reginald Holder & Cassandra Christiansen, ETAL, owners.

Staff Recommendation: Defer to the February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023Z-004PR-001 to the February 9, 2023, Planning Commission meeting. (9-0)

39. 2023Z-005PR-001

Council District 01 (Jonathan Hall)

Staff Reviewer: Laszlo Marton

A request to rezone from RS40 to CS zoning for properties located at 7390, 7400, 7430, 7438, 7440 and 7442 Whites Creek Pike and Whites Creek Pike (unnumbered), at the western terminus of Gerald Drive (77.66 acres), requested by Kenneth L. Jakes (Trustee), applicant; Ellis P. Jakes, Revocable Living Trust, owner.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Zone change from RS40 to CS.

Zone Change

A request to rezone from Single-Family Residential (RS40) to Commercial Services (CS) zoning for properties located at 7390, 7400, 7430, 7438, 7440, and 7442 Whites Creek Pike (unnumbered), approximately 31 feet west of Gerald Drive (77.66 acres).

Existing Zoning

Single Family Residential - RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre. RS40 would permit a maximum of 71 units, based on acreage alone. Application of the Rural Subdivision Regulations may result in fewer lots.

Proposed Zoning

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

JOELTON COMMUNITY PLAN

Conservation (CO) is intended to preserve and enhance environmentally sensitive land within all Transect Categories except 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.

T2 Rural Neighborhood Maintenance (T2 NM) is intended to preserve the general character of rural neighborhoods as characterized by their development pattern, building form, land use, and associated public realm. T2 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, in terms of its development pattern, building form, land use, and public realm. Where not present, enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

T2 Rural Neighborhood Center (T2 NC) T2 NC policy is intended to preserve enhance, and create rural centers that are compatible with

the general character of rural neighborhoods as characterized by the service area, development pattern, building form, land use, and associated public realm. T2 Rural Neighborhood Centers are pedestrian friendly areas generally located at defined intersections and contain commercial, mixed use, civic and public benefit land uses, with residential present only in mixed use buildings. Rural centers serve rural neighborhoods within a 10 minute drive.

ANALYSIS

The application consists of ten parcels (Map 015, Parcels 055.02, 051, 052, 172, 192, 193, 208, 211, 244, 246) totaling 77.66 acres in size located on the eastern side of Whites Creek Pike. The properties consist of single-family homes and vacant rural land. Surrounding properties are zoned RS15 and RS40, while most of the surrounding uses are residential. An SP district south of the subject properties was approved in 2020 allowing a restaurant, gas station and a hotel within the T2 NC policy. In addition, there is a CL district to the southwest which borders I-24. The CL zoning to the southwest existed prior to the application of T2 policy in this area.

The application proposes to rezone the ten parcels from RS40 to CS. Most of the properties are located within Conservation (CO) and Rural Maintenance (T2 RM) policy areas, while one property is located within Rural Neighborhood Center (T2 NC). CO policy is intended to preserve and enhance environmentally sensitive land. T2 RM is intended to preserve the existing characteristics of rural neighborhoods. The proposed CS zoning district would allow for a range of commercial uses including retail trade, consumer services, automobile sales, restaurants, entertainment, and financial institutions. The CCM does not list CS as an appropriate zoning under the T2 RM Policy,

as the policy is not supportive of commercial uses. Additionally, there are problem soils associated with a large portion of the site as you move farther east of Whites Creek Pike. Land intensive uses such as those permitted in the CS zoning district do not align with the CO policy for the area and the guidance provided by Nashville Next for T2. For these reasons, staff recommends disapproval.

Maximum Uses in Existing Zoning District: **RS40**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	77.66	1.089 D	71 U	759	55	73

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	77.66	0.6 F	2,029,722 SF	76,622	1,908	7,733

Traffic changes between maximum: **RS40 and CS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+75,863	+1,853	+7,660

STAFF RECOMMENDATION

Staff recommends disapproval of CS.

Mr. Marton presented the staff recommendation to disapprove.

Don Collins, TTL Civil Engineering, spoke in favor of the application.

Kenneth Jakes, 5920 Clarksville Pike, spoke in favor of the application.

Chris Boehm, 5050 Rawlings Road, spoke in favor of the application.

Jerry Strange, 6576 Clarksville Pike, spoke in favor of the application.

Mark James, 2911 Morgan Road, spoke in opposition to the application.

Gary Moore, 2946 Morgan Road, spoke in opposition to the application.

Kenneth Jakes spoke in rebuttal.

Councilmember Hall spoke in favor of the application.

Chair Adkins closed the Public Hearing.

Mr. Lawson said he feels strongly that approving an application of this type sets them back decades as it is saying, "I don't care what your policies are, I don't care what your plans are; I want to do this because I have the right as a property owner." He stated the underlying reason this should not be approved is that the community has said they do not want it in this direction, at this time. Mr. Lawson is baffled at how they would apply 77 acres of land and give it a blanket CS approval.

Mr. Haynes stated he completely agrees with Mr. Lawson and staff analysis. He felt that trying to compare these 77 acres to SP and CL across the interstate on far smaller parcels is apples to oranges and said he supports staff recommendation.

Mr. Clifton said Nashville Next was another way of saying general plan and for the last several years the Commission has almost always paid attention to the general plan. He stated they cannot start a tradition of ignoring the general plan as it has to be amended before they should take that authority, even if they believe it is the right use. Mr. Clifton stated they would lose control if they approved this and is against it.

Mr. Henley stated he has some troubles with this, as well. He thought this is a part of the city that needs services and amenities but it is more appropriate for there to be a process which details what would come. He said the process would allow the community to have an input on what is suitable and what guidance and regulations can come from this body based on that development.

Councilmember Withers stated that is a rural and agricultural context and the policy is Rural Maintenance and if they decide to allow commercial uses that are not supported by Rural Maintenance, it opens up discussion to all Rural Maintenance areas, which will have huge effects for the rest of the Rural policy area in the county. He advised they have to make a land use decision based on land use and policy and not on the person that owns the land at the moment. Mr. Withers said he supports staff recommendation.

Ms. Johnson said she can see if this was supported by the community with SP but not blanketly open ten parcels to commercial intents not in line with T2 Maintenance policy. She stated CS for the entire property is not appropriate and supports disapproval.

Mr. Tibbs felt like this is an area that could use an SP and really make it what the neighbors desired, as opposed to anything on the CS list. He stated he would vote disapproval.

Ms. Blackshear stated the policy is not there and they do not have a policy change request in front of them. She said they just have an item that is against policy and they do not have a way, such as an SP, to more narrowly tailor the proper uses for that policy area.

