



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

March 23, 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
Jessica Farr, Vice Chair
Lillian Blackshear
Edward Henley
Stewart Clifton
Mina Johnson
Jeff Haynes
Brian Tibbs
Councilmember Brett Withers

Staff Present:

Lucy Kempf, Executive Director
Todd Okolichany, Deputy Executive Director
Lisa Milligan, Planning Manager II
Tara Ladd, Legal
Amelia Lewis, Planner II
Logan Elliott, Planner II
Jason Swaggart, Planner II
Dustin Shane, Planner II
Laszlo Marton, Planner I

Commissioner Absent:

Jim Lawson

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 3p on the Tuesday prior to meeting day. Written comments can also be brought to the Planning Commission meeting and distributed during the public hearing. Please provide 15 copies of any correspondence brought to the meeting.

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

Speaking to the Commission

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

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

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

Legal Notice

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



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MEETING AGENDA

A: CALL TO ORDER

The meeting was called to order at 4:06 p.m.

B: ADOPTION OF AGENDA

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

C: APPROVAL OF MARCH 09, 2023 MINUTES

Ms. Johnson moved and Mr. Clifton seconded the motion to approve the meeting minutes of March 09, 2023. (9-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Druffel spoke in opposition to Item 23.

Councilmember Toombs spoke in favor of Item 29.

Councilmember Taylor spoke in favor of Item 28.

E: ITEMS FOR DEFERRAL / WITHDRAWAL 1a,1b, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16a, 16b, 19, 24, 32, 34, 35, 36, 37, 39

Ms. Milligan stated that Ms. Blackshear has recused herself from Item 11.

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

F: CONSENT AGENDA ITEMS 43

Mr. Haynes moved and Mr. Henley 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

1a. 2023CP-012-001

SOUTHEAST COMMUNITY PLAN AMENDMENT

Council District 04 (Robert Swope)

Staff Reviewer: Andrea Barbour

A request to amend the Southeast Community Plan by changing from T3 Neighborhood Evolving (T3 NE) to T3 Suburban Mixed Use Corridor (T3 CM) for portions of properties located at 6415 and 6419 Holt Road, west of Nolensville Pike, zoned SP (34.31 acres), requested by Anderson, Delk, Epps & Associates, Inc, applicant; Mohammad Nazemi, owner.(See associated case 2016SP-028-003).

Staff Recommendation: Defer to the April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023CP-012-001 to the April 13, 2023, Planning Commission meeting. (9-0)

1b. 2016SP-028-003
WILLIAMS MILL SP (AMENDMENT)
Council District 04 (Robert Swope)
Staff Reviewer: Donald Anthony

A request to amend a Specific Plan (SP) for properties located at 6415 and 6419 Holt Road and 6401 Nolensville Pike, at the southern corner of Nolensville Pike and Holt Road, zoned SP and CL, and partially located within the Corridor Design Overlay District (37.11 acres), to permit a mixed use development with nonresidential uses and 153 multifamily residential units, requested by Anderson, Delk, Epps & Associates, Inc., applicant; Mohammad Nazemi and 6260 Nolensville Road, LLC, owners. (See associated case 2023CP-012-001).

Staff Recommendation: Defer to the April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2016SP-028-003 to the April 13, 2023, Planning Commission meeting. (9-0)

2. 2019S-039-002
PAYNE RD SUBDIVISION
Council District 28 (Tanaka Vercher)
Staff Reviewer: Jason Swaggart

A request for concept plan approval to create 18 single family lots on property located at 4830 Payne Road, approximately 200 feet south of Reeves Road and within the Payne Road Residential Urban Design Overlay, zoned R8 (5.5 acres), requested by W&A Engineering, applicant; Moris Tadros, owner.

Staff Recommendation: Defer to the April 27, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2019S-039-002 to the April 27, 2023, Planning Commission meeting. (9-0)

3. 2019SP-053-001
ACKLEN PARK RESIDENTIAL SP
Council District 21 (Brandon Taylor)
Staff Reviewer: Jason Swaggart

A request to rezone from RM40 to SP zoning for properties located at 106 Acklen Park Drive and Hillcrest Place (unnumbered), at the northeast corner of Hillcrest Place and Acklen Park Drive and within the 31st and Long Boulevard Urban Design Overlay District (0.78 acres), to permit 100 multi-family residential units, requested by Catalyst Design Group, applicant; Acklen Park Partners, LLC, owner.

Staff Recommendation: Defer to the April 27, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2019SP-053-001 to the April 27, 2023, Planning Commission meeting. (9-0)

4. 2022S-232-001
KING'S SUB
Council District 09 (Tonya Hancock)
Staff Reviewer: Donald Anthony

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

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2022S-232-001 indefinitely. (9-0)

5. 2022SP-017-001

212 SUNSET

Council District 08 (Nancy VanReece)

Staff Reviewer: Jason Swaggart

A request to rezone from RS10 to SP zoning for property located at 212 Sunset Drive, approximately 820 feet east of Dickerson Pike, (0.52 acres), to permit five multi-family residential units, requested by Rhodes Engineering, LLC, applicant; William I. Church, Jr., owner.

Staff Recommendation: Defer to the April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-017-001 to the April 13, 2023, Planning Commission meeting. (9-0)

6. 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 23 single-family units, requested by Civil Design Consultants, LLC, applicant; Pointe Hialeah 3, LLC, owner.

Staff Recommendation: Defer to the April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-036-001 to the April 13, 2023, Planning Commission meeting. (9-0)

7. 2022SP-079-001

717 SPENCE LNE 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 Indefinitely.

The Metropolitan Planning Commission deferred 2022SP-079-001 indefinitely. (9-0)

8. 2023S-027-001

812 KIRKWOOD AVENUE

Council District 17 (Colby Sledge)

Staff Reviewer: Eric Matravets

A request for final plat approval to create three lots on property located at 821 Kirkwood Avenue, western of the corner of Kirkwood Avenue and Vaulx Lane, zoned R10 (1.01 acres), requested by Clint Elliott Survey, applicant; Newell & Cynthia Anderson, owners.

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2022S-027-001 indefinitely. (9-0)

9. 2023S-042-001
ST. LUKE PRESBYTERIAN CHURCH
Council District 08 (Nancy VanReece)
Staff Reviewer: Logan Elliott

A request for final plat approval to create three lots on property located at 903 Old Hickory Boulevard, approximately 1,380 feet east of the corner of Dickerson Pike and Old Hickory Boulevard, zoned RS20 (6.3 acres), requested by WT Smith Land Surveying, applicant; St. Luke Cumberland Presbyterian CH., Inc, owner.

Staff Recommendation: Defer to the April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023S-042-001 to the April 13, 2023, Planning Commission meeting. (9-0)

10. 2023S-045-001
TEMPLE HEIGHTS
Council District 22 (Gloria Hausser)
Staff Reviewer: Eric Matravets

A request for concept plan approval to create six lots on property located at Old Charlotte Pike (unnumbered), approximately 800 feet west of Sawyer Brown Road, zoned R15 (4 acres), requested by Dewey Engineering, applicant; Bethi Vidya, owner.

Staff Recommendation: Defer to the April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023S-045-001 to the April 13, 2023, Planning Commission meeting. (9-0)

11. 2023Z-003PR-001
Council District 01 (Jonathan Hall)
Staff Reviewer: Laszlo Marton

A request to rezone from RS10 to R10 zoning for property located at 4120 Buenaview Court, west of the terminus of Bobwhite Court (0.41 acres), requested by George Thomas, applicant and owner.

Staff Recommendation: Defer to the April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023Z-003PR-001 to the April 13, 2023, Planning Commission meeting. (8-0-1)

12. 88P-038-001
LONG HUNTER CHASE (AMENDMENT)
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 April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 88P-038-001 to the April 13, 2023, Planning Commission meeting. (9-0)

13. 2023Z-021PR-001

Council District 16 (Ginny Welsch)
Staff Reviewer: Eric Matravets

A request to rezone from RS5 to R6-A for property located at 2229 Foster Ave, west of Rose Street (0.17 acres), requested by Ali Al-Soraify, applicant and owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential-Alternative (R6-A) for property located at 2229 Foster Ave, west of Rose Street (0.17 acres).

Existing Zoning

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

Proposed Zoning

One and Two-Family Residential-Alternative (R6-A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre, including 25 percent duplex lots, and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *R6-A would permit a maximum of 1 duplex lot for a total of 2 units, based on the acreage only. Codes makes final determination of duplex eligibility.*

SOUTH NASHVILLE COMMUNITY PLAN

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

HISTORY

At the March, 9, 2023 Planning Commission meeting a member of the public voiced their concern about the request's compatibility with the neighborhood. The applicant was not present to respond, and Planning Commissioners decided to defer the case to allow the applicant an opportunity to speak.

SITE AND CONTEXT

The 0.17-acre site is located on Foster Ave west of Rose Street, approximately 250 feet south of the I-440 overpass. The site is occupied by a single-family house built in 1946. Surrounding parcels to the north, south, east, and west are all zoned RS5 and occupied mostly by single-family homes and limited duplexes.

ANALYSIS

The Community Character Manual (CCM) lists R6-A zoning as a potentially appropriate zoning tool under T4 NM policy. There is precedent for this zone in the local policy context: two duplexes are located across the street on the east side of Foster Avenue. There are also duplexes present along Rose Street to the west. At the request of Planning Commission on March 9, 2023, further analysis was undertaken to examine the broader policy area.

The above study area was delineated based on the T4 NM policy and typical lot size. It encompasses 278 lots south of I-440, west of Miller Street, north of Peachtree Street, and east of other policy areas. Of these 278 lots in the study area, 27 lots—or 9.7%—are 2-family or more. New subdivisions in T4 NM are limited to 25% two-family dwellings, and staff frequently uses this threshold for rezonings and SPs in maintenance policy areas to gauge an appropriate level of infill.

This request aligns with the existing pattern of limited two-family houses in the Neighborhood Maintenance policy area. Therefore, staff recommends Planning Commission approve the request for R6-A.

FIRE MARSHAL RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	.17	7.41 D	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (week7day)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	.17	7.71 D	2 U	28	7	2

*Based on two-family lots

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

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

**Projected student generation existing RS5 district: 0 Elementary 0 Middle 0 High
 Projected student generation proposed R6-A district: 0 Elementary 0 Middle 0 High**

METRO SCHOOL BOARD REPORT

Students would attend John B. Whitsitt Elementary School, Cameron College Preparatory, and Glencliff High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Ms. Lewis stated she will be presenting Item 13 for Mr. Matravers. Ms. Lewis presented the staff recommendation to approve.

Ali Al-Soraify, 2229 Foster Avenue, spoke in favor of the application.

David Wood, 113 Rose Street, spoke in opposition to the application.

Beau Knox, 73 Lutie Street, spoke in opposition to the application.

Carissa Schmidt stated she lives in the neighborhood. She spoke in opposition to the application.

The applicant waived his time to speak in rebuttal.

Chair Adkins closed the Public Hearing.

Vice Chair Farr stated she supports the idea that more density is needed in this neighborhood but likes the idea of it being a community-like process versus happening house by house.

Mr. Tibbs said if they are going to do this, to do it more with community input. He agreed with Ms. Farr.

Ms. Blackshear stated she leaned towards approval of staff recommendation. She said this is in an Urban Neighborhood Maintenance policy where a duplex would be a proper land use and there are already duplexes around the property, so it is not introducing a new land use.

Ms. Johnson stated this is a DADU overlay eligible area and a DADU overlay might be the way to go. She shared Ms. Blackshear's opinion as a policy point. Ms. Johnson said this is a T4 Neighborhood Maintenance policy with duplexes grandfathered in, so having duplexes is in line with policy.

Councilmember Withers thought the case made by the neighbors' is very persuasive in that having a little more of a neighborhood small area plan for how to add density appropriately is a better way to go. He said he is inclined to not support staff recommendation but encourage the neighborhood to continue to work with Council and Planning on a more comprehensive mobility plan.

Mr. Henley stated he agreed with staff recommendation. He said the analysis shows the process that is in place and how they have done this in the past has shown this area is not even halfway near what they would consider for these types of rezonings.

Mr. Clifton stated he was persuaded when he read the staff analysis that indicated the request aligns with the existing pattern of limited family development in the neighborhood policy area and that staff recommended approval.

Mr. Haynes said he supports staff analysis. He felt persuaded by the neighbors' concerns but there is a process by which they can go about a more holistic neighborhood change.

Mr. Henley moved and Mr. Haynes seconded the motion to approve. (6-3) Ms. Farr, Mr. Tibbs and Mr. Withers voted against.

Resolution No. RS2023-093

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019SP-014-003 is approved. (6-3)

14. 2023Z-002TX-001

BL2023-1691/Johnston and Henderson
Staff Reviewer: Donald Anthony

A request to amend Section 17.12.030 of the Metropolitan Code, Zoning Regulations regarding street setbacks and building orientation for residential corner lots (Proposal No. 2023Z-002TX-001).

Staff Recommendation: Defer to the April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023Z-002TX-001 to the April 13, 2023, Planning Commission meeting. (9-0)

15. 2023CP-003-002

**BORDEAUX-WHITES CREEK-HAYNES TRINITY
COMMUNITY PLAN AMENDMENT**
Council District 03 (Jennifer Gamble)
Staff Reviewer: Olivia Ranseen

A request to change the policy from T2 RA to T2 NC for a portion of properties located at 7395 Old Hickory Blvd, between I-24 and Lickton Pike (42 acres), requested by Metro Planning, applicant; Austin and Anna Burton, owners.