Ms. Blackshear moved and Mr. Lawson seconded the motion to disapprove. (9-0)

Resolution No. RS2023-017

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-005PR-001 is disapproved. (9-0)

40. 2023Z-006PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Laszlo Marton

A request to rezone from CN and CS to MUL-A zoning for property located at 1211 Brick Church Pike, at the northeast corner of Brick Church Pike and Fern Avenue (0.94 acres), requested by AICRE Development LLC, applicant; James & Hilda Lewis, Co-Trustees, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from CN & CS to MUL-A.

Zone Change

A request to rezone from Commercial Districts (CN; CS) to Mixed Use Limited -Alternative (MUL-A) zoning for property located at 1211 Brick Church Pike, northeast of the corner of Brick Church Pike and Fern Avenue (0.94 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.

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

Proposed Zoning

Mixed Use Limited-Alternative – 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.

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

T4 Urban Mixed Use Neighborhood (T4 MU) is intended to preserve, enhance, and create urban, mixed use neighborhoods characterized by a development pattern that contains a diverse mix of residential and nonresidential land uses, and that are envisioned to remain or develop in a mixed use pattern. T4 MU areas are areas intended to

be mixed use in nature with the presence of commercial and even light industrial uses, but also a significant amount of moderate to high density residential development.

Haynes Trinity Supplemental Policy

The site is located within the Haynes Trinity Supplemental Policy which was approved and adopted by the Planning Commission on January 11th, 2018. The intent of the supplemental policy is to create and enhance neighborhoods with greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques. The mobility plan component of the policy calls for a more connected street system to provide a strong and cohesive block structure, along with improved sidewalks, bikeways and transit facilities.

ANALYSIS

The application consists of one parcel (Map 071-14, Parcel 303) totaling .94 acres located on the eastern side of Brick Church Pike. The property contains two structures, a restaurant built in 1961 and an automobile shop built in 1984. Surrounding uses include commercial and residential. Two adjacent properties at the intersection of Brick Church Pike and Fern Avenue have been rezoned to MUG-A and MUN-A in 2013 and 2020. The subject property and surrounding properties are within Urban Mixed Use Neighborhood (T4 MU) policy.

The application proposes to rezone the property from CS and CN to MUL-A. The requested MUL-A zoning is supported by the T4 Urban Mixed Use Neighborhood policy. According to the Community Character Manual, T4 MU areas will have high levels of connectivity and complete street networks with sidewalks, bikeways, and existing or planned transit. The site is located just off the corner of the intersection of Brick Church Pike and Fern Avenue with close proximity to 3 bus stops served by routes 14 and 41. The proposed zoning allows for a mixture of residential, retail and office uses that will increase housing choice in the area and will meet the goals of NashvilleNext to locate new housing and services near transit. The standards for building placement, parking and access included in the MUL-A district would improve the relationship of development to the street, creating a more walkable and connected neighborhood consistent with T4 MU policy and NashvilleNext as a whole.

FIRE RECOMMENDATION

Approve.

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)	0.42	0.25 F	4,574 SF	173	5	17

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)	0.52	0.6 F	13,591 SF	513	13	52

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)	0.47	1.0 F	20 U	107	7	10

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)	0.24	1.0 F	10,454 SF	395	10	40

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)	0.23	1.0 F	10,019 SF	1,124	100	98
---------------------	------	-------	-----------	-------	-----	----

Traffic changes between maximum: CN/CS and MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+940	+99	+79

METRO SCHOOL BOARD REPORT

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

STAFF RECOMMENDATION

Staff recommends approval of MUL-A.

Approve. (9-0)

Resolution No. RS2023-018

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-006PR-001 is approved. (9-0)

41. 2023Z-007PR-001

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Donald Anthony

A request to rezone from R8 to RM15-A-NS zoning for properties located at 5705 A & B Robertson Avenue, and 5707 A & B Robertson Avenue, approximately 130 feet southeast of Snyder Avenue (1.02 acres), requested by Dale & Associates, PLLC, applicant; Edward G. Michaels IV, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from R8 to RM15-A-NS.

Zone Change

A request to rezone from One and Two-Family Residential (R8) to Multi-Family Residential-Alternative-No Short Term Rentals (RM15-A-NS) for properties located at 5705 A and B Robertson Avenue and 5707 A and B Robertson Avenue, approximately 130 feet southeast of Snyder Avenue (1.02 acres).

Existing Zoning

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 5 lots with 5 duplex lots for a total of 10 units. Metro Codes makes final determination of duplex eligibility.*

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 15 units. Owner occupied and not-owner occupied short term rentals would be prohibited uses.*

WEST NASHVILLE COMMUNITY PLAN

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

connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors.

SITE AND CONTEXT

The rezoning application is for four parcels totaling 1.02 acres (Map 091-10, Parcels 465-468), located at 5705 A and B and 5707 A and B Robertson Avenue. The properties lie along the south side of Robertson Avenue, mid-block between Snyder Avenue and Midland Avenue. The properties are currently zoned R8 and contain two single-family residential units. All adjacent parcels are zoned R8. Other zoning districts present in the area include SP to the northwest and CL to the east. The SP to the northwest (5800-5802 Robertson Avenue) was approved in 2015 and permits four single-family residential units on 0.28 acres. Adjacent land uses include: a church on the east; single-family residential units on the north and south; and two-family residential units on the west. The subject properties have access to Robertson Avenue, which is classified in the Major and Collector Street Plan as a residential collector-avenue. Robertson Avenue has a sidewalk along the north side of the street. Nearby WeGo routes include Route 19 (approximately 0.37 miles to the east) and Route 50 (approximately 0.35 miles to the south).

ANALYSIS

The applicant proposes rezoning the subject property from R8 to RM15-A-NS. The requested RM15-A-NS zoning is consistent with the Community Character Manual’s guidance for the T4 NE policy area. The T4 NE policy is characterized in part by moderate to high-density residential development, a diverse housing mix, and high levels of connectivity. Recommended building types include houses, low and mid-rise townhouses, and low and mid-rise flats. The proposed RM15-A-NS zoning would allow up to 15 residential units on the property, which would increase density and contribute to housing diversity in the area.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	1.02	5.445 D	6 U	78	9	7

*Based on two-family lots

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)	1.02	15 D	15 U	80	5	7

Traffic changes between maximum: **R8 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
-	-	-	+9 U	+2	-4	-

METRO SCHOOL BOARD REPORT

Projected student generation existing R8 district: 1 Elementary 0 Middle 0 High
 Projected student generation proposed RM15-A-NS district: 1 Elementary 1 Middle 1 High

The proposed RM15-A-NS zoning district is expected to generate two more students than the existing R8 zoning district. Students would attend Cockrill Elementary School, McKissack Middle School, and Pearl-Cohn High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Mr. Anthony presented the staff recommendation to approve.

Michael Garrigan, Dale & Associates, 516 Heather Place, spoke in favor of the application.

DeeDee Vandivort, 5515 Rome Avenue, spoke in opposition to the application.

Michael Garrigan spoke in rebuttal.

Chair Adkins closed the Public Hearing.

Mr. Tibbs stated this is straight forward with policy and supports staff recommendation.

Ms. Johnson said it will be actual housing and not short term rental and thought it was a great policy. She stated the density was not extreme and felt it is an appropriate zone change.

Councilmember Withers stated that having the alley up to an acceptable standard and sidewalks are very important in the area. He felt adding housing is important and is in support of staff recommendation.

Mr. Henley stated he is very excited about this plan. He liked adding more housing while making sure they are thoughtful of the impact it will have. Mr. Henley said he was satisfied with the plan of making the access not directly in the front on a busy road.

Mr. Clifton stated he agrees with what has been said and has nothing more to add.

Mr. Haynes had no comment.

Ms. Blackshear said she was empathic to the neighbor who stated there is constant rezoning; however, felt this area is different because it is in Neighborhood Evolving policy and the plan is not something that has not been anticipated.

Mr. Lawson moved and Mr. Haynes seconded the motion to approve. (9-0)

Resolution No. RS2023-019

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-007PR-001 is approved. (9-0)

42. 2023Z-008PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Jason Swaggart

A request to rezone from CL to CL-NS zoning for properties located at 2425 and 2427 Brick Church Pike, at the southeast corner of Dennis Drive and Brooklyn Avenue (6.09 acres), requested by Councilmember Kyonzte Toombs, applicant; Brick Church Pike Sitework, LLC, owner.

Staff Recommendation: Defer to the February 23, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023Z-008PR-001 to the February 9, 2023, Planning Commission meeting. (9-0)

43. 2023Z-010PR-001

Council District 16 (Ginny Welsch)

Staff Reviewer: Laszlo Marton

A request to rezone from RS5 to RM20-A-NS zoning for property located at 322 Elberta Street, approximately 260 feet east of Nolensville Pike (0.43 acres), requested by Amin Nabi, applicant and owner.

Staff Recommendation: Defer to the February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023Z-010PR-001 to the February 8, 2023, Planning Commission meeting. (9-0)

44. 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: Approve.

APPLICANT REQUEST

Zone change from IR to MUL-A-NS.

Zone Change

A request to rezone from Industrial Restrictive (IR) to Mixed Use Limited-Alternative-No Short Term Rentals (MUL-A-NS) zoning for property located at 469 Chestnut Avenue, approximately 69 feet north of Humphreys Street (0.94 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 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.*

SOUTH NASHVILLE COMMUNITY PLAN

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

SUPPLEMENTAL POLICY

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

ANALYSIS

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

The application proposes to rezone the property from IR to MUL–A–NS. The property is within the T4 Urban Mixed Use Neighborhood (T4 MU) policy area. T4 MU policy is intended to create urban, mixed use neighborhoods with a diverse mix of moderate- to high-density residential, commercial, office, and light industrial uses. The policy envisions high levels of connectivity and complete street networks with sidewalks, bikeways, and existing or planned transit.

The CCM lists MUL–A as an appropriate zoning district under T4 MU policy. MUL–A would support the policy’s intent to a greater degree than the existing IR zoning. That zoning designation reflected an earlier vision for the area as a purely auto-oriented industrial corridor. As the need for industrially zoned land has decreased in cities across the United States, community planning efforts have targeted many of these areas for rezoning to residential and commercial uses. The WHCH Small Area Plan identifies this area as appropriate for mixed use structures with

heights of 3 to 4 stories, which would be a development pattern supported by MUL-A-NS zoning. In addition to the nearby parcels zoned MUL and MUL-A, several SPs in the vicinity feature MUL base zoning.

Allowing a more intense mix of uses at this location supports the existing policy guidance and future planning efforts aimed at creating an urban mixed-use district in this area of the county so near Nashville's core. For these reasons, staff recommends approval of the rezoning.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.94	0.6 F	24,568 SF	84	4	4

Maximum Uses in Proposed Zoning District: **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)	0.47	1.0 F	20 U	107	7	10

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.24	1.0 F	10,454 SF	395	10	40

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.23	1.0 F	10,019 SF	1,124	100	98

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
-	-	-	-	+1,542	+113	+144

METRO SCHOOL BOARD REPORT

Projected student generation existing IR district: 0 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 Fall-Hamilton Elementary School, Cameron College Prep Middle School, and Glenciff High School. Fall-Hamilton Elementary and Glenciff High School are identified as having capacity for additional students while Cameron College Prep Middle School is identified as being over capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0-1)

Resolution No. RS2023-020

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-130PR-001 is approved. (8-0-1)

45. 2022Z-140PR-001

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

A request to rezone from R15 to R8 zoning for properties located at 200-204 Misty Cape Cove and 206-219 Misty Cape Cove, north of the corner of Bell Road and Misty Cape Cove (3.48 acres), requested by SWS Engineering, Inc., applicant; The David W. Gaw Family Ltd. Partnership, SEG Investments, and SEG Investments, L.P., owners.

Staff Recommendation: Defer to the February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022Z-140PR-001 to the February 9, 2023, Planning Commission meeting. (9-0)

46. 188-84P-005

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

A request to revise a portion of a Planned Unit Development for properties located at Hobson Drive (unnumbered), approximately 200 feet west of Muci Drive (140.7 acres), zoned Commercial Service (CS) and One and Two-Family Residential (R8), to permit 460 residential units and 315,100 square feet of nonresidential uses.

Staff Recommendation: Approve with conditions.

The Metropolitan Planning Commission deferred 188-84P-005 to the February 9, 2023, Planning Commission meeting. (8-0-1)

**47. 2013UD-002-041
MURFREESBORO PIKE UDO**

Council District 33 (Antoinette Lee)
Staff Reviewer: Hazel Ventura

A request for modification to the Murfreesboro Pike Urban Design Overlay District on property located at Murfreesboro Pike (unnumbered), southeast of the corner of Summercrest Boulevard and Murfreesboro Pike, zoned Commercial Service (CS) (1.14 acres), to allow a drive-through at the corner of two public streets and minor modifications to the perimeter landscape strip and the interior landscaping islands, requested by Pinhook Partners, applicant; Pinhook Partners, LLC, owner.