Staff Recommendation: Defer to the April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023CP-003-02 to the April 13, 2023, Planning Commission meeting. (9-0)

16a. 2023CP-000-002

**MAJOR AND COLLECTOR STREET PLAN AMENDMENT
(EWING DRIVE EXTENSION REMOVAL)**

Council District 02 (Kyonzté Toombs); 03 (Jennifer Gamble)
Staff Reviewer: Joren Dunnivant

A request to amend the Major and Collector Street Plan to remove a future collector street on property located at 4808 Buena Vista Pike, west of Whites Creek Pike, zoned R8 (83.23 acres), requested by Thomas & Hutton, applicant; William H. Otey Jr., ET UX, owner. (See associated case 2023SP-026-001).

Staff Recommendation: Defer to the April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023CP-000-002 to the April 13, 2023, Planning Commission meeting. (9-0)

16b. 2023SP-026-001

PRODUCTION ROW SP

Council District 02 (Kyonzté Toombs); 03 (Jennifer Gamble)
Staff Reviewer: Logan Elliott

A request to rezone from R8 to SP zoning for a portion of property located at 4808 Buena Vista Pike, west of Whites Creek Pike (45.64 acres), to permit a nonresidential development with industrial and office uses, requested by Thomas & Hutton, applicant; Mary Baltz & Cecilia Halpin ETAL, owners. (See associated case 2023CP-000-002).

Staff Recommendation: Defer to the April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023SP-026-001 to the April 13, 2023, Planning Commission meeting. (9-0)

17. 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: Disapprove.

APPLICANT REQUEST

Amend SP to permit an increase in the number of hotel rooms and permit the construction of a new hotel.

Zone Change

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.

Existing Zoning

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

Proposed Zoning

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

EAST NASHVILLE COMMUNITY PLAN

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

Supplemental Policy

The site is within a Supplemental Policy, 05-T4-NC-02, which is intended to provide more specific guidance for the SP area than the T4 NC policy. It is generally located along Meridian Street from Cleveland Street to Vaughn Street. The intent of this SPA is to ensure appropriate transitions to and livability of the surrounding residential policy areas, given that these properties are included in the National Register-eligible Cleveland Park Historic District.

SITE CONTEXT AND PLAN DETAILS

The SP is located at the northeast and northwest corners of Cleveland Street and Meridian Street and includes additional properties to the north along Meridian Street and along Vaughn Street. The SP is a total of 3.23 acres. The original SP was intended to function as a wholistic development with the properties sharing uses and parking across the entirety of the SP. The plan is broken into four subdistricts. Subdistrict A is located on the northwest corner of the intersection of Cleveland Street and Meridian Street. A final site plan for subdistrict A was approved in for 21 townhome units.

Subdistrict C, located north of subdistrict A, is the site of the McGavock House which is designated as a local Historic Landmark District. Subdistrict D, located north of subdistrict C, has frontage along Vaughn Street. A final site plan is currently under review for Subdistricts C and D to permit a brewery within the existing structure and an outdoor seating area.

The focused amendment area is within Subdistrict B, but given the original intent of the SP to provide uses across the entire SP area, staff had this amendment processed as an amendment to the entirety of the SP. Subdistrict B is comprised of four existing parcels at the northeast corner of the intersection of Cleveland Street and Meridian Street. There is an existing structure on the site which was previously used as a religious institution. The existing structure is eligible to be listed in the National Register. The uses for Subdistrict B within the preliminary SP allowed up to 50 multi-family residential dwelling units; restaurant, bed and breakfast inn, hotel, community education, office, retail. The hotel use was limited to one hotel with a maximum of 35 rooms. All uses within Subdistrict B were required to be within the existing buildings. The breadth of uses permitted was to provide for flexibility in the adaptive reuse of the existing structure and it was understood that not all uses would be provided at one time. The permitted uses provided a range of uses that a future user could choose from.

Previous amendments to the overall SP include an amendment in 2019 (2016SP-024-003/BL2019-1727) to increase the number of permitted restaurants across the entire SP site to three, as it was previously limited to two.

The surrounding properties to the south are zoned RS5 and have been established with institutional uses including a Metro Fire Department and a school. The properties to the north and east are zoned Single-Family Residential (RS5) and SP. These properties are part of a large SP within the area which permitted the construction of Detached Accessory Dwelling Units (DADUs). Further to the south along Meridian Street properties are zoned Commercial Limited (CL) and have been developed with a mix of uses including non-residential and residential uses.

The proposed amendment would increase the number of permitted hotel rooms to 89 from the previously permitted 35 and permit the construction of a new hotel structure adjacent to the existing structure on the site. North of the existing structure is a proposed pool and surface parking area with ten vehicular parking spaces. The existing structure would be modified to include a mix of uses including restaurant and hotel. The proposed new structure is four stories with a first floor retail space and parking garage. The second through fourth floors would be hotel uses. A vehicular entrance is located east of the existing structure. An existing alley network at the rear of the property provides additional vehicular access.

UPDATE

The item was heard at the February 9, 2023, Planning Commission meeting and was deferred by the Commission with the Commission requesting that the applicants modify the building to come closer to compliance with the supplemental policy, to meet with the neighborhood groups, and to provide comments from the community meeting.

With the February 9 staff report, staff directed the applicant to make the following changes: reduce the proposed building height of the new structure and reduce the building footprint of the proposed structure, which would likely reduce the number of hotel rooms proposed. With the original approval, a hotel was an allowed use but the number of rooms was kept at a scale that fit within the existing building and kept the project at a scale appropriate for a Neighborhood Center. Additional changes could include removing the curb cut from Cleveland Street to limit vehicular access to alley access exclusively, provide a fully activated first floor use along the new structure, and by reduce the building footprint, making up surface parking spaces at the rear of the site, off of the alley.

The applicant team has not revised the proposed structure. Additional exhibits regarding potential redevelopment of the adjacent properties were included in the resubmittal to further support the position of the applicant that the proposed height of the addition is appropriate.

At the time of publication for this report, no letters of support from the neighborhood associations had been received but Staff's understanding from the applicant is that the Cleveland Park Neighborhood Association is supportive of the amendment as presented.

ANALYSIS

The supplemental policy has specific guidance on the appropriate land use, building form, site design, transitions, and zoning. These key guidance points are outlined below:

- Appropriate land use: limit appropriate land uses to residential and/or small office uses for properties adjacent to residential policy areas.
- Building Form and Site Design: Provide appropriate transitions in scale, massing, building orientation, and site design to surrounding properties in residential policy areas.
- Building Form and Site Design: Limit the height generally to two stories for properties adjacent to residential policy areas.
- Transitions — Infill and Adjacent Historic Structures: Provides appropriate on-site transitions to surrounding properties in residential policy areas through measures such as landscape buffering and distance between structures.
- Zoning: Design-based zoning district that, in addition to incorporating guidance described above, addresses the following: Ensures the preservation of any structures and their settings within the area of the supplemental policy.

The proposed SP amendment does propose to renovate and preserve the existing structure on the site, which is a critical goal to staff. However, staff has several concerns with the proposed intensity of the development and the conflicts with the supplemental policy points above, especially related to height and scale of the proposed new structure. The intent of the original SP was primarily to renovate and rehabilitate the existing structure on the site while opening up the opportunities for new uses such as hotel and/or restaurant space, within the existing building. The supplemental policy area was specifically crafted for this development and the two were approved simultaneously. Where there is an existing supplemental policy in place, staff is under the direction of this policy when considering development proposals. Based on the guidance in the supplemental policy, the proposed new structure should be limited to small scale uses, limited to two stories adjacent to residential policies, provide landscape buffering and increased distance between structures, and ultimately to provide a transition between the existing structure, the new structure, and residential uses and policy to the east of the site.

The eastern most parcels in the site, abutting where the new structure would be constructed are immediately adjacent to single-family residential uses within a residential policy. The maximum height for single-family structures is three stories in 45 feet. The applicant has stated that given the existing topography on the adjacent parcel, and how height is calculated per Code, a single-family structure of up to 48 feet could be constructed here. This would ultimately be a determination by Codes at the time of building permit. The proposed height of the new hotel structure at the easternmost portion is approximately 48 feet, consistent with the proposed height of the redeveloped property to the east.

The staff recommendation published with the February 9, 2023, staff report was to disapprove the plan as currently proposed or defer with changes that bring the plans closer to the guidance in the supplemental policy, which was intended to indicate that staff may be able to support some level of change to the site, but not as currently proposed given the guidance of the supplemental policy.

With the resubmittal of the plan set for this hearing, no changes were made. The applicant asserts that the proposed height is appropriate given the potential for the redevelopment of the adjacent residential properties. The language of the Supplemental Policy was drafted with the existing residential structures on the adjacent properties being taken into consideration but may not have acknowledged the height that is possible with the existing residential zoning. If the Planning Commission supports the proposed SP and finds that the existing supplemental policy is no longer needed for the site, the Commission may direct staff to remove the supplemental policy and may recommend approval of the proposed SP with conditions and disapproval without all conditions.

HISTORIC COMMISSION RECOMMENDATION

Approve with conditions

- Materials are approved prior to review of the Final SP:
 - Make, manufacture and materials of windows and doors;
 - Replacement glazing; and,
 - Railing design, canopy materials, and design and materials of fences/walls;
- Mechanical locations are approved prior to review of the Final SP;
- The front sanctuary stairs are not covered; and,
- Revised drawings are reviewed by MHZC staff prior to the approval of the Final SP.

- Staff finds that with these conditions, the project meets the Historic Landmark design guidelines for additions and alterations. The MHZC recognizes that the Planning Commission’s review encompasses more considerations than just design and addressing those concerns may result in design revisions. Therefore, this recommendation should not be considered an “approval” and MHZC staff is available for discussions on additional revisions.

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

- If approved, submit correct plan set with corrected C/D Note: (Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15' RCP).)

WATER SERVICES RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Approval for amendment only.
- 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.
- Call out alley paving and widening per ST-263, from new property line off alleys to CL of existing alleys.
- Coordinate w/ planning of MCSP requirements along Meridian.
- Provide ADA ramp at corner. Provide call out to close existing ramp on Meridian near intersection. New sidewalk will be required, once existing ramp has been closed.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Approval only granted for the amendment, and the following conditions shall be shown at final;
- The minimum required parking for this site is the UZO standard for the proposed uses. Parking shall not exceed the minimum required. If a parking ratio less than the UZO standards for the uses is proposed at Final, it shall be reviewed and approved by T&P.
- Replace the existing driveway ramp on Meridian St with sidewalk.
- Improve ped ramp on the NE corner at the intersection of Meridian and Cleveland.
- Comply with all previous traffic conditions.
- Comply with Roads comments.
- Further traffic comments forthcoming at final submittal.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	1.35	-	35 R	32	12	0

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	-	-	9,000 SF	1,010	89	88

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)	-	-	89 R	183	22	14

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)	-	-	9,000 SF	1,010	89	88

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)	-	-	3,000 SF	113	3	11

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
-	-	-	-	+1,274	+25	+25

METRO SCHOOL BOARD REPORT

Given the proposed use of hotel, it is unlikely that the proposed amendment will yield any changes in school attendance.

STAFF RECOMMENDATION

Disapprove.

Ms. Milligan advised Item 17 was previously heard and deferred. She said the Public Hearing was closed and remains closed.

Ms. Lewis presented the staff recommendation to disapprove.

Mr. Haynes asked Ms. Lewis why the applicant did not respond to their request.

Ms. Lewis stated that the supplemental policy guidance called for reduction in height as it transitions down to those policies. She said the thought was the height proposed today is similar to what could be built on the adjacent RS5 parcel.

Ms. Milligan added that when the supplemental policy was drafted, the heights that were limited on this side were likely in response to existing buildings, as opposed to zoning potential. She said they also wanted them to communicate with the neighborhood and they received letters of support from the Neighborhood Association.

Mr. Haynes asked if they received letters of opposition given the lack of change of height.

Ms. Milligan stated they received on letter of opposition several months ago.

Mr. Clifton asked what the staff thought of the last argument as there are no neighbors against it and the Councilmember is in support.

Ms. Milligan responded that they try to give them a dispassionate view of it to provide them with the information. She said they see their role pretty narrow because there is a specific supplemental policy on the site that indicates two stories. Ms. Milligan explained they try to give a background as to why they think it was held to two stories, what it may have not taken into consideration, and felt led to that supplemental policy but wanted to make sure the Commissioners have the full picture.

Mr. Henley said there are very active and opinionated community organizations there and for them to support this is something that is very vetted by the community. He recognized there was no opposition when it was presented and no opposition in the last few months.

Ms. Milligan stated they received one letter of opposition in February regarding parking and received several letters in support.

Mr. Henley stated he agreed with the letter that mentioned the ability to take into consideration, and the responsibility for them to take into consideration, the historic value and historic context for this building.

Councilmember Withers felt the proposal was very well designed, but what gives him pause is the overall massing of the addition, as it feels like it dwarfs the historic structure. He said he is concerned about the intensity of the use that is proposed at this location. Mr. Withers sensed the intensity of this use far surpasses the commercial uses they are seeing at the other prominent corridors.

Ms. Johnson advised that the Historic Zoning Commission approved this plan based on the repurposing of the currently existing vacant church and said their plan to repurpose the existing church is great. She stated the proposal fits in this corner. Ms. Johnson felt the design and transition meets contrast to the preservation of the historical building and appreciates that design. She said one thing she would like to add to the transition to the existing historical neighborhood is a condition to look at improving the alleyway or have a great buffer transitioning to the property north towards Meridian Street.

Ms. Blackshear asked what happens to the supplemental policy if the Commission approves the applicant's request.