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

APPLICANT REQUEST

A request for a major modification to allow a drive-through at the corner of two public streets, and two minor modifications to landscaping requirements.

UDO Modifications

A request for modification to the Murfreesboro Pike Urban Design Overlay District on property located at Murfreesboro Pike (unnumbered), southeast of the corner of Summercrest Boulevard and Murfreesboro Pike, zoned Commercial Service (CS) (1.14 acres), to allow a drive-through at the corner of two public streets and minor modifications to the perimeter landscape strip and the interior landscaping islands.

EXISTING ZONING

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

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

PLAN DETAILS

The proposed commercial development is a carwash at the corner of Pin Hook Road and Murfreesboro Pike. The carwash building fronts Murfreesboro Pike with the pay station area fronting Pin Hook Road, and its vacuum bays are internal to the site. The pay station and the vacuum bays will have canopies. The drive-through component of the

carwash is designed along both street frontages. The site is surrounded by commercial services with the Mt. View Marketplace to the north of the site, while another smaller business enclosing the site to the east.

MODIFICATION REQUEST DETAILS

The proposal is requesting one major modification - a deviation of over 20 percent - which must be approved by the Planning Commission, and two minor modifications, deviations of less than 20 percent.

1) UDO Requirement: "In no case shall drive-throughs be located at the corner of two public streets". The UDO seeks to position drive-throughs to the rear of development sites.

Major Modification Request: The drive-through for the carwash is designed to front both Murfreesboro Pike and Pin Hook Road.

2) UDO Requirement: Parking areas and driveways shall be separated from the edge of the right-of-way by a perimeter landscape strip a minimum of 10 feet wide and planted with evergreen shrubs to screen parking area.

Minor Modification Request: There are two sections, approximately 70 square feet on Pin Hook Road and 164 square feet on Murfreesboro Pike, where the 10 feet wide landscaping strip is not being met.

3) UDO Requirement: A landscape island at least 7 feet in width is required between every 10 contiguous park spaces.

Minor Modification Request: The carwash is providing 4 parking spaces and 22 vacuum bays. The vacuum bays will be installed with canopies and will not have landscape islands between every 10 contiguous park spaces.

ANALYSIS

Location of Drive-Throughs at the corner of Murfreesboro Pike and Pin Hook Road

The intent prohibiting drive-throughs at the corner of two public streets is consistent with the UDO's effort to locate auto-oriented elements to the rear of the site to create high quality design and enhance the site aesthetically. The primary use of a carwash is inherently auto-oriented which makes it difficult to comply with the required setback of the UDO and design the drive-through to be at the rear of the site.

Additionally, the applicant held a community meeting on August 10 to present the proposed carwash. The community responded favorably to the proposal and Councilmember Lee has expressed support for allowing the drive-through at this specific location.

Perimeter Landscape Strip along Murfreesboro Pike and Pin Hook Road

The intent of the perimeter landscaping strip is to screen unsightly elements such as parking areas and driveways. Due to the irregular shape of the site and the site design of the carwash, there are two small sections, approximately 23 linear feet on Pin Hook Road and 56 linear feet on Murfreesboro Pike, where the 10' landscaping strip is not met, which is minor compared to the approximately 600 linear feet of landscaping required.

Interior Landscape Islands

The intent of requiring landscape islands is to reduce the visual impact of surface parking lots and enhance the site aesthetically. There are 22 vacuum bays that will be installed with canopies. The addition of landscaping islands under these canopies would be covered and would not produce the desired landscaping. The site proposes a larger landscaping area, highlighted in green in Figure 5, at the center of the site to accommodate this modification.

STAFF RECOMMENDATION

Due to the community and Councilmember Lee's support, the irregular shape of the site and the landscape proposed along Murfreesboro Pike and Pin Hook Road, staff recommends approval of the major modification to allow a drive-through at this corner site, and approval of minor modifications to the perimeter landscape strip along Murfreesboro Pike and Pin Hook Road, and the landscape islands required between every 10 contiguous park spaces.

CONDITIONS

1. Right-of-Way dedication shall be recorded prior to issuance of any building permits.
2. Prior to final approval, coordinate with NDOT on modifying the refuge island at the Murfreesboro Pike and Pin Hook Road to accommodate a queueing area for the existing bike lanes on Murfreesboro Pike. Additional striping may be required after further analysis.

Approve with conditions. (9-0)

Resolution No. RS2023-021

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013UD-002-041 is approved with conditions. (9-0)

48. 2021S-183-001

RESUBDIVISION OF PART OF LOT 40 PLAN OF CLIFTON

Council District 21 (Brandon Taylor)

Staff Reviewer: Dustin Shane

A request for final plat approval to create three lots on property located at 39th Avenue North (unnumbered), approximately 230 feet south of John L Driver Avenue, zoned RS7.5 (0.69 acres), requested by Dale and Associates, applicant; 39th Avenue Partners LLC, owner.

Staff Recommendation: Defer to the February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021S-183-001 to the February 9, 2023, Planning Commission meeting. (9-0)

49. 2022S-079-002

WILLIAMSON HOMESTEAD

Council District 12 (Erin Evans)

Staff Reviewer: Logan Elliott

A request for concept plan approval to create 99 residential lots on properties located at 1053 and 1061 Tulip Grove Road, approximately 950 feet south of Old Lebanon Dirt Road, zoned RS15 (46.27 acres), requested by Crenshaw Land Surveying, applicant; Albert Jones ET UX and Schell Brothers Nashville, LLC, owners.

Staff Recommendation: Defer to the February 9, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022S-079-002 to the February 9, 2023, Planning Commission meeting. (9-0)

50 2022S-129-001

Council District 03 (Jennifer Gamble)

Staff Reviewer: Jason Swaggart

A request for concept plan approval to create ten lots on property located at 3622 Whites Creek Pike, approximately 430 feet south of Parmley Lane, zoned R10 (5.89 acres), requested by Dale & Associates, applicant; Hoome Capital LLC, owner.

Staff Recommendation: Approve with conditions including a variance from Section 4-2.5.a.1.a, Section 4-2.5.a.1.b, Section 4-2.5.a.1.c, and Section 4-2.5.a.1.d of the Metro Subdivision Regulations, and an exception to permit disturbance of a portion of area identified for primary conservation.

APPLICANT REQUEST

Request for concept plan approval to create 10 cluster lots.

Concept Plan

A request for concept plan approval to create 10 cluster lots on property located at 3622 Whites Creek Pike, approximately 1,300 feet north of W. Green Lane, zoned One and Two-Family Residential (R10) (5.89 acres).

Background

On August 26, 2021, the Planning Commission approved a similar concept plan on the subject site. The approved plan included 11 cluster lots. The approval also included approvals of variances from Section 4-2.5.a.1.a, Section 4-2.5.a.1.b, Section 4-2.5.a.1.c, and Section 4-2.5.a.1.d of the Metro Subdivision Regulations. Since the proposed plan is not consistent with the plan that was approved by the Planning Commission on August 26, 2021, then a new application is required, thus leading to this request. The applicant indicated that the plan was revised after a field survey revealed that the slopes on the site did not match Metro data and that the actual conditions on the site are conducive to fewer lots, then on the previous plan. The proposed plan requires variances from the Subdivision Regulations consistent with the variances approved on the previous plan.

SITE DATA AND CONTEXT

Location: The site is located on the west side of Whites Creek Pike, north of W. Green Lane, approximately 0.50 miles north of Briley Parkway.

Street type: The site has frontage on Whites Creek Pike and a new public street. Whites Creek Pike is an arterial-boulevard with approximately 60 feet of existing right-of-way, and the new public street is a local street with a proposed right-of-way width of 50 feet, widening around the proposed cul-de-sac near the western boundary.

Approximate Acreage: 5.89 acres or 256,568 square feet.

Parcel/Site History: This site is comprised of a single parcel. The parcel was created by deed in 1955.

Zoning History: This site has been zoned R10 since at least 1974.

Existing land use and configuration: The site is developed with a single-family use. The existing residential structure, located near the southeastern corner, will be retained on one of the lots proposed for subdivision. The remainder of the property includes heavy vegetation.

Surrounding land use and zoning:

- North: vacant (R10)
- South: single-family residential and vacant (R10)
- East: single-family residential (R10)
- West: vacant (R10)

Zoning: One and Two-family Residential (R10)

Min. lot size: 10,000 square feet

Min. street setback for properties on Whites Creek Pike: 40'

Min. street setback for properties on Proposed Road 'A': 20'

Min. rear setback: 20'

Min. side setback: 5'

Max. building coverage: 0.40

Max. height: 3 stories

PROPOSAL DETAILS

This proposal is for subdivision development under existing zoning entitlements. No rezoning is proposed with this application. This proposal utilizes the by-right Cluster Lot Option standards of Section 17.12.090 of the Metro Zoning Code (cluster lot analysis is provided below Applicable Subdivision Regulations). This application was filed prior to the Cluster Lot Option being eliminated and is therefore reviewed under those regulations.

Number of lots: 10 single-family cluster lots

Lot sizes: Lots range from approximately 6,376 square feet (0.14 acres) to 21,475 square feet (0.49 acres).

Access: Access is proposed from a new permanent dead-end public street and provides access to all ten lots. The length of the proposed dead-end street is approximately 892 feet. The existing structure that is proposed to be retained on Lot 1 is currently accessed from a driveway connection to Whites Creek Pike. The driveway will be removed and replaced with a new driveway connection to the proposed public street. No individual vehicular access is proposed from Whites Creek Pike and is noted on the plat. The new street includes a sidewalk and planting strip consistent with the local street standard. Areas of right-of-way dedication and street improvements, including sidewalks are proposed along Whites Creek Pike, consistent with the Major and Collector Street Plan (MCSP) requirements.

APPLICABLE SUBDIVISION REGULATIONS

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

Prior versions of Subdivision Regulations for Nashville and Davidson County contained a uniform set of standards that were applied Metro-wide. This did not take into account the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is within the Rural Maintenance (T2 RM) policy. For sites within the T2 Rural transect, the Rural Character Subdivision regulations found in Chapter 4 are utilized.

There are several subdivision options in the Rural Subdivision Regulations. This proposal utilizes the Countryside Character Design Open Alternative option as described in Section 4-2.5.a.1 of the subdivision regulations.

4-2. Development Standards

4-2.1. Identification of Primary Conservation Land. Prior to design of any subdivision plan with new streets or joint access easement, Primary Conservation Land shall be identified and, subject to the provisions of Sections 4-2.2 and 4-2.3, preserved from any disturbance.

Complies. Primary Conservation Land has been identified on the plans. Primary Conservation Land includes areas of 10,000 square feet of contiguous slopes over 15 percent.

4-2.2. Preservation of Conservation Land. Unless an exception is granted under Section 4-2.3, all Primary Conservation Areas shall be preserved and set aside through an appropriate means such as conservation easements and/or open space.

Approximately 1.57 acres have been identified as primary conservation areas, including approximately 0.17 acres that is proposed for construction of the new public street where an exception is needed (more information provided below). With the exception of grading for the new public street, all primary conservation areas that have not yet been disturbed have been set aside as open space.

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

The Development Footprint comprises approximately 4.32 acres. A preliminary grading plan was provided with the concept plan.

- a. *The Planning Commission may approve an exception to permit land initially identified as a Primary Conservation area within the development footprint for public streets, joint access easements or other infrastructure, but not within lots, provided the development of such area minimizes impacts to environmental resources.*

The eastern half of the new public street is the portion within Primary Conservation Land. The western half is not located within Primary Conservation Land.

- b. *The Planning Commission may approve an exception for lots within areas over 10,000 square feet of contiguous slopes between 15 and 20 percent, provided there is no grading shown on the concept plan and/or final site plans within slopes over 15 percent.*

Not applicable. With the exception of the new public street, none of the lots are proposed within areas of 15 to 20 percent slopes that have not previously been disturbed. Proposed Lot 1 includes a small area of primary conservation land, but this lot has previously developed with a single-family structure that is proposed to be retained on the lot.

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

Not applicable. This concept plan proposes a new public street.

4-2.5 Rural Character Design

- a. *Countryside Character Option. This option may be used for any rural character subdivision. It is intended to maintain a natural, open rural character by minimizing the visual intrusion of development along primary roadways through the use of setbacks, building placement, existing vegetation and natural topographic features that obscure the view of development from the street.*
1. *Open Alternative – Street frontage without existing vegetative or topographical screening. For purposes of this section, “surrounding parcels” is defined as the five R, RS, AR2a, or AG parcels oriented to the same block face on either side of the parcel proposed for subdivision, or to the end of the same blockface, whichever is less. If there are no surrounding parcels, the screened alternative shall be used.*

Lot 1 is the only proposed lot located along an existing street and was reviewed against (a) through (d) below.

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

Does not comply. The building setbacks are required to be varied, and a minimum setback line is required to be platted when the average setback of abutting parcels is more than the minimum required street setback established by the zoning. The average front setback of the abutting parcels is approximately 97 feet, greater than the 40-foot minimum required setback required by the Zoning Code. The existing building setback on Lot 1 is approximately 77 feet and does not meet the 97-foot minimum setback line.