Ms. Milligan advised there are two options. The Commission could either find that it meets the supplemental policy and its intent or direct staff to do a housekeeping amendment to remove the supplemental policy.

Ms. Blackshear stated she likes the option to do both; they could see it is in compliance with the intent but do the housekeeping amendment for clarification purposes.

Mr. Tibbs stated he would not be in support of staff recommendation and felt the housekeeping amendment would be more in line.

Vice Chair Farr asked about the development potential of the adjacent property.

Ms. Lewis responded it is three stories and 45 feet. She explained given the topography on the site, it could yield slightly higher, but that is a calculation that is done by Codes at building permit issuance.

Vice Chair stated she is inclined to support the project but deferred to the legal experts on the best way to go about making a motion.

Ms. Blackshear moved and Mr. Henley seconded the motion to disapprove staff recommendation and approve with conditions and disapprove without all conditions and direct staff to remove the Supplemental Policy that currently exists on the existing church property and add the recommendation for improvement of the alleyway. (9-0)

Resolution No. RS2023-094

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-024-006 is disapproved as staff recommendation and approved with conditions and disapprove without all conditions and direct staff to remove the Supplement Policy that currently existing on the existing church property and add the recommendation for improvement of the alleyway. (9-0)

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

Ms. Blackshear recused herself and left the meeting.

APPLICANT REQUEST

Preliminary SP to permit a mixed use development.

Preliminary SP

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 Specific Plan (SP) (7.63 acres), to amend zones 1, 2, 6, and the associated street sections.

Existing Zoning

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

Proposed Zoning

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

GREEN HILLS - MIDTOWN 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 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 need to consider factors such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors.

SITE CONTEXT

The application proposes to amend two separate areas within the Reservoir SP. One area includes both Zones 1 and 2, comprising the entire block of Edgehill Avenue, 8th Avenue South, Hillside Avenue, and the new public street that will begin construction soon associated with construction of Zone 3, Vernon Avenue. The area of Zones 1 and 2 is approximately 4.6 acres. The other subject area of this application is Zone 6, comprising the entire 3 acre parcel that is on the east side of Hillside Avenue and immediately adjacent to the Reservoir Park.

8th Avenue South is classified as an Arterial Boulevard and Edgehill Avenue is classified as a Collector Avenue in the Major and Collector Street Plan. Otherwise, Hillside Avenue and the new street, Vernon Avenue, are local streets.

Both sites gently slope upwards towards the reservoir and do not include any environmental features or tree canopy. The context of the surrounding site is a mixture of residential types, commercial, office, parks, and civic uses.

EXISTING PLAN

Zones 1 & 2

Zone 1 and 2 are currently approved as separate zones within the Reservoir SP, with a new alleyway proposed to separate them. Both sites are zoned to construct an urban mixed use development that activates the ground floor. Each site is permitted to construct a tower element. For Zone 1, this tower is approved to rise up to 150' and 11 stories and in Zone 2 the tower is approved to rise up to 110' and 10 stories. Otherwise, the structures massing is limited to the height of the Reservoir ring road. The approved plan also ensures that neither of these zones obstructs the historically significant viewshed of the Reservoir Gatehouse building to Rose Park as well as to Fort Negley. The tower elements were approved in certain locations on the site to ensure protection of these views.

Zone 6

Zone 6 is currently zoned to permit a mixture of townhomes and lower density stacked flat units. These units are limited to a maximum of 4 stories and are accessed via private driveways

AMENDMENT DETAILS

The application proposes to amend the Reservoir SP to include an additional development scenario for Zones 1 and 2 and to modify the permitted development in Zone 6.

Zones 1 & 2

The application proposes to add a potential development scenario to the currently approved development scenario so that there are two alternatives for development in this area. In other words, the currently approved plan would still be an option, but an additional option is also possible. The application proposes an alternative that combines these two zones and removes the alleyway that was previously proposed to divide these two sites. In this development scenario, the application proposes to limit the building height to 7 stories, eliminating the towers that are permitted in the approved option, with a ground floor activated with commercial uses. The massing of this scenario is broken up with varying façade planes, courtyards, and material changes. The applicant has provided 3D renderings of this proposed development scenario as well as the currently approved development scenario to demonstrate the change in the impacts to the viewsheds that are protected in the currently approved SP zoning, most importantly the views related to Rose Park and Ft. Negley.

Zone 6

The application proposes to modify Zone 6 to allow a 5-story multi family residential development with a parking garage lined with residential units. Access is taken from Hillside Avenue and an open space area is provided at the northern end of the parcel.

ANALYSIS

Staff finds the proposed SP amendment to be consistent with the respective T4 CM and T4 NE policy in this location. The proposed land use and development pattern of Zones 1 and 2 are consistent with the guidance provided in the Community Character Manual for the Urban Mixed Use Corridor policy. The plan proposes an urban development with architectural and bulk standards that ensures an appropriate building form for this policy area. The land uses are consistent with the intent of the policy to provide higher-density mixed use development along this prominent corridor.

Additionally, staff finds the historically significant viewsheds to be protected to the same degree or greater with the 7 story scenario, although the currently approved tower design would still be an option.

Concerning Zone 6, staff finds the proposed building form and land use to be consistent with the T4 NE policy in this location. Zone 5 is located across Hillside Avenue and is in the review process to develop with a less intense form and density than what it was initially approved for. Therefore, staff finds the proposed increase in development potential for Zone 6 to form an appropriate transition in development intensity from the Reservoir Park to the surrounding neighborhood.

FIRE MARSHAL RECOMMENDATION

Approve

METRO WATER SERVICES AND STORMWATER RECOMMENDATION

MWS does not oppose this item continuing through the Planning Commission process. The following conditions are provided:

- 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.
- A formal blasting plan for Zones 1 and 2, by a qualified geotechnical engineer, shall be provided prior to Final Specific Plan approval. This blasting plan shall also be reviewed by a qualified third party reviewer chosen by Metro Water Services, but paid for by Developer. The third party qualified reviewer shall be knowledgeable of the age, condition and vulnerabilities associated with Metro Water Services' infrastructure and assets potentially impacted by the blasting. Third party reviewer shall forward comments/concerns to Metro Water Services. Developer will accept edits to the blasting plan recommended by third party reviewer. In no event will blasting proceed unless and until third party reviewer and Metro Water Services agree that the blasting plan is safe and appropriate in light of the vital infrastructure potentially impacted.
- Developer shall provide Metro Water Services and Stormwater all insurance information evidencing appropriate liability limits carried by the developer, contractor, and/or blasting contractor performing blasting near Metro Water infrastructure and assets prior to Final SP approval. Pursuant to TCA 68-105-112, one million dollars (\$1,000,000.00) is the minimum liability insurance policy required during blasting operations for the use and benefit of any person who may be injured or aggrieved by wrongful act or omission of any employee, servant, officer, or agent in the conduct of business of the blaster, or the blaster itself. Due to the critical nature of the infrastructure and assets potentially impacted by the blasting, Developer is urged to obtain liability insurance in excess of the minimum amount required.

METRO HISTORIC RECOMMENDATION**Approve****METRO PARKS RECOMMENDATION****Approve****NASHVILLE DOT RECOMMENDATION****Approve with conditions**

- Final constructions plans shall comply with the design regulations established by NDOT. In general, on final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Reference Major Street Collector Plan for ROW frontage requirements. Dimension ROW pavement widths for clarity. Note: A private hauler will be required for site waste/recycle disposal. Specific approval comments: Loading/unloading bays off Vernon Ave: Proposed West-facing, angled loading bays take WB-67 (semi) trucks through the following constrained intersections: Vernon/Hillside, Hillside/Edgehill. (cont.) Based on truck turning exhibits submitted to NDOT during prelim review, alterations to the loading/unloading bays off Vernon are preferred with a truck path established via Vernon Ave/8th Ave South intersection only. Prior to final, a discussion with NDOT and planning is required on the following: loading/unloading bay width, number of bays typical to similar retail, Vernon Ave street scape, street and intersection enhancements needed to accommodate (or screen) proposed retail back-of-house operations.

TRAFFIC & PARKING RECOMMENDATION**Approve with conditions**

- All previous conditions attached to this phase(s) of the Reservoir development are to be shown if not already conditioned/constructed.
- At Final SP an updated traffic analysis may be required to address the impact of the updated density for Zone 1 & 2 with the updated cross-section on Edgehill Ave.
- The roadway improvements along Edgehill shall be constructed (i.e., curb lines & street scape) but the final pavement markings shall be addressed at Final SP.
- Appropriate curb ramps and pedestrian infrastructure shall be installed at the corners of this developments frontage at each intersection.
- Comply with Roads on loading docks on Vernon Ave. On-street parking stalls on the South-side of Vernon may need to be removed to accommodate turn turning movements.
- Additional traffic comments forthcoming at Final SP.

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 (220)	-		1,200 U	7,396	592	678

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
General Office (710)	-	-	450,000 S.F.	4248	625	583

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)	-	-	88,000 S.F.	6250	143	584

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
Supermarket (850)	-	-	35,000 S.F.	3735	102	407

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)	-	-	1,800 U	9,808	581	710

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)	-	-	300,000 SF	11,325	282	1,143

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
-	-	-	-	-496	-599	-399

METRO SCHOOL BOARD REPORT

Projected student generation existing R6 district: 0 Elementary 0 Middle 0 High

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

The proposed additional 11 units in the SP are expected to generate four additional students than what is typically generated under the existing R8 zoning district. Students would attend Waverly-Belmont Elementary School, J.T. Moore Middle School, and Hillsboro High School. Waverly-Belmont Elementary and Hillsboro High school are identified as having capacity for additional students. J.T. Moore 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 with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to 1,800 multi-family residential uses and 300,000 square feet of non-residential land uses as specified on the plan. Short term rental property, owner occupied and non-owner occupied is prohibited in the entire SP.
2. All conditions of BL2018-1242 shall still apply, unless specifically modified with this application.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. On the corrected set, update the Parking note on Page 24 as follows: Parking shall not exceed the maximum parking permitted within the UZO for the final uses, unless a parking study is provided to Planning at submittal of the final indicating why parking in excess of the maximum is needed. Only parking up to the maximums permitted by the UZO shall be exempt from floor area calculations.
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 Zone 1 & 2 – MUG-A, and Zone 6 – RM40-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved plan.
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 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.
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.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

Ben Brewer, 118 16th Avenue South, Elmington Capital Group, spoke in favor of the application.

Ben Miskelly, 118 16th Avenue South, Elmington Capital Group, spoke in favor of the application.

Joe Stellar, no address given, stated he has a business next to the project. He spoke in opposition to the application.

Ben Miskelly spoke in rebuttal.

Ms. Milligan stated Councilmember Sledge sent in a letter of support.

Chair Adkins closed the Public Hearing.

Mr. Tibbs stated he understand the concern regarding the alleyway but based on everything else and what is already approved, he felt this is moving in a better direction.

Ms. Johnson understands the concern about losing the alley, but thought this revision is better because consolidating zones one and two is more cohesive and the height is lower, which gives more viewshed.

Councilmember Withers said adding more housing and having a more residentially focused project are good and felt this is appropriate for Edgehill Avenue. He referenced the blasting plan for zones one and two and asked if that was because what is being changed as zones one and two or if the condition applies to the entire site.

Ms. Milligan answered that is specifically for zones one and two given the type of construction and form of those buildings that may require blasting.

Councilmember Withers felt the staff recommendation is appropriate for having included the blasting information and said is in support of staff recommendation.

Mr. Henley said he likes the amendment for several reasons; housing, viewshed and moving away from office and proposing that much square footage for retail space. He stated he is seeing further improvement to Edgehill as a result of this alternative.

Mr. Clifton stated the overall combined changes to the Edgehill area have led to a dramatic loss of affordable low income housing but it does not seem like this project is contributing to that loss. He said this seems like a reasonable project as this time.

Mr. Haynes stated there is a retail user needing to eliminate the alley and the residential density is increasing but is decreasing the height and felt this is a good trade off.

Vice Chair Farr moved and Mr. Haynes seconded the motion to approve with conditions and disapprove without all conditions. (8-0-1) Ms. Blackshear recused herself.

Resolution No. RS2023-095

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-026-009 is approved with conditions and disapproved without all conditions. (8-0-1)

CONDITIONS

1. Permitted uses shall be limited to 1,800 multi-family residential uses and 300,000 square feet of non-residential land uses as specified on the plan. Short term rental property, owner occupied and non-owner occupied is prohibited in the entire SP.
2. All conditions of BL2018-1242 shall still apply, unless specifically modified with this application.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. On the corrected set, update the Parking note on Page 24 as follows: Parking shall not exceed the maximum parking permitted within the UZO for the final uses, unless a parking study is provided to Planning at

submittal of the final indicating why parking in excess of the maximum is needed. Only parking up to the maximums permitted by the UZO shall be exempt from floor area calculations.

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 Zone 1 & 2 – MUG-A, and Zone 6 – RM40-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved plan.

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 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.

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.

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

19. 2022SP-069-001

2400 ELLISTON PLACE SP

Council District 21 (Brandon Taylor)

Staff Reviewer: Dustin Shane

A request to rezone from MUG-A to SP zoning for properties located at 2400 Elliston Place, 207 and 209 24th Avenue North, and 206 Reidhurst Avenue, at the corner of Elliston Place and 24th Avenue North, (1.38 acres), to permit 300 multi-family residential units and 12,500 square feet of commercial use, requested by Catalyst Design Group, applicant; Lorlyn, LLC, RMRTN, LLC, owners.

Staff Recommendation: Defer to the April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-069-001 to the April 13, 2023, Planning Commission meeting. (9-0)

20. 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 Peebles Court, (26.59 acres), to permit 106 multi-family residential units, 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: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Preliminary SP to permit a multi-family residential development.