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

Does not comply. The minimum depth for lots along existing public streets shall be the building setback required by Sec 4-2.5(a) plus 300 feet. This provision requires a 397-foot lot depth. As proposed, the depth of Lot 1 is approximately 185 feet.

c. Lot size along existing public streets.

Does not comply. A compatibility analysis was conducted per this requirement. Minimum lot size is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than the smallest of the surrounding parcels, whichever is greater. The outcome of the analysis is that the minimum lot size required for Lot 1 is approximately 1.77 acres or 77,101 square feet. The area of Lot 1 is proposed to be 0.49 acres, or 21,475 square feet.

d. Lot frontage abutting existing public streets.

Does not comply. A compatibility analysis was conducted per this requirement. The outcome of the analysis is that the minimum lot frontage along Whites Creek Pike required for Lot 1 is 120 feet. The frontage of Lot 1 is proposed to be 110 feet.

e. Streetlights.

Complies. The plan indicates low intensity streetlights consistent with the USD requirements.

f. Cluster lot option.

Complies. The plan complies with the provisions of Cluster Lot Option (Section 17.12.090 of the Zoning Code) within the development Footprint area, excluding lots abutting existing public streets. (Cluster lot analysis is provided below Subdivision Variances).

4-2.5 Rural Character Design

e. Street Design.

6. Cul-de-sacs are generally discouraged and shall be permitted only where all other street design alternatives are not feasible and when one of the following two conditions exist:

a. Where natural features such as wetlands or steep slopes exist or other primary or secondary conservation areas that are not desirable to remove.

b. Where connection to an existing or planned street is blocked by an existing permanent structure, an existing or planned interstate, or a protected open space area.

Complies. While permanent dead ends are generally discouraged, they are permitted in instances where natural features exist that are not desirable to be removed or where the configuration of property boundaries prevent street connections. In this instance, the location of steeper slopes and floodway buffer areas located to the west of the site prevent street connectivity.

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

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

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

Variance Analysis

Variance Request #1

Section 4-2.5.a.1.a requires that the minimum building setback along existing public street be platted when the average setback of abutting parcels (97 feet, in this case) is more than the minimum required street setback established by the zoning (40 feet). Proposed Lot 1 contains an existing structure which is indicated to be retained.

The setback of the existing structure is approximately 66 feet. It would not be possible to meet the 97' minimum setback requirement unless the existing structure was removed from the site. Staff finds that the existing setback does not conflict with the intent of the Rural Subdivision Regulations and meets all the requirements for the Commission to grant the variance.

Variance Request #2

Section 4-2.5.a.1.b requires that the minimum lot depth along existing public streets be 300 feet plus the required front setback. In this case, the minimum required lot depth is 397'. As proposed, Lot 1 is approximately 209 feet deep. Given existing topo, conservation areas and location of required stormwater facilities, 397 feet cannot be reached. Staff finds that the proposed depth does not conflict with the intent of the Rural Subdivision Regulations and meets all the requirements for the Commission to grant the variance. It is also important to remember that the home on Lot 1 is to remain maintaining the existing character along Whites Creek Pike consistent with the goals of the regulations.

Variance Request #3

Section 4-2.5.a.1.c requires the minimum lot size along existing public streets be equal to or greater than 70% of the average size of surrounding parcels or equal to or greater than the smallest, whichever is greater. In this case, the minimum required lot size is approximately 1.77 acres. As proposed, the size of Lot 1 is approximately 0.49 acres. Given existing topo, conservation areas and location of required stormwater facilities, the minimum lot size cannot be reached. Staff finds that the proposed lot size does not conflict with the intent of the Rural Subdivision Regulations and meets all the requirements for the Commission to grant the variance. It is also important to remember that the home on Lot 1 is to remain maintaining the existing character along Whites Creek Pike consistent with the goals of the regulations.

Variance Request #4

Section 4-2.5.a.1.d requires the minimum lot frontage along existing public streets be equal to or greater than 70% of the average size of surrounding parcels or equal to or greater than the smallest, whichever is greater. In this case, the minimum required lot frontage is approximately 120 feet. As proposed, the frontage of Lot 1 is 110 feet. Increasing the lot width by 10 feet wouldn't be possible without shifting the proposed road further to the north which may result in additional disturbance to the Primary Conservation areas. There is a wide range of lot widths in the immediate area, including properties with smaller widths across the street, on the east side of Whites Creek Pike. Given the varied pattern of the surrounding area, Staff finds that the proposed frontage does not conflict with the intent of the Rural Subdivision Regulations and meets all the requirements for the Commission to grant the variance. It is also important to remember that the home on Lot 1 is to remain maintaining the existing character along Whites Creek Pike consistent with the goals of the regulations.

APPLICABLE ZONING REGULATIONS FOR THE CLUSTER LOT OPTION

The proposal utilizes the by-right Cluster Lot Option provisions of Section 17.12.090 of the Metro Zoning Code.

Plan Requirements (Section 17.12.090.A)

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

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

The minimum area within the cluster lot subdivision shall be no less than ten times the minimum lot area for the base zoning district. The site is zoned R10, which has a minimum lot area of 10,000 square feet. The minimum area within a cluster lot subdivision in the R10 district is 100,000 square feet (10 x 10,000 sf). The site contains approximately 309,711 square feet and exceeds the minimum area requirement to be eligible to utilize the cluster lot option.

Maximum Lot Yield (Section 17.12.090.E)

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

The gross area at this site, 5.89 acres or 256,568 sq. ft. The minimum lot size of the existing zoning district, R10, is 10,000 square feet.

$$\begin{aligned} 256,568 \text{ sq. ft.} \times 0.15 &= 38,485 \text{ square feet (15\% of the gross site area reserved for streets)} \\ 256,568 \text{ sq. ft.} - 38,485 \text{ sq. ft.} &= 218,083 \text{ (85\% of the gross area remaining to yield lots)} \\ 218,083 \text{ sq. ft.} / 10,000 \text{ sq. ft.} &= 21 \text{ lots.} \end{aligned}$$

The concept plan proposes 10 lots, which is less than the maximum number of lots that could be permitted based on the lot yield calculation established in the Zoning Code and the existing R10 base zoning. This lot yield is the same, or fewer, lots as could be achieved without the use of the Cluster Lot Option.

Open Space Requirements (Section 17.12.090.D)

A minimum of 15 percent of the gross land area of each phase is required to be provided as open space in a cluster lot subdivision. The proposed concept plan includes a single phase. Approximately 3.19 acres (54%) of the site is proposed as open space, including areas in Primary Conservation Land, passive open space, and stormwater treatment areas. The proposed open space exceeds the minimum requirements.

Alternative Lot Sizes (Section 17.12.090.C)

Lot within a cluster lot subdivision may be reduced in area the equivalent of two smaller base zone districts. The subject site is zoned R10. A reduction of two base zone districts would be down to the R6 district, which requires a minimum lot size of 6,000 square feet. The smallest lots proposed in this subdivision meet or exceed the 6,000 square foot minimum.

The bulk standards of the zoning district which most closely resembles the alternative lot sizes chosen for any given phase of the development shall be employed for that phase of the subdivision. Based on the proposed lot sizes, the bulk standards of R6 will apply. Those standards are:

- Min. lot size: 6,000 square feet
- Min. street setback for properties on Whites Creek Pike: 40'
- Min. street setback for properties on Public Road 'A': 20'
- Min. rear setback for all properties: 20'
- Min. side setback for all properties: 5'
- Maximum Building Coverage: 0.50
- Max. height: 3 stories

Perimeter lots oriented to an existing street are required to be at least ninety percent of the minimum lot size of the actual zoning of the property, R10, which results in a minimum size of 9,000 square feet. Lot 1 is oriented to an existing street, Whites Creek Pike. Lot 1 exceeds this minimum requirement. Lots 2-10 are oriented to a new public street, Public Road A, and are not required to meet this standard.

There are no perimeter double-frontage lots proposed in this concept plan. There are no lots otherwise abutting a conventional R/R-A or RS/RS-A subdivision proposed in this concept plan.

Hillside and Floodplain Areas (Section 17.12.090.F)

Not applicable. All lots are clustered on those portions of the site that have natural slopes of less than twenty percent. This site does not contain any hillside and floodplain areas as set out in Chapter 17.28 of the Zoning Code.

Recreational Facilities (Section 17.12.090.G)

This section establishes the requirements for recreational facilities in subdivisions utilizing the cluster lot option. Per Subsection 17.12.90.G.3.a, residential developments containing fewer than 25 units are exempt from the requirement to install recreation facilities. This concept plan proposes 10 lots and is exempt from the recreational facility requirement.

PLANNING STAFF COMMENTS

Staff finds that the proposed subdivision is consistent with the intent of the Rural Subdivision Regulations and the Cluster Lot Option of the Metro Zoning Code. Furthermore, staff finds that the variances necessary to permit the proposed subdivision are appropriate and meet the standards for the Commission to approve the variance requests.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

- Ensure adequate area is reserved for water quality/quantity.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final construction plans and road grades shall comply with the design regulations established by the Department of Public Works. Slopes along roadways shall not exceed 3:1.
- Final driveway locations shall meet NDOT standards.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Ensure adequate ROW is existing or provide dedication to meet MCSP requirements on Whites Creek Pike (49' half of ROW).

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Concept Plan only, Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. A minimum of 30% of Water and Sanitary Sewer related fees or assessments, including capacity must be confirmed paid before issuance of building permits.

STAFF RECOMMENDATION

Staff recommends approval with conditions including a variance from Section 4-2.5.a.1.a, Section 4-2.5.a.1.b, Section 4-2.5.a.1.c, and Section 4-2.5.a.1.d of the Metro Subdivision Regulations, , *and an exception to permit disturbance of a portion of area identified for primary conservation.*

CONDITIONS

1. Outside of any grading needed for construction of the new public street, all areas identified within Primary Conservation Land shall be preserved from development or disturbance.
2. Prior to any land disturbance within the development footprint, a tree survey shall be provided consistent with the provisions of Rural Character Design, Sec.4-2.5(d) of the Metro Subdivision Regulations.
3. A tree protection plan shall be provided with the final site plan application to indicate preservation of trees within common open space.
4. Street lighting shall comply with Sec. 4-2.5.a.1.e of the Metro Subdivision Regulations.
5. Comply with all conditions and requirements of Metro reviewing agencies.
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. The final site plan/building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
8. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2022S-129-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions including a variance from Section 4-2.5.a.1.a, Section 4-2.5.a.1.b, Section 4-2.5.a.1.c, and Section 4-2.5.a.1.d of the Metro Subdivision Regulations, and an exception to permit disturbance of a portion of area identified for primary conservation. (9-0)

Resolution No. RS2023-022

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-129-0011 is approve with conditions including a variance from Section 4-2.5.a.1.a, Section 4-2.5.a.1.b, Section 4-2.5.a.1.c, and Section 4-2.5.a.1.d of the Metro Subdivision Regulations, and an exception to permit disturbance of a portion of area identified for primary conservation. (9-0)

Conditions

1. Outside of any grading needed for construction of the new public street, all areas identified within Primary Conservation Land shall be preserved from development or disturbance.
2. Prior to any land disturbance within the development footprint, a tree survey shall be provided consistent with the provisions of Rural Character Design, Sec.4-2.5(d) of the Metro Subdivision Regulations.
3. A tree protection plan shall be provided with the final site plan application to indicate preservation of trees within common open space.
4. Street lighting shall comply with Sec. 4-2.5.a.1.e of the Metro Subdivision Regulations.
5. Comply with all conditions and requirements of Metro reviewing agencies.

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. The final site plan/building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
8. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

**51. 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: Approve with conditions and find that the development can provide for harmonious development.

APPLICANT REQUEST

Request for final plat to create two residential lots.

Final Plat

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 One and Two-Family Residential (R10) (0.57 acres).

SITE DATA AND CONTEXT

Location: The property is located on the east side of Syfert Lane approximately 250 feet north of Melmack Drive.

Street type: The property has frontage on Syfert Lane, which is a local street.

Approximate Acreage: 0.57 acres or approximately 25,008 square feet.

Parcel/Site History: The parcel consists of Lot 86, Murray Heights Subdivision. The parcel was created in 1974.

Zoning History: The property has been zoned R10, One and Two-Family Residential since 1974. The property is also within the Urban Zoning Overlay (UZO) which was adopted in 2017.

Existing land use and configuration: The parcel is occupied with one single-family house.

Surrounding land use and zoning:

- North: Commercial Services (CS)
- South: One and Two-Family Residential (R10)
- East: One and Two-Family Residential (R10)
- West: One and Two-Family Residential (R10)

Zoning: One and Two-Family Residential (R10)

Min. lot size: 10,000 square feet

Max. building coverage: 0.40

Min. rear setback: 20'

Min. side setback: 5'

Max. height: 3 stories

Min. street setback: contextual

PROPOSAL DETAILS

Number of lots: 2.