Preliminary SP

A request to rezone from One and Two-Family Residential (R10) to Specific Plan (SP) zoning 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 Peebles Court, (26.59 acres), to permit 106 multi-family residential units.

Existing Zoning

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. Approximately 26.59 acres of this site is zoned R10. *R10 would permit a maximum of 98 lots with 24 duplex lots for a total of 122 units, based on acreage alone. Compliance with the requirements of the Subdivision Regulations may result in fewer lots. Codes makes final determination on duplex eligibility.*

Proposed Zoning

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. The proposed SP zoning would permit a maximum of 106 multi-family residential units.

MADISON COMMUNITY PLAN

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

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

SITE LOCATION

The application includes 7 parcels and comprises approximately 26.59 acres near the north-eastern boundary of Davidson County and adjacent to the satellite city of Goodlettsville. The site has frontage onto Liberty Lane, a local street. Liberty Lane connects to Gallatin Pike about half of a mile to the south bypassing under Vietnam Veterans Boulevard and an associated off-ramp. The site currently contains 4 single-family residences and a duplex lot. The site is generally flat with very limited instances of steep slope areas. The surrounding area includes single-family and two-family residential uses and vacant properties. The Windsor Green Subdivision in Goodlettsville abuts the site to the north. South of Vietnam Veterans Boulevard and on Gallatin Pike is a more intense commercial district.

REGULATORY STANDARDS

The application includes a regulatory document that provides standards that are to be reviewed for compliance with the final site plan application. The regulatory standards include all uses permitted by the RM4 zoning district and the bulk standards are also consistent with the RM4 zoning district. A standard is included that requires a minimum of 20% open space. The standards also require the primary access to the site to be from the southern end of Liberty Lane with emergency access provided at the northern end. Also, a standard is included that requires existing trees within 20' of the perimeter of the property to be preserved and with the existing trees within 40' of the Windsor Green Subdivision property line to be preserved if townhomes or other attached units are placed along the perimeter of Windsor Green.

ANALYSIS

Staff finds the proposed zoning to be consistent with the intent of the D EC policy to have medium-density residential land uses to support the economic activity that's planned for this area. This D EC policy area is primarily non-residential land uses and the proposed zoning is consistent with the D EC policy's intent to have less than 25% of the area as residential land use. The requested zoning district would allow for a development pattern with a scale and form consistent with the policy guidance and the context of the surrounding area. The requested SP zoning permits a similar number of units as what the existing zoning could likely realize. The site's ability to create a public street network in this area is limited and this condition supports a zoning district that will develop with private streets/drives like the proposed. Additionally, NDOT is conditioning a sidewalk extension to better serve the general area based on the increased density. The Fire Marshall has also reviewed the proposed request and is recommending approval of the request subject to the final development plans complying with all applicable fire codes.

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. Public and/or private Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. Submittal of an availability study 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% Sanitary Sewer Capacity must be paid before issuance of building permits.
- Water provided by Madison Suburban Utility District.

MADISON SUBURBAN UTILITY DISTRICT RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- With the final: Callout the following per NDOT ST- detail sections: access and ADA ramps, sidewalks, curb & gutter. All ROW frontages shall adhere to the Major Collector Street Plan(MCSP). Dedicate ROW along all frontages to accommodate MCSP requirements. Provide call outs on final site plan for MCSP requirements.
- Show 'Now Entering Private Drive' signage where applicable off public roads into site.
- Provide internal and external stop control at private or public intersections.
- Where there may be potential vehicular or pedestrian sight distance issues at intersection and access ramps, provide stopping sight distance exhibits at any relevant intersections and accesses.
- Provide adequate sight distance spacing at all access ramps and public(or public) streets with on-street parking.
- Dimension ROW pavement widths for clarity.
- Provide a loading/unloading and waste plan for each aspect/phase of the total development.
- Provide any truck turning movements relevant to loading/unloading waste plan activities.
- Note: A private hauler will be required for site waste/recycle disposal. Comply w/ NDOT traffic comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Coordinate with WeGo prior to Final SP submittal on any transit infrastructure needs in this area. This development shall construct/provide/contribute towards those needs.
- Ensure that along property frontages, MCSP requirements are being met
- These developments shall contribute towards the sidewalk connection on Liberty Lane down to Gallatin Pike. (Coordination ongoing and shall be finalized prior to final SP)
- As an additional improvement, these developments shall provide two pedestrian landings at the intersection of Gallatin Pike and Liberty Lane for the northeast and southeast corners. Stripe in the crosswalk for the east leg. Provide push buttons and signal heads for all corners of the intersection (Liberty Hills development has been conditioned to provide landings for the other two corners and crosswalks for the north, west and south legs).
- Parking shall be per code.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	26.59	4.356 D	122 U	1,249	92	122

*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)	26.59	4 D	106 U	576	36	47

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-16 U	-673	-56	-75

METRO SCHOOL BOARD REPORT

Projected student generation existing R10 district: 7 Elementary 6 Middle 6 High
Projected student generation proposed SP district: 12 Elementary 8 Middle 7 High

The proposed SP zoning is expected to generate 8 additional students than the existing R10 zoning. Students would attend Goodlettsville Elementary School, Goodlettsville Middle School, and Hunters Lane High School. Goodlettsville Middle School is identified as being overcapacity and Goodlettsville Elementary and Hunters Lane High School are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapprove without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 106 multi-family residential units. Short-term rental property, both owner-occupied and non-owner occupied shall be prohibited.
2. The applicant shall either provide a sidewalk connection from the development site to Gallatin Pike via Liberty Lane or shall contribute towards this sidewalk construction. The off-site sidewalk conditions or contribution shall be coordinated in conjunction with NDOT and Planning with the final site plan application.
3. Prior to the approval of the final site plan, an emergency access agreement shall be recorded, or a second access point shall be established.
4. Comply with all conditions and requirements of Metro reviewing agencies.
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. 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.
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. 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 RM4 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
9. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

Resolution No. RS2023-096

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-071-001 is approved with conditions and disapproved without all conditions. (9-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 106 multi-family residential units. Short-term rental property, both owner-occupied and non-owner occupied shall be prohibited.
2. The applicant shall either provide a sidewalk connection from the development site to Gallatin Pike via Liberty Lane or shall contribute towards this sidewalk construction. The off-site sidewalk conditions or contribution shall be coordinated in conjunction with NDOT and Planning with the final site plan application.
3. Prior to the approval of the final site plan, an emergency access agreement shall be recorded, or a second access point shall be established.
4. Comply with all conditions and requirements of Metro reviewing agencies.
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. 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.
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. 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 RM4 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

9. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.

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

21. 2023SP-007-001

12782 OLD HICKORY BLVD RESIDENCES

Council District 32 (Joy Styles)

Staff Reviewer: Jason Swaggart

A request to rezone from AR2a to SP zoning on properties located at 12782 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), at the southwest corner of Old Hickory Boulevard and Preserve Boulevard, (13.37 acres), to permit 80 multi-family residential units, requested by Ryan Paige, applicant; Shekhar C. Thakur, owner.

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

Ms. Blackshear joined the meeting.

APPLICANT REQUEST

SP to permit 80 multifamily residential units.

Zone Change

A request to rezone from Agricultural/Residential (AR2a) to Specific Plan (SP) zoning on properties located at 12782 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), at the southwest corner of Old Hickory Boulevard and Preserve Boulevard, (13.37 acres), to permit 80 multi-family residential units.

Existing Zoning

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

Proposed Zoning

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

SITE CONTEXT AND PLAN DETAILS

The approximately 13-acre project site consists of two parcels and is located on the west side of Old Hickory Boulevard approximately one mile north of I-24. It is adjacent to The Preserve at Old Hickory. The property along Old Hickory Boulevard is approximately 12 acres and has approximately 1,000 feet of frontage along Old Hickory Boulevard. The elevation is higher than Old Hickory Boulevard and the frontage consist of rock wall that is approximately 11 feet in height. The second property is located to the northwest of the property along Old Hickory Boulevard. It is approximately 1.5 acres and is landlocked. The two properties are separated by unbuilt right-of-way of Old Hobson Pike. The right-of-way runs to the southwest intersection of Preserve Boulevard and Old Hickory Boulevard. Alderbrush Court stubs into the project site unbuilt right-of-way.

Site Plan

The plan calls for 80 attached and detached multifamily units with a density of approximately seven units an acre. The plan includes two unit types: cottage and townhome. All units front common open space, private drives, and public streets. Units range between two and three stories. All units include a garage and architectural standards are included. Architectural standards pertain to, but are not limited to orientation, windows, raised foundations and porches.

The plan calls for Old Hobson Pike to be extended from Alderbrush Court to the southern site entrance. Right-of-way is proposed to extend to the southern property line. Access into the site is shown from Alderbrush Court and will connect to the proposed extension of Old Hobson Pike. A sidewalk connection from the proposed Old Hobson Pike to the sidewalk on Preserve Boulevard is provided. Parking consists of a mixture of surface parking and individual

garage parking. The plan requires parking counts to be consistent with Metro Zoning Code requirements. Sidewalks are shown along one side of the extension of Old Hobson Pike and sidewalks per the Major and Collector Street Plan are required along Old Hickory Boulevard. Right-of-way dedication along Old Hickory Boulevard is included on the plan.

The plan includes active open space that includes a trail, playground, and other facilities. The plan also includes approximately three acres of undisturbed open space. The approximately 1.4 acre property on the west side of the proposed extension of Old Hobson Pike and adjacent to The Preserve at Old Hickory is located in an area to be left undisturbed. The plan includes limits of disturbance. A scenic landscape easement is provided along Old Hickory Boulevard. Landscape and tree density requirements are per Metro Zoning Code requirements.

ANTIOCH – PRIEST LAKE COMMUNITY PLAN

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.

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.

ANALYSIS

Staff finds that the proposed SP is consistent with the CO and T3 NM land use policies, at this location. While the immediate area is characterized as single-family, the T3 NM land use policy does support some change in character at appropriate locations. The site is located along Old Hickory Boulevard which is a busy arterial. The zoning on the opposite side of Old Hickory Boulevard from the proposed development is zoned for industrial and includes mostly large warehousing and distribution facilities. Given the location of the proposed project site, between The Preserve at Old Hickory and the industrial area on the opposite side of Old Hickory Boulevard the site is situated in a transitional area.

As proposed, the majority of the development footprint is on the opposite side of the proposed extension of Old Hobson Pike from The Preserve at Old Hickory. Four units adjacent to The Preserve at Old Hickory front onto existing landscaped open space in The Preserve at Old Hickory. The proposed plan will preserve densely wooded areas preserving important tree canopy and will provide a natural buffer to The Preserve at Old Hickory. The density for the proposed SP is consistent with The Preserve at Old Hickory. These elements provide for an adequate transition from The Preserve at Old Hickory to the industrial area on the opposite side of Old Hickory Boulevard.

The proposed unit type provides an additional housing option for the area. This can allow for existing residence looking to downsize to stay within the community. The design of the proposed project includes internal sidewalks, trails, and a sidewalk along the proposed extension of Old Hobson Pike and Old Hickory Boulevard. This will improve walkability for the area and provide opportunities for recreation within close proximity to residence of the development. The CO land use policy applies to some steep slopes adjacent to The Preserve at Old Hickory and along Old Hickory Boulevard. These areas are located in areas designated to be left undisturbed consistent with the CO land use policy. The adjacent property to the south that is located along Old Hickory Boulevard has inadequate sight distance along Old Hickory Boulevard and the extension of Old Hobson Pike will provide safe access to the property improving street connectivity.

FIRE MARSHAL RECOMMENDATION

Approved 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. Access controlled gates shall be equipped with RF operated 'Click-2-Enter' system.

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approved with conditions

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

- With the 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. Dimension ROW pavement widths for clarity. Call out loading/unloading plan (or dumpsters) on site plan. Provide any truck turning movements relevant to loading/unloading activities. Note: A private hauler will be required for waste/recycle disposal.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Provide bedroom counts per unit types to confirm parking requirements are being met at Final SP submittal.
- Sidewalks need to be provided along property frontage per MCSP requirements. Full sidewalk must be in the public right of way.
- All improvements recommended in the traffic study shall be called out in the plans. Full design of improvements shall be provided in the building permit plan set. These improvements are still being worked out with the traffic consultant.

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)	13.37	0.50 D	6 U	78	9	7

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	-	-	80 U	434	27	36

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+74 U	+356	+18	+29

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2a district: 1 Elementary 1 Middle 1 High

Projected student generation proposed SP district: 7 Elementary 4 Middle 3 High

The proposed SP zoning is expected to generate 11 more students than the existing AR2a zoning district. Students would attend Cane Ridge Elementary School, Antioch Middle School, and Cane Ridge High School. There is additional capacity for elementary and middle school students. Cane Ridge High School is listed as over capacity.. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapprove without all conditions.

CONDITIONS

1. Permitted uses shall be limited to 80 multi-family residential units. Short term rental property, owner occupied and short-term rental property, not-owner occupied shall be prohibited.

2. ROW per the Major Collector Street Plan shall be dedicated prior to the issuance of any building permits. Required ROW dedications must be identified on any final site plan. Sidewalks along Old Hickory Boulevard shall be constructed per the Major and Collector Street Plan.
3. All efforts shall be made to provide a direct sidewalk connection from the development to Old Hickory Boulevard, particularly at the northern point of the development and at the southern point along Old Hickory Boulevard. The feasibility and location of the sidewalk connection shall be determined with final site plan review.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district as of the date of the applicable request or application.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

Jeff Heinze, Catalyst Design Group, 5100 Tennessee Avenue, spoke in favor of the application.

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

Jessika Real, 5035 Preserve Boulevard, spoke in opposition to the application.

Shalisa Dodd, 5019 Preserve Boulevard, spoke in opposition to the application.

Jeff Myatt, 5019 Preserve Boulevard, spoke in opposition to the application.

Jeff Heinze spoke in rebuttal.

Ms. Milligan stated they have spoken to Councilmember Styles and she indicated her support for the project.

Chair Adkins closed the Public Hearing.

Mr. Clifton stated he understands the concerns and also felt it was a compelling presentation. He said there is not a technical reason they can deny this and thought it is more of a consequence of the growth.

Mr. Henley asked if the public street as presented is using the existing right of way and there was already a stub road and it was indicated this area was to be developed and connected.

Mr. Swaggart stated that is correct.

Mr. Henley asked if there were any recommendations from NDOT to modify the turning lanes to add a left turn onto Alderbush Court.

Ms. Milligan advised there has been a traffic study and they are working out the specific details but felt comfortable with the level of increase and the existing capacity to recommend approval and for that to be further worked on at final.

Mr. Henley stated they are at a stage where properties like this are ones that would be ideal for development and this seems to be the type of development the Councilmember is advocating for in her community. This provides housing on a site that has fairly good access to a major corridor. He stated if blasting occurred, there is a process and procedure the development would have to adhere to.

Councilmember Withers stated they want to preserve trees as much as possible. He asked if there was a survey done to identify any specific trees they might want to work around.

Ms. Milligan answered not at this time. She explained the requirements here are exceeding the requirements of what would be required just under the existing zoning or even it was coming in as a subdivision; so, there would not be anything specific about actually requiring any tree preservation under either of those scenarios.

Councilmember Withers encouraged people to preserve trees as part of their plans. He thought the connectivity was good and liked the mix of housing types. Mr. Withers said for the adjacent neighborhood this connects to, it will add recreational trails and amenities that folks could walk from the surrounding neighborhood into and enjoy.

Jeff Heinze stated the trail that runs along the southern edge and loops back up along Old Hickory would be in an easement, in an open space and reserved for public use.

Councilmember Withers said it looks like the neighborhood has begun to engage with NDOT for neighborhood traffic calming. He felt this is a great enhancement to this community.

Ms. Johnson asked if it would be a condition for this area to be undisturbed.

Ms. Milligan responded it is on the plan that those areas would be undisturbed.

Ms. Johnson asked if they can add a tree preservation condition.

Ms. Milligan advised they can add a condition to ask that with final the applicant submit a tree survey and they work with staff to minimize trees that would be classified as heritage trees per the zoning code.

Ms. Johnson said she would be sad to see the open space be replaced with housing but considering this is across from an industrial use, it is good transition policy wise, and placement of the housing unit is thoughtful.

Ms. Blackshear asked staff to speak to cumulative development and how it impacts future developments and how it relates to the infrastructure, transit and traffic issues.

Ms. Kempf stated NDOT is evolving in its manner of approaching projects and increasingly she is seeing them do more system level analysis in traffic impact study assessment and also in terms of looking holistically when they have a number of projects developing at once.

Ms. Milligan added that the background traffic from all of the things that have already been approved is included when a traffic study is done.

Mr. Tibbs stated the project is well done and going over and above for the trees and greenspace works well and is a good transition. He felt there should be more conversation on things that are going on in the area and the types of development that is encouraged. Mr. Tibbs thought this is appropriate and said he supports staff recommendation.

Vice Chair Farr said they have heard a lot of the growth challenges in the area and paying attention to the infrastructure, beyond just traffic, that was noted by Ms. Chick. She stated this project fits in well and supports the project but wants to second the infrastructure in this area.

Mr. Haynes asked Ms. Milligan to speak about the process the applicant and developer will have to follow regarding blasting.

Ms. Milligan explained blasting is regulated by the state. They would apply to the state. Metro Fire is involved in the permit issuance but only acting as an agent of the state. Any complaints can be made to the local fire department.

Mr. Haynes asked if the neighbors could apply for pre-blast surveys to get conditions of their home prior to the blasting starting.

Ms. Milligan answered that pre-blast surveys are part of the state process. She said if there is to be any blasting, there would be pre-blast surveys on certain distances away from the blast location.

Mr. Haynes stated this is well thought out and a good transition leading to the warehouse district on the other side of Old Hickory. He likes the SP because they have more control over preserving the undisturbed area and preserving potential heritage trees.

Mr. Haynes moved and Ms. Farr seconded the motion to approve with conditions and disapprove without all conditions including a condition that the applicant submit a tree survey with the final site plan and that they work to preserve as many trees as possible. (9-0)

Resolution No. RS2023-097

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-071-001 is approved with conditions and disapproved without all conditions including conditions that the applicant submit a tree survey with the final site plan and that work to preserve as many trees as possible. (9-0)

CONDITIONS

1. Permitted uses shall be limited to 80 multi-family residential units. Short term rental property, owner occupied and short-term rental property, not-owner occupied shall be prohibited.
2. ROW per the Major Collector Street Plan shall be dedicated prior to the issuance of any building permits. Required ROW dedications must be identified on any final site plan. Sidewalks along Old Hickory Boulevard shall be constructed per the Major and Collector Street Plan.
3. All efforts shall be made to provide a direct sidewalk connection from the development to Old Hickory Boulevard, particularly at the northern point of the development and at the southern point along Old Hickory Boulevard. The feasibility and location of the sidewalk connection shall be determined with final site plan review.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district as of the date of the applicable request or application.
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.

Chair Adkins called for a 10 minute break.

22a. 2023SP-012-001

PENNINGTON BEND LIFEPLAN COMMUNITY SP

Council District 15 (Jeff Syracuse)

Staff Reviewer: Jason Swaggart

A request to rezone from RS10 and RS15 to SP zoning on properties located at 4340 Longfellow Drive and 2646 Lock Two Road, at the current terminus of Longfellow Drive, partially located within a Planned Unit Development Overlay District (135.06 acres), to permit 234 residential units and a 75 bed assisted care living facility, requested by Civil & Environmental Consultants, Inc., applicant; The Stevenson Trust No. 6, Stevenson Trust No. 7, and J.E. Stevenson, Trustee, owners. (See associated case 18-86P-001).

Staff Recommendation: Disapprove.

APPLICANT REQUEST

SP to permit 234 residential units and 75 bed assisted-care living facility.

Zone Change

A request to rezone from Single-Family Residential (RS10 and RS15) to Specific Plan (SP) zoning on properties located at 4340 Longfellow Drive and 2646 Lock Two Road, at the current terminus of Longfellow Drive, partially located within a Planned Unit Development Overlay District (135.06 acres), to permit 234 multi-family residential units and a 75 bed assisted-care living facility.

Existing Zoning

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. The portion of the project zoned RS10 is also within a PUD. The PUD is approved for 91 single-family residential lots.

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *The approved preliminary subdivision for the area zoned RS15 permits up to 89 single-family lots.*

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

Proposed Zoning

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

SITE CONTEXT AND PLAN DETAILS

The approximately 135-acre project site consist of two parcels, located on the northeast corner of Pennington Bend with frontage along the Cumberland River. Access to the site is from Lock Two Road on the west side of the site and Longfellow Drive and Isben Drive on the east side of the site. The site is split zoned. The eastern parcel making up the site is zoned RS15. It is an undeveloped portion of the Abbington Park subdivision. The approved preliminary plan for Abbington Park includes 399 single-family residential lots and 298 lots have been platted. The last revision approved for this unbuilt portion of Abbington Park includes 89 single-family residential lots. The western parcel is zoned RS10 and is within a residential PUD. The River Chase PUD was originally approved in 1986 and includes existing single-family development south of the site. The last approved preliminary plan for this portion of the PUD includes 91 single-family lots. The entire site is in floodplain and includes floodway as well as wetlands.

Site Plan

The proposed plan consists of a mixture of unit types classified in the SP as single-family/homes, villas and duplex. Per Metro Zoning Code all units are classified as multi-family residential. An assisted care living facility is also included. Since the Code classifies all uses as multi-family, this report will refer to single-family/homes as detached multi-family, Villas as multi-family and duplex units as multi-family attached. The plan includes a total of 259 residential units. Unit counts are as follows:

- Detached Multi-Family: 70 units
- Multi-Family: 144 units (8 unit buildings)
- Attached Multi-Family: 20 units (2 unit buildings)
- Assisted Care Living: 25 units (75 beds 3 beds count as one unit)

The detached multi-family and attached multi-family units are concentrated on the eastern side of the site and the multi-family units are located on the western side of the site. The assisted care living facility is centralized on the site. The maximum height for all units, including the assisted care living facility is two stories. The plan includes architectural standards. Standards pertain to, but are not limited to entry locations, glazing, materials, and porches.

Access into the site is proposed from Longfellow Drive, Isben Drive and Lock Two Road. No public roads are proposed, and all drives/roads throughout the development are private. Access into the site is gated. Sidewalks are shown along all private roads. The private sidewalks connect to existing sidewalks on Longfellow Drive. Parking is per Metro Zoning Code requirements and include a variety of garage and surface parking. The plan includes a greenway that connects Lock Two Park to Longfellow Drive. A trailhead with some parking is shown at the end of Longfellow Drive and is open to the public.

DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

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 entire project site is within CO policy which recognizes the floodplain that encumbers the project site. Staff recognizes that both Abbington Park and Riverwood Chase are vested for a total of 180 single-family residential lots and that the proposed project reduces the development footprint and preserves more open space than the currently approved plans for Abbington Park and Riverwood Chase (about 73.5% proposed open space versus 60% under the currently approved plan). The proposed plan also provides for a greenway along the river. The reduction of the development footprint, increase in open space and provision of the greenway are all positive attributes of the proposal; however, staff is concerned with other elements of the project.

While the proposed plan reduces the development footprint which is moving towards the goals of the CO land use policy, the proposed project would result in an increase in density from what is currently approved. The proposed project includes 87 additional residential units from what is currently approved with Abbington Park and Riverwood Chase. Given the CO land use policy, increasing the density from what is currently approved is not appropriate. Furthermore, staff has concerns with an assisted care living facility being placed within a floodplain in an area with limited access. The most direct ways out of the project site are Lock Two Road and Longfellow Drive. Both connect to Pennington Bend Road to the south and the distance from the project site to McGavock Pike is approximately 2.5 miles. Given these concerns, staff recommends disapproval.

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. Access controlled gates shall be equipped with RF operated 'Click-2-Enter' system.

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.

METRO GREENWAYS RECOMMENDATION

Approve with conditions

- Applicant to design, build and maintain landscaping along the greenway and shoulders to Metro Parks standards approved by Metro Parks Greenways Division staff, including but not limited to lighting, construction materials, width, ADA compliance, signage, trailhead, bicycle storage, site furniture etc.
- Applicant to dedicate a Conservation Greenway Easement across the floodway and wetland plus 75' buffer and to the extent necessary to include all aspects of greenway connectivity throughout the site. Easement width outside floodway and wetland buffer to be a minimum of 20' wide.
- Applicant to enter into a Conservation Easement Agreement with Metro (Parks) to include boundary survey and legal description of the easement, along with a participation agreement for the design, construction and perpetual maintenance of the greenway to run with the land. Coordinate with Metro Parks Greenways staff for Park Board and Metro Council approval process for these Agreements. Approved Agreements to be recorded with Register of Deeds prior to Final SP approval.
- Greenway trail to be open to the public 365 days/year per Metro Parks approved operating hours.
- Applicant to co-ordinate with Parks for how it ties in to Lock Two Park.
- Construction of greenway must be approved by Metro Parks and Metro ADA prior to issuance of first Use and Occupancy permit.
- Coordinate with Metro Parks staff on the final alignment and design of the entire greenway and trailhead and trailhead signage. Design and construct the greenway and trailhead to Metro standards.
- Co-ordinate with Metro Parks for lighting and site furnishings.
- Applicant to provide designated greenway and ADA- compliant greenway parking.
- The development should be trail-oriented: no dumpsters, loading zones, HVAC units, etc fronting the greenway. No conflict between pedestrians and parking garage and loading zone ingress and egress. Screen façade of parking garages from greenway view.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- General conditions: '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. Dimension ROW pavement widths for clarity. Note: A private hauler will be required for waste/recycle disposal. Comply w/ NDOT traffic comments.' Approval road conditions: Provide ST-252 paving schedule for road widening on Lock 2 Rd. (cont.) Provide 1-1/2' Mill & overlay to CL of Lock 2 Rd. to tie-in extents of road widening. If road widening occurs on each side of Lock 2 Rd., then provide mill & overlay to CL on each side.

- Close sidewalk gap (highlighted) along Lock 2 Rd. between Cain Harbor and Penn Meade Dr. To function as Cain Harbor/Riverbend Dr. cross access through public road Penn Meade Way up to existing sidewalk connection North along Lock
- Cul-de-sac(no island) turn-a-round being dedicated as ROW at the terminus of Longfellow requires sidewalks both sides, per ST-331 and commercial ramps off the ROW, per ST-324. (cont.) Follow road section paving schedule for cul-de-sac.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- All driveways must be at least 30 feet apart. Some driveways may need to be combined for a shared drive.
- The gated access on Longfellow Drive needs to be pushed back into the site and space for a turn-around are needed.
- Traffic study shall be finalized prior to Final SP.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	-	3.7 D	45 U	725	56	74

Maximum Uses in Existing Zoning District: **RS15**

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)	-	2.47 D	89 U	719	52	70

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	-	-	234 U	1,272	85	116

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
Hospital (310)	-	-	75 B	152	17	19

Traffic changes between maximum: **RS10/RS15 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-20	-6	-9

STAFF RECOMMENDATION

Staff recommends disapproval.

Mr. Swaggart stated he will present Items 22a and 22b together, but each Item needs to be voted upon individually. Mr. Swaggart presented the staff recommendation to disapprove Items 22a and 22b.

Roy Dale stated he represents the applicant. He spoke in favor of the application.

Tom White, 500 11th Avenue North, spoke in favor of the application.

Councilmember Syracuse spoke in favor of the application.

Chair Adkins closed the Public Hearing.

Ms. Blackshear appreciated the applicant pointing out the need for Senior housing and the psychological benefits of being in an open space and near water. She stated it would be questionable land use policy to allow the construction of an assisted living center in a floodplain. Ms. Blackshear asked about the flood history of the area.

Ms. Milligan explained floodplains do not flood regularly. It takes a certain level of rain event for the floodplain to become flooded. She stated this property was flooded in 2010. Ms. Milligan said she does not know the exact flooding history of this property.

Ms. Blackshear said it would be surprising if folks would think Metro would approve an assisted living center to be built in a floodplain. She thought it was a great thing that the footprint gets smaller and sounds like it would be, from a neighbors' perspective, a benefit to have this project as opposed to the current land use for that area.

Councilmember Syracuse stated they should not base development and land use policy based on May 2010. He said Pennington Bend does not flood as much as others, as it is a little higher up.

Ms. Johnson stated she appreciates the intriguing argument and why they think this new SP will be more appropriate and likes the increased open space and reduction of density. She said she would not be able to overcome that this proposal is in a mostly conservation zoning and especially where the assisted living and addition housing unit are proposed. Ms. Johnson stated she is concerned that the current PUD has almost 100% critical lots; as well as the access is 2.5 miles from the street and if a resident needs to go the emergency room which is a minimum of 2.5 miles, that would be 5 miles to the nearest hospital.

Councilmember Withers stated he does not know if having assisted living be in a floodplain is more concerning than having regular housing in the same floodplain, as long as they have a good evacuation plan. He said one thing he liked about this plan, from an NDOT standpoint, is that it has some infrastructure improvements that are required to help with pedestrian connectivity. Mr. Withers said having a housing type for seniors where it does not take as many trips is a good thing to put in a location where there are roadway constraints and felt it is a good fit there. He read part of the Conservation policy and thought this plan dramatically improves over what is vested.

Mr. Henley said assisted living care facilities are required to have much more sophisticated evacuation and emergency plans, so thinking of building in a floodplain may seem counterintuitive, they are more likely to be prepared than single family homes. He liked the modification to the existing PUD where they are getting further out and away from the flood area and the zone buffers. Mr. Henley stated he also liked the pedestrian and bicycle connector to the park and the improved infrastructure. He asked about the adjoining site and the developable total unit count.

Ms. Milligan reference the presentation slide which showed the PUD and what was approved near Abbington Park.

Mr. Henley said looking at the slide, it seems as though they would take a similar path in terms of the road network and layout. He stated he thinks the use is appropriate and the modifications are better served. Mr. Henley reiterated he loved seeing more open space and the added connectivity and benefit to off-site residents.

Mr. Clifton said he would like more discussion on how they look at the floodplain issue.

Ms. Milligan stated a floodplain does not mean you cannot build. She explained if they are looking at a rezoning, from a staff perspective, would be looking at what is permitted now and what is being proposed and trying to discern which is closer to the intent of the policy. Ms. Milligan said the way they think about floodplain or conservation is site to site.

Ms. Kempf added that it is always difficult for staff when there is an older PUD that may have approved land use that they probably would not put in place today. She explained a combination of factors that led them to want to have this heard before the Commission.

Mr. Haynes said he is always in favor any time a project builds a greenway without having to do so. He struggled with the 25 to 30% increase in density but said he liked the plan a lot. He asked if the applicant would be willing to reduce the density slightly.

Vice Chair Farr asked if this came in today with the request that was approved in 1986, would that likely be approved today.

Ms. Kempf answered if it was going from a really low density, like a AR2A or another zoning district that was low density, then probably not. If the decision was to go from a very low intensity zoning to a single family zoning today, they would not support that request. She said they are stricter today than in 1986.

Vice Chair Farr said they are comparing this to something that would not necessarily get approved today and that made her think they should have more of an open mind in terms of what they think is right with the density and not comparing it to the 180 units that could be there. She thought that insuring and financing an assisted living facility in a floodplain is very problematic, which is not the purview of the Commission, but said it leads her to concerns.

Mr. Tibbs stated he is OK with the density but would be more comfortable if it was decreased. He liked there is increased greenspace and referenced Mr. Dale's comment that this is the right space for this type of use. He said there should be some type of flood mitigation that could be added in case something catastrophic happened again.

Mr. Haynes asked if the applicant could address concerns regarding the roads, the procedures for the assisted living facility and the potential reduction in density.

Roy Dale advised the property itself is filled above the floodplain and the access point is above the floodplain. He explained there is a prior grading permit on the site, a large area has already been disturbed, and that is where this is going to sit. There will be restrictions on the age, and this site is a low impact regarding roads, schools and infrastructure, which will address concerns on density. There is an evacuation plan that has been prepared. There will be a Homeowners Association and fees will be paid to ensure that all the roads are upkeep. Further, he explained the roads need to be built and designed to Metro standards with sidewalks, curbs and gutters and that will be in place, as well.

Mr. Henley said there is density and intensity and this project is presenting a much lower intensity. He stated he is in favor of covenants and ways they can apply within the SP structure. He asked if the greenway will be part of the maintenance plan.

Ms. Milligan responded there is a standard set of Metro greenway recommendations in the staff report. She added that typically there is a maintenance agreement that is a part of the conservation easement.

Mr. Haynes asked if the road will be built to city standards as a private road.

Tom White responded in the affirmative.

Councilmember Withers said a lot of the concern is the ability to get people to and from this location to a safer road if a medical emergency or natural disaster happened. He asked if there is a particular standard that the Fire Marshal or OEM office might have.

Ms. Milligan advised the Fire Marshal has recommended approval. Some of their comments are regarding the operation of gates and what type of gates they have to be so they can have quick access if they need to access and the gates are closed. She said they are looking at ingress, egress and gates. They would do their more detailed review at final and building permit where they are ensuring there is adequate fire truck access to every building.

Vice Chair asked if the Fire Marshal is looking at ingress and egress of the property or to a medical facility.

Ms. Milligan answered the Fire Marshal's Office is looking at it in relation to the Fire Code which has certain standards to specific building construction such as fire walls, separation, type of materials used or internal building evacuation. She explained Fire Code also speaks to access points to a neighborhood and sprinklers. She said she does not think they look at response times.

Ms. Kempf advised the appropriateness as to use is in their purview.

Mr. Tibbs moved and Mr. Haynes seconded the motion to disapprove staff recommendation and approve with conditions and disapprove without all conditions. (6-3) Ms. Farr, Ms. Blackshear and Ms. Johnson voted against.

Resolution No. RS2023-098

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-012-001 is disapproved staff recommendation and approved with conditions and disapproved without all conditions (6-3)

22b. 18-86P-001

RIVER TRACE ESTATES (CANCELTION)

Council District 15 (Jeff Syracuse)

Staff Reviewer: Jason Swaggart

A request to cancel a portion of a Planned Unit Development Overlay District for property located at 2646 Lock Two Road, north of Cain Harbor Road, zoned RS10 (76.21 acres), requested by Civil & Environmental Consultants, Inc., applicant; The Stevenson Trust No. 6, & Stevenson Trust No. 7, owners. (See associated case 2023SP-012-001).

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Cancel a portion of a Planned Unit Development.

PUD Cancellation

A request to cancel a portion of a Planned Unit Development (PUD) Overlay District for property located at 2646 Lock Two Road, north of Cain Harbor Road, zoned Single-Family Residential (RS10), (76.21 acres).

Existing Zoning

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. The PUD limits the number of units to 91 single-family lots.

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

DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

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.

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.

PLANNED UNIT DEVELOPMENT OVERLAY HISTORY

There have been several PUD revisions in the past. The last revision for this portion of the River Trace PUD is approved for 45 single-family lots. The approval includes a condition that requires the approximately 47 acres of open space on the approved plan to be dedicated for conservation. Prior to the last approval, it was approved for 131 single-family lots.

ANALYSIS

This application is associated with SP proposal, case number 2023SP-012-001. The SP proposes a multi-family development and assisted-care living facility. Due to the surrounding single family development pattern, it has been determined that the proposed SP is not consistent with the Suburban Neighborhood Maintenance (T3 NM) land use polices that apply to the site. This PUD cancellation is necessary for the proposed SP. Since staff is recommending disapproval of the associated SP proposal, then staff recommends disapproval of this cancellation.

STAFF RECOMMENDATION

Staff recommends disapproval.

Mr. Tibbs moved and Mr. Haynes seconded the motion to approve. (8-1) Ms. Johnson voted against.

"BE IT RESOLVED by The Metropolitan Planning Commission that 18-86P-001 is approved (8-1)

23. 2023SP-018-001

BELLE MEADE PLAZA

Council District 24 (Kathleen Murphy)

Staff Reviewer: Dustin Shane

A request to rezone from MUL to SP zoning for property located at 4500 Harding Pike, southwest of the corner of White Bridge Pike and Harding Pike (10.57 acres), to permit a mixed-use development, requested by Barge Cauthen & Associates, applicant; BMP, L.L.C., 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 Mixed Use Limited (MUL) to Specific Plan (SP) zoning for property located at 4500 Harding Pike, southwest of the corner of White Bridge Pike and Harding Pike (10.57 acres), to permit a mixed-use development.

Existing Zoning

Mixed Use Limited (MUL) is intended for a moderate intensity mixture of residential, retail, restaurant, and 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.

SITE CONTEXT AND PLAN DETAILS

The site consists of one parcel located west and north of the intersection of White Bridge Road and Harding Pike. It is bordered on the north and west by Richland Creek and the Seaboard System Railroad ROW, on the north and east by the White Bridge Road bridge, on the south and east by Harding Pike, and on the south and west by a partially wooded tract of land owned by the H.G. Hill Realty Corporation within the city limits of Belle Meade, zoned Residence "B" (comparable to RS40 in the Metro Zoning Code) and within the floodplain. Offices, retail, and multi-family uses are located across Harding Pike and White Bridge Road, zoned both OR20 and CS (with those across White Bridge Road being in the Harding Town Center UDO).

Case Background

A pre-application request was received in November of 2022 with a plan for a mixed use development. Heights of the westernmost buildings were shown at fifteen stories tall, with lower buildings as you moved to east toward White Bridge Pike. Additionally, a vehicular ring road with head in parking was included around the low-slung retail buildings along the public streets. Planning Staff provided feedback on the plan and a modified plan was submitted for formal application review. The original application was received in December of 2022. This application also featured high-rise buildings as tall as 15 stories, with heights increasing from northeast to southwest through the site. The ring road remained as a feature, but parking was converted to parallel as opposed to head in parking. Staff reviewed the original submittal and provided comments to the applicant which resulted in additional revisions. Subsequent revisions lowered the maximum height to thirteen stories and reoriented it to decrease from northeast to southwest so that the intensity transitioned down away from the intersection. The ring road was removed and the central plaza reworked to allow fire access for all buildings.

Site Plan

The SP is intended to create a mixed-use development. The plan authorizes the creation of 388 multi-family residential units, 80,000 square feet of commercial space, and 78 hotel rooms. The SP includes a site plan as well as bulk and architectural standards, parking and preliminary landscaping notes, and a table of permitted uses.

The provided architectural standards result in buildings with high levels of activation at the pedestrian level and glazing and articulation throughout. Four buildings with stepped massing will ring the outer edge of the property along Richland and Sugar Tree Creeks. They generally scale down from the intersection westward. Moving west to east, the proposal includes:

- Two residential buildings separated by a 1 story amenity and pool area; in working with staff, the applicant agreed to limiting the westernmost building to 5 stories in height along Harding Pike, with a stepback to 8 stories at the interior of the site

- In working with staff, the applicant agreed to limiting the second westernmost building height to 8 stories with a limited habitable punctuation of height, distinguished as an important architectural feature or placemaking element generally consistent with the height plan below (appropriate proportions will be determined at the time of final site plan).
- A proposed 11-story residential building, and a proposed 13-story residential and hotel building (the latter two with retail at the ground floor).
- Passive green roofs are included atop each building. The structures will be accessed by a private drive and access easement connecting to the east under White Bridge Road and to the south along Harding Pike. A roundabout with auto drop-off area, which serves as a fire access, will be located in front of the westernmost building while a pedestrian promenade will connect to the north between the easternmost buildings and provide access to the greenway planned along Richland Creek.

A greenway along the rear of the property, located within the floodway buffer, will make partial use of the pier structures upon which the existing commercial buildings sit. However, it will also replant and recover much of the disturbed creekbank. The current development consists not only of several acres of surface parking but also buildings and parking structures over top of much of the creek. Their removal will allow daylight to reach the creek once more. Formal and informal landscape design will be used to create a meandering path behind the planned towers, which will flow seamlessly into outdoor seating and plaza areas interior to the development. A “platform park” at the westernmost edge of the property will allow users to experience the creeks from above. A condition requires a Conservation Greenway Easement to be applied to all areas pertaining to the proposed greenway, which will be maintained by the developer.

The quadrant of the site closest to the intersection of White Bridge Road and Harding Pike will feature five 2-story retail buildings (with tall gable roofs to better transition to the towers beyond) accessed by the private drive (which will feature head in parking for patrons). These buildings will be organized around a “town center” plaza. The buildings will be accessible by pedestrians from Harding Pike. A linear pedestrian plaza will stretch from the town center to the Harding Pike ROW to provide a central entrance for pedestrians to the development. Outdoor seating and dining areas will be prominently featured.

FAR is set at a maximum of 1.69. ISR is limited to 0.90, with setbacks and build-to limits as illustrated on the plan. A minimum of 920 parking spaces will be provided, mostly in an underground parking structure with four access points throughout the site, but also along the private drive. Parking garage use is to be shared and available for public use as required for the occupancies provided within the SP development. Bicycle parking and landscaping will be per code. FAR for the entire site is limited to 1.69. The development will implement the MCSPP requirements for ROW dedication along Harding Pike. A condition requires the developer to comply with all WeGo infrastructure requirements.

Traffic Impact and Mobility Study – Belle Meade Developments

Because of the existing zoning on site (Mixed Use Limited) and the development potential provided by the large acreage, the proposed SP plan generates fewer overall trips than a redevelopment maximizing entitlements under current zoning would. NDOT has studied the impacts of the proposed development in the context of the broader development environment around the Harding Pike/White Bridge Road intersection. A mobility study was prepared at the direction of NDOT to look at the broader area and take into consideration this site and other nearby future development opportunities. The mobility study requires new projects within the T5 Center along Harding Pike to collectively provide the following improvements: dedicate ROW necessary for a 7-lane cross-section for Harding Pike; relocate the signal at Kenner Avenue to Ridgefield Way one block to the northeast; provide an extra turn lane at the relocated intersection; retime the intersection of Harding Pike with White Bridge Road/Woodmont Boulevard; upgrade the technology to incorporate real-time adaptive capabilities at all signals along the corridor; install a mini-roundabout at the intersection of Woodlawn Drive and Ridgefield Drive; and convert all three transit stops in the vicinity to “super stops” (comparable to the stop along Nolensville Pike in front of the Wal-Mart). Contributions must also be made to multiple studies relating to capacity and traffic flow in the area.

GREEN HILLS – MIDTOWN COMMUNITY PLAN

T5 Regional Center (T5 RG) is intended to enhance and create regional centers, encouraging their redevelopment as intense mixed use areas that serve multiple communities as well as the County and the surrounding region with supporting land uses that create opportunities to live, work, and play. T5 RG areas are pedestrian friendly areas, generally located at the intersection of two arterial streets, and contain commercial, mixed use, residential, and institutional land uses.

ANALYSIS

Centers in NashvilleNext are places where residents and visitors can live, work, and recreate. Centers are a place to engage in commercial, civic, and recreational activities on a grander scale than can be found in individual neighborhoods or communities. T5 Centers, one of the most intense classifications within NashvilleNext, are envisioned to evolve over time into complete communities that feature a mixture of housing convenient to commercial, employment, and recreational land uses. T5 RG policy has been in place on this site since the adoption of NashvilleNext in 2015.

Generally, buildings are taller in T5 Centers than in surrounding Community Character Policies, accommodating multiple uses and functions and often providing structured parking, entertainment, office, and open space. Developable land is used to the highest extent possible, building upward rather than outward. T5 Regional Centers (T5 RG) in particular are identified as intense mixed-use areas, serving not only local residents but possibly having a regional draw as well.

T5 RG policy is intended for sites at the intersection of two arterials where a vibrant mix of uses, housed in buildings with minimal spacing and setbacks, are planned. Heights of buildings can reach up to 15 stories, depending on the context. Access to transit and a high level of public amenity provision is expected, including potential off-site improvements to address development impacts.

The plan presented for Belle Meade Plaza meets many of the goals of this policy, which as noted above was put in place with NashvilleNext. Buildings do not exceed the maximum height recommended. Several public infrastructure benefits are offered, including greenway construction, dedication, and maintenance, along with traffic improvements on Harding Pike over and above those required by the "Traffic Impact and Mobility Study – Belle Meade Developments," including a shared parking study due at Final SP approval, lighting enhancement and coordination with adjacent property owners for the greenway connection, and the rebuilding of the traffic signal and pedestrian infrastructure at the central entrance, which will further help offset any variation in traffic generation. Greater provision of retail services will benefit incoming residents as well as existing neighbors. A high level of architectural quality will be required in line with the prominence of the site. T5 policies require contextual approaches to development; therefore, height will transition down to the west, where the development interfaces more directly with residential areas. Parking will be hidden underground or behind the front row of buildings, thus improving the groundplane and pedestrian experience.

This area has been targeted for increased residential and commercial offerings in line with the overall vision for the county set forth in NashvilleNext. That vision sees T5 Centers like this as walkable, transit-served nodes of activity that serve the broader community. The development as proposed will advance this vision and spur investments in the transportation system that will lead to a more multi-modal and accessible Nashville. The SP and the proposed conditions include design standards that integrate the proposed height and density well into the community. The proposal will provide numerous public infrastructure benefits and maximize this prominent location within a T5 Center along a multimodal corridor.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- 3/2/23- Reviewed revised SP plan dated 3/1/23. PLAWC. Fire access added from central courtyard area. Building locations have been adjusted on the site plan. Limited building construction details are provided. Additional changes to site or buildings may be required to meet fire code requirements once additional building information is provided during construction design review process.

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

- The applicant shall install a third Westbound Lane on Harding Pike from the intersection of White Bridge Pike to the Hillwood Blvd/Lynnwood Blvd intersection. The additional lane on Harding will require modifications to the existing bridge over Sugartree Creek/Richland Creek. The half of ROW cross-section shall consist of an 8' sidewalk, 10' grass-strip, 2.5' curb & gutter, minimum of three 11' Westbound travel lanes, and 5' for the half center turn lane, totaling 58.5'. Any necessary ROW needed for the 7-lane cross-section per the MCSP shall be dedicated to the city of Nashville at no cost for future roadway improvements on Harding Pike.
- At Final SP the applicant shall submit a shared parking study to verify the necessary number of parking spaces for this development.
- The applicant shall work with the adjacent property owner to improve the connectivity between parcels through the shared access drive under the White Bridge Pike over-pass, for vehicular traffic and pedestrian traffic. Additional lighting enhancements through the shared access road shall also be installed. Prior to any Final SP's, the applicant

shall provide additional study of the intersection of N. Kenner Ave. and the shared access drive. The applicant will be responsible for implementing any identified improvement to the operation.

- At the intersection of Harding Pike and the Central access drive, the developer shall rebuild the existing wood pole traffic signal to include mast arms, non-intrusive detection, and crosswalks on all 4 approaches with pedestrian signals, push buttons, ADA ramps, audio warnings, and warning mats.
- At the intersection of Harding Pike & White Bridge Pike/Woodmont Blvd.
- Convert the side-street split phasing to concurrent phasing with protected permissive left-turn phasing on the Northbound approach of Woodmont Blvd and protected-only left-turn phasing on the Southbound approach of White Bridge Pike.
- Install advanced warning signs for crosswalk (W11-2) on the Westbound and Southbound channelized right turns.
- The applicant shall contribute to upgrading all the traffic signals on Harding Pike from Belle Meade Blvd to the Saint Thomas Central Driveway to have fiber optic communication, non-intrusive detection, and CCTV capabilities. The contribution amount shall be determined by NDOT prior to the second reading at council. Once the amount has been determined, the funds will be required to be placed in escrow prior to the issuance of any building permits.
- The applicant shall relocate the existing Westbound bus-stop on Harding Pike (directly West of Sugartree/Richland creek) and construct a new transit 'super-stop' along the Western side of the property frontage. This super stop will be similar to the existing transit stop infrastructure in front of the Walmart on Nolensville Pike. Design specifications will be provided by WeGo at Final SP.
- Due to the possible impact to the surrounding neighborhood streets, the developer shall contribute funds to NDOT's traffic calming program. These funds will be used to evaluate and implement traffic calming mitigation measures as needed. The contribution amount shall be determined by NDOT prior to the second reading at council. Once the amount has been determined, the funds will be required to be placed in escrow prior to the issuance of any building permits.
- In response to concerns raised about the greater impact of redevelopment in the surrounding area, the developer shall make a financial contribution to NDOT for the implementation of a larger area, transportation study. The study boundaries will include arterials parallel and adjacent to Harding Road and appropriate connector roads between these arterials. The intent of the study will be to identify other potential capital projects that may be needed to mitigate the overall impact of redevelopment in the area. The contribution amount shall be determined by NDOT prior to the second reading at council. Once the amount has been determined, the funds will be required to be placed in escrow prior to the issuance of any building permits.
- The developer will be required to contribute funds to NDOT to complete a feasibility study & preliminary design for geometric improvements to Harding Road and its intersection with Woodmont Blvd./White Bridge Road. The scope of this work will be limited to the boundaries of the Nashville Next T5 Regional Town center. The contribution amount shall be determined by NDOT prior to the second reading at council. Once the amount has been determined, the funds will be required to be placed in escrow prior to the issuance of any building permits.
- The applicant shall coordinate with NDOT's Traffic Demand Management Coordinator to develop TDM strategy/plan prior to final SP approval.
- If not already stated above the applicant shall comply with all the conditions that were placed on the "Traffic Impact and Mobility Study – Belle Meade Developments" that was submitted by KCI in February 2023, for the three proposed developments along Harding Pike:
 - All development projects within boundaries of the Nashville Next T5 Regional Town Center (MCSP) shall dedicate the necessary ROW for a 7-lane cross-section on Harding Pike.
 - Relocate the existing traffic signal from Kenner Ave to Ridgefield Way and restrict left turns with a center median, to improve overall traffic flow
 - At the intersection of Harding Pike & Ridgefield Way, an additional Northbound LTL shall be installed to decrease queuing pending analysis.
 - Retime the Harding Pike & White Bridge traffic signal to allow for more efficient traffic flow.
 - Upgrade the signal infrastructure to allow for real time signal adaptative capabilities that will improve traffic flow.
 - At the intersection of Woodlawn Dr & Ridgefield Dr, install a mini-roundabout to improve intersection safety, if ROW permits.
 - Upgrade the existing three transit stops on Harding Pike into "super stops."
 - As Development occurs on Harding Pike, access management will be a priority to reduce conflict points.
 - Development specific traffic impact studies may be required as other properties redevelop along the Harding Pike corridor.
 - Due to the possible traffic impact on the surrounding neighborhoods, each development within the Belle Meade Regional Study will be required to contribute to NDOT's traffic calming program.
 - Each development will be required to contribute to larger regional study that incorporates the neighborhoods surrounding the Harding Regional Town Center to identify improvements at a broader scale.
 - Each development will be required to contribute to a feasibility study to identify larger capacity improvements for Harding Pike.
 - The applicants shall work with NDOT's Traffic Demand Management (TDM) coordinator to develop TDM strategies prior to the final approval of any of the three developments.

NASHVILLE DOT ROADS RECOMMENDATION
Approve with conditions

With final:

- Callout the following per NDOT ST- detail sections: any road widening (ST-261 schedule), access ramps or aprons, ADA complaint pedestrian ramps, sidewalks, curb & gutter.
- All ROW frontages shall adhere to the Major Collector Street Plan (MCSP)-See NDOT traffic and planning comments for a 58.5 ft. half section along Harding pike frontage. (cont.) From the new property line to Harding Pike center line, half section along frontage shall include the following: 3 x 11' WB travel lanes, 8' sidewalks, 10' grass strip (includes future 6' bike lane), 2.5' curb/gutter. Additional ROW dedication along frontage, relocation of existing NES utility poles and bridge extension may be necessary to achieve Harding Pike half road section.
- Provide call outs on final site plan with Harding Pike road section requirements. Where there may be potential vehicular or pedestrian sight distance issues, provide stopping sight distance exhibits (sight triangles) at any relevant intersections, site accesses and/or accesses via existing easements. Provide truck turning movements relevant to residential and retail loading/unloading, waste plan activities internal and external to the site.
- Note: A private hauler will be required for all residential and retail waste/recycle disposal onsite.
- See NDOT traffic comments in regard to the following: additional intersection signal improvements required with this development, financial contribution from this development to traffic calming program for impacted neighborhoods, financial contribution by this development for a feasibility study on future Harding/White Bridge and Harding/Woodmont intersection improvements, financial contribution by this development towards a Harding pike corridor transportation study.

PARKS & GREENWAYS

Approve with conditions

- Applicant to design, build and maintain the greenway to Metro Parks standards approved by Metro Parks Greenways Division staff, including but not limited to lighting, construction materials, width, ADA compliance, signage, trailhead, bicycle storage, site furniture etc.
- Applicant to dedicate a Conservation Greenway Easement across the entire length of the property and to the extent necessary to include all aspects of greenway connectivity throughout the site including, but not limited to, all proposed residential and commercial buildings and public open space and amenities, to the existing Old White Bridge Trailhead, Harding Pike and to any planned public transit infrastructure.
- Applicant to enter into a Conservation Easement Agreement with Metro (Parks) to include boundary survey and legal description of the easement, along with a participation agreement for the design, construction and perpetual maintenance of the greenway to run with the land. Coordinate with Metro Parks Greenways staff for Park Board and Metro Council approval process for these Agreements. Approved Agreements to be recorded with Register of Deeds prior to Final SP approval.
- Greenway trail to be open to the public 365 days/year per Metro Parks approved operating hours.
- Applicant to provide designated greenway and ADA- compliant greenway parking.
- The development should be trail-oriented: no dumpsters, loading zones, HVAC units, etc. fronting the greenway. No conflict between pedestrians and parking garage and loading zone ingress and egress. Screen façade of parking garages from greenway view.
- Greenway to have lighting. Co-ordinate with Greenways staff regarding lighting plan and specifications.

METRO SCHOOL BOARD REPORT

Projected student generation proposed SP-MU district: 13 Elementary 4 Middle 4 High

The mix of uses under the existing MUL zoning could vary, so assumption of the difference in impact with the proposed SP-MU zoning at this point is premature. The proposed SP-MU zoning is expected to generate 26 students. Students would attend Julia Green Elementary School, J.T. Moore Middle School, and Hillsboro High School. The schools, except for J.T. Moore Middle School, 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 388 multi-family residential units, 80,000 square feet of commercial space as defined in the plan, and 78 hotel rooms, with a maximum FAR of 1.69 for all uses combined, excluding underground parking. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited in the entirety of the SP.
2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
3. Comply with all Metro Parks conditions regarding greenway design and dedication.
4. The creek will be uncovered and buildings in the creek will be demolished as shown on the site plan prior to the issuance of the first Use & Occupancy permit for the site, and the creek will be restored with the greenway dedication complete before the last Use & Occupancy permit is issued.
5. Streetscapes and pedestrian ways shall be designed with a thoughtful and cohesive landscape plan, including native materials, with integration to the greenway network.

6. There shall be a direct pedestrian connection between the middle 2 buildings for the sidewalk along the internal drive to the greenway. Pedestrian connections should link plazas, the greenway and interior and exterior walkways.
7. With the final site plan, comply with all WeGo infrastructure requirements.
8. With the final site plan, ROW dedication shall be provided to satisfy the Major and Collector Street Plan.
9. Parking shall be underground or as shown on the site plan.
10. With the final site plan, provide elevations consistent with the imagery provided in the preliminary SP and meeting all architectural standards.
11. All structures shall be designed with high quality materials, as required in the SP, and with elements that, while complementary to one another, present distinctive architectural features and placemaking elements. These should reinforce the design quality of the site and avoid the appearance of a monolithic wall along Harding Pike.
12. The following heights are permitted:
 - a. Maximum height for the westernmost building shall be 5 stories for the portion of the building closest to Harding Pike with the remainder allowed up to 8 stories, at no less than 30 feet set back from the building edge at Harding (or a 1.5:1 set back from the building face). Staff shall review and approve elevations with the final to determine compliance.
 - b. The 2nd building from the west shall be 8 stories with an allowed punctuation of height to permit architectural interest up to 10 stories. Placement of such punctuation shall be finalized at final site plan in consideration of sunlight, street configuration and other factors, but should be proportional to the rest of the building and generally consistent with the height plan. Staff shall review and approve elevations with the final.
 - c. The connector between the 2 westernmost buildings, shall be no more than 1 story and efforts should be made to maximize the tower separation.
 - d. The 3rd building from the west shall be thoughtfully sculpted, with a limited maximum of 11 stories as shown in the proposed height plan exhibit on page 3 of the staff report. Staff shall review and approve elevations with the final.
 - e. The easternmost building shall be a maximum of 13 stories and no greater than 220 feet in length fronting Harding. As a significant gateway element, this building should include a high attention to detail and distinctive architecture, as viewed from primary public spaces. Staff shall review and approve elevations with the final plan.
13. Comply with all conditions and requirements of Metro reviewing agencies.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. If blasting is necessary, the final site plan shall include a Site Blasting Plan, consisting of a pre-blast survey of structures on neighboring property (Map 116-3, Parcel 2), a blasting schedule with pre-blast notice, and the placement of no fewer than two (2) seismographs on this neighboring property to record and monitor excavation blasts from commencement to completion of all blasting activity.

Ms. Blackshear recused herself and left the meeting.

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

Pablo David, AJ Capital, 429 Chestnut Street, spoke in favor of the application.

William Hastings, Hastings Architecture, 812 Timber Lane, spoke in favor of the application.

Brian Phelps, 2434 Brittany Drive, spoke in favor of the application.

Beth Ostrowski stated she is a neighbor of this project and an engineer with KCI Technologies, 500 11th Avenue North. She spoke in favor of the application.

Eric Deems stated he lives in the adjacent 37209 zip code. He spoke in favor of the application.

Jared Bell stated he is from Kenner Manor on Woodmont Circle. He spoke in favor of the application.

Andrew Schulman, 124 West Tyne Drive, spoke in favor of the application.

Scott Isaacs stated he is the owner of Belle Meade jewelry. He spoke in favor of the application.

Nick Harb stated he lives on Wimbledon Drive. He spoke in favor of the application.

Joy Andal, 2197 Nolensville Pike, spoke in favor of the application.

Marshall Sanders, 310 Walnut Drive, spoke in favor of the application.

Andrew Davidson, 704 Crescent Road, spoke in favor of the application.

Daniel Paulson, 999 Windrowe Drive, spoke in favor of the application.

Derrick Fox, 4908 A Wyoming Avenue, spoke in favor of the application.

Adam Burke, 4807 Nebraska Avenue, spoke in favor of the application.

Michael Dunn, 115 Kenner Avenue, spoke in favor of the application.

James Guthrie, 312 South 11th Street, stated he is the President of the East End Neighborhood Group. He spoke in favor of the application.

Joann Welch, 5543 Kendall Drive, spoke in favor of the application.

Chris Bowe, 1019 Horseshoe Drive, spoke in favor of the application.

Terry Spetalnick, 702 Crescent Road, spoke in favor of the application.

Michael Hayes, 4409 Warner Place, spoke in favor of the application.

Jason Miller, 1003 Lawrence Avenue, spoke in favor of the application.

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

Woody Baum, 4713 Kentucky Avenue, spoke in favor of the application.

Craig Clark, 715 Myrtle Street, spoke in favor of the application.

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

Adam Nicholson, 3714 Tibbs Drive, spoke in favor of the application.

Frank Chi, 4505 Harding Pike, spoke in opposition to the application.

Ron Addlestone, 5034 Hill Place Drive, spoke in opposition to the application.

Steve Wallach, 505 Jocelyn Hollow Court, spoke in opposition to the application.

Greg Sephel, 6577 Jocelyn Hollow Road, spoke in opposition to the application.

Ron Denes, 505 Saxon Court, spoke in opposition to the application.

Elizabeth Workman stated she lives in Green Hills. She spoke in opposition to the application.

Charlotte Cooper, 3409 Trimble Road, spoke in opposition to the application.

Bell Newton, 3950 Woodlawn Drive, spoke in opposition to the application.

Dan Cook, 332 Walnut Drive, spoke in opposition to the application.

Randall McCatherine, 702 Clearview Drive, spoke in opposition to the application.

Bunny Porter-Shirley, 801 Lynnbrook Road, spoke in opposition to the application.

Susannah Scott-Barnes, 700 Crescent Road, spoke in opposition to the application.

Irene Head, 212 Belle Meade Boulevard, spoke in opposition to the application.

Diane Nail, 3721 West End Avenue, spoke in opposition to the application.

Shanna Belott, 3811 Trimble Road, spoke in opposition to the application.

Rebecca Shah, 106 Westhampton Place, spoke in opposition to the application.

Jack Ross, 417 West Highland Drive, spoke in opposition to the application.

Caroline Cox, 4504 Millrace Lane, spoke in opposition to the application.

Joy Cox, 4504 Millrace Lane, spoke in opposition to the application.

Bob Norton, 330 Walnut Drive, spoke in opposition to the application.

Trish Bowen, Hickory Valley Road, spoke in opposition to the application.

Kay Parrish, 4425 Westlawn Drive, stated she is speaking as a representative of Neighbors for Nashville. She spoke in opposition to the application.

Willie Belott, no address given, spoke in opposition to the application.

Antionette Olesen, 6632 Jocelyn Hollow Road, spoke in opposition to the application.

Kathy Billings, 3906 Woodlawn Drive, spoke in opposition to the application.

William Farler, 6612 Rolling Fork Drive, spoke in opposition to the application.

Cynthia Moroney, 78 Concord Park West, spoke in opposition to the application.

Cindy Lasker, 111 Taggart Avenue, spoke in opposition to the application.

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

Randy Horick, 220 Mockingbird Road, spoke in opposition to the application.

Karri Suh, 312 53rd Avenue North, spoke in opposition to the application.

Pat Williams, 4301 Elkins Avenue, spoke in opposition to the application.

Twana Chick, 5967 Cane Ridge Road, spoke in opposition to the application.

Howard Rosenblum, 5126 Annesway Drive, spoke in opposition to the application.

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

Pablo David spoke in rebuttal.

Councilmember Murphy explained the series of community meetings held, the NDOT mobility study and future meetings intended to be held. She stated a lot of the concerns brought up are taken care of through the conditions or commitments she said she would write into the Bill or put onto paper, if it reaches that level. Councilmember Murphy addressed a list of the neighbors' concerns. She stated she is staying neutral so she can continue to work on this and maintain negotiating power.

Chair Adkins closed the Public Hearing.

Chair Adkins stated it would be helpful to hear from NDOT before the Commission started their deliberation.

Devin Doyle and Matt Hattabaugh, NDOT, discussed new processes as it relates to development and coordinated traffic studies, clarified the traffic impact study process and explained the mobility study.

Mr. Henley stated that within their purview, they are asked to look at the appropriateness of a project like this, and the presentation from staff and staff report starts to highlight the misuse and intensity appropriate for T5. He said there are public realms and public improvements that are privately funded and maintained and there are tradeoffs that come with that. He mentioned the traffic impact and the numbers and what has been presented as a reduction and asked if that is based on the current zoning maximum.

Ms. Milligan answered that the standard is that they look at potential on the site, so it is based on the ITE guide of potential generation of the existing zoning versus what is being proposed.

Mr. Henley said he has followed along with the changes being made over time and thought those were guided by responses heard by the community, specifically height and parking. He asked how the transportation study was rolled out.

Ms. Milligan advised there were two studies done; a project site specific TIS and also a broader mobility study which took more time and coordination between Planning and NDOT and development team. Those were presented at a public meeting the Councilmember held regarding the findings of the mobility study, then those conditions were included in the staff report.

Mr. Henley said he is an advocate for housing, greenways, transit and trees and felt like this site is making efforts to present best practices in those areas.

Councilmember Withers stated they are there to be a policy body and understands the question of when the information was presented to the public, and that is helpful to keep in mind, but their purview is to look at how a project compares to policy. He said the buildings that are proposed are within the height that is recommended by policy. Mr. Withers expressed concern about adding parking spaces. He asked about widening of the roads and where that will occur on the site.

Devin Doyle, NDOT, answered that widening of that section of Harding Pike has always been part of the Major and Collector Street plan and carried through NashvilleNext and the land use transportation element and studies that came out of NashvilleNext.

Councilmember Withers asked if that Major and Collector Street plan calls for widening for a greater distance on that street.

Devin Doyle responded that it recognized that the pinch point is Woodmont and White Bridge Road and the specific limits that are identified within the MCSP is the crossing of Richland Creek bridge extending east to just east of the traffic signal at the St. Thomas entrance.

Councilmember Withers said they often have private developments that help fund or construct public improvements. He stated he was impressed by the mobility plan. Mr. Withers recognized as this moves through Council, it can still be discussed and refined. He asked what decisions were made about the placement of the building heights within the site.

Ms. Milligan explained that T5 Centers are predominantly residential, mixed use centers and corridors. Then it moves back into the more specific policy, which is T5 Regional Center. T5 Regional Center gives guidance on height and indicates height up to 15 stories is appropriate and can go taller. The tallest building is similar in height to the Ingram building and it steps down as it moves west until the western most building, which is maxing out at 8 stories with a prominent feature of the building at five stories.

Ms. Kempf added that Planning was giving direction to lower the heights which meant a loss of residential units, but felt it was a more contextual approach.

Councilmember Withers asked why this location has the RG designation when NashvilleNext was adopted.

Ms. Milligan stated recognizing a concentration retail, office at this location, there were several regional centers identified with NashvilleNext. The mixture there and the intent that it evolves into something more intense was the reason it was placed there for NashvilleNext.

Councilmember Withers stated the SP is appropriate and the FAR, floor area ratio, that is proposed is more than what is there today but far less than what policy would support.

Ms. Johnson asked for staff to talk about MUL in relation to the T5 RG policy.

Ms. Milligan responded that in the Community Character manual, each policy will have a list of supported zoning districts. She explained MUL is not supported in the T5 Regional Center because the FAR is lower than what would be expected to be in a T5 Regional Center. When this property was zoned MUL, the A districts did not exist, so now with rezonings and looking at those in comparison to the Community Character manual, they are recommending things be placed in an A district.

Ms. Johnson asked for Ms. Milligan to talk about T4 policy.

Ms. Milligan stated T4 Community Center would support MUGA, which has a FAR of three, and the height guidance is generally five stories, but taller buildings may be found at major intersections around arterial boulevards.

Ms. Johnson asked if it was fair to say that with either T5 or T4 with straight zoning, they would not have the ability to have a condition like Specific Plan.

Ms. Milligan responded in the affirmative.

Ms. Johnson asked if there is a water crest level versus where the underground parking will be and asked if it would be higher than the crest of Richland Creek.

Ms. Milligan stated she did not have that answer.

Ms. Johnson asked which department is in charge of the structure when a rain or flood event happens.

Ms. Milligan answered that most of the parking is outside of the floodplain. When designing and having to meet Stormwater regulations as they relate to floodplain, they are building habitable space above floodplain level, not unhabitable space such as a parking garage.

Ms. Johnson asked if there was anybody who could talk about different kinds of blasting.

Ms. Milligan explained blasting is regulated through the state and permits are issued by the state. The developer, at the request of adjacent