Lot sizes: Lot 1 is 14,435 sq. ft. (0.33 acres). Lot 2 is 10,573 sq. ft. (0.24 acres).

Access: Both lots are oriented to and have driveway access on Syfert Lane.

APPLICABLE SUBDIVISION REGULATIONS

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

Prior versions of Subdivision Regulations for Nashville and Davidson County contained a uniform set of standards that were applied Metro-wide. This did not take into account the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is within the Suburban Neighborhood Maintenance (T3 NM) policy. For T3 NM, the conventional regulations found in Chapter 3 are utilized.

3-1 General Requirements

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

3-2 Monument Requirements

Complies. Monuments will be set after plat approval.

3-3 Suitability of the Land

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

3-4 Lot Requirements

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

3-5 Infill Subdivisions

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

3-5.2 Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Maintenance, except where a Special Policy and/or a Designated Historic District exists:

- 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. Each lot has frontage on Syfert Lane.
- c. *The resulting density of lots does not exceed the prescribed densities of the policies for the area.*
Complies. R10 is intended for single-family dwellings at an overall density of 4.63 dwelling units per acre.
- d. *The proposed lots are consistent with the community character of surrounding parcels as determined below:*
 1. *Lot frontage is either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater.*
Lot 1 does not comply with frontage requirements. The minimum required lot frontage for each lot is approximately 112.73 feet. Lot 1 has a frontage of 84.54 feet.
 2. *Lot size is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than the smallest surrounding lot, whichever is greater.*
Lots 1 and 2 do not comply with lot size requirements. The minimum required lot size for each lot is approximately 0.98 acres (or 42,689 square feet). Lot 1 is 14,435 sq. ft. (0.33 acres). Lot 2 is 10,573 sq. ft. (0.24 acres).
 3. *Where the minimum required street setback is less than the average of the street setback of the two parcels abutting either side of the lot proposed to be subdivided, a minimum building setback line shall be included on the proposed lots at the average setback. When one of the abutting parcels is vacant, the next developed parcel shall be used. For a corner lot, both block faces shall be used; and*
Complies.
 4. *Orientation of proposed lots shall be consistent with the surrounding parcels. For a corner lot, both block faces shall be evaluated.*
Complies.
- e. *The current standards of all reviewing agencies are met.*
Complies.

- f. *If the proposed subdivision meets subsections a, b, c and e of this section but fails to meet subsection d, the Planning Commission, following a public hearing in accordance with the Planning Commission Rules and Procedures, may consider whether the subdivision can provide for the harmonious development of the community by otherwise meeting the provisions of TCA 13-4-303(a). In considering whether the proposed subdivision meets this threshold, the Commission shall specifically consider the development pattern of the area, any unique geographic, topographic and environmental factors, and other relevant information. The Commission may place reasonable conditions, as outlined in Section 3-5.6, necessary to ensure that the development of the subdivision addresses any particular issues present in an infill subdivision and necessary to achieve the objectives as stated in TCA 13-4-303(a).*

As proposed, Lot 1 does not have at least 112.73' of frontage along Syfert Lane as specified by Section 3-5.2.d.1. Lot 1 has 84.54' of frontage. As proposed, the lots do not have at least 42,689 square feet of acreage as specified by Section 3-5.2.d.2. Lot 1 is 14,435 square feet and Lot 2 is 10,573 square feet. The Regulations allow for the Commission to consider the development pattern of the area, any unique geographic, topographic and environmental factors, and other relevant information to determine if the proposal provides for harmonious development.

PLANNING STAFF COMMENTS

The surrounding parcels on the same block face of the parcel proposed to be subdivided range between approximately 113 feet and 130 feet of frontage. Neither of the two parcels on the same block face have adequate land area to subdivide.

Looking across the street to the west side of Syfert Lane, the opposing block face has five parcels ranging between approximately 54 feet and 150 feet of frontage. Of these five parcels, none has adequate land area to subdivide. Using the compatibility criteria from Section 3-5.2, a new lot in this context would need to have at least 62.85 feet of frontage and have at least 15,682 square feet of acreage.

PLANNING STAFF COMMENTS

The proposed subdivision does not meet the standards of the Metro Subdivision Regulations and the standards of the Metro Zoning Code for a final plat. Staff recommends approval with conditions with the Commission finding that the lots can provide for harmonious development based on surrounding lots.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Dead-end distance exceeds 150'. Provide an approved turnaround. Dead end is an existing condition on public street. turnaround provisions not required for this project.

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- No exception taken

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 with the Commission finding that the subdivision can provide for harmonious development.

CONDITIONS

1. Comply with all conditions of Metro Reviewing agencies.

Approve with conditions and find the development can provide for harmonious development. (9-0)

Resolution No. RS2023-023

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013UD-002-041 is approve with conditions and find the development can provide for harmonious development. (9-0)

CONDITIONS

1. Comply with all conditions of Metro Reviewing agencies.

H: OTHER BUSINESS

52. New employment contract for Todd Okolichany and Daryl Hill.

Resolution No. RS2023-24

"BE IT RESOLVED by The Metropolitan Planning Commission that the New Employment Contract for Todd Okolichany and Daryl Hill is **approved. (9-0)**

53. Employment contract renewal for Joren Dunnavant & Bob Murphy.

Resolution No. RS2023-25

"BE IT RESOLVED by The Metropolitan Planning Commission that the Employee contract renewal for Joren Dunnavant & Bob Murphy is **approved. (9-0)**

54. 31st and Long DRC Procedure

Resolution No. RS2023-26

"BE IT RESOLVED by The Metropolitan Planning Commission that the 31st and Long DRC Procedure is **approved. (9-0)**

55. Bonus Height Certification Memo for Hyatt Caption

Resolution No. RS2023-27

"BE IT RESOLVED by The Metropolitan Planning Commission that the Bonus Height Certification Memo for Hyatt Caption is **approved. (9-0)**

56. Bonus Height Certification Memo for Nashville Yards Parcel 9

Resolution No. RS2023-28

"BE IT RESOLVED by The Metropolitan Planning Commission that the Bonus Height Certification Memo for Nashville Yards Parcel 9 is **approved. (8-0-1)**

57. Historic Zoning Commission Report

58. Board of Parks and Recreation Report

59. Executive Committee Report

60. Accept the Director's Report

Resolution No. RS2023-29

"BE IT RESOLVED by The Metropolitan Planning Commission that the director's report is **approved. (9-0)**

61. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

February 09, 2023

MPC Meeting

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

J: ADJOURNMENT

The meeting adjourned at 8:02 p.m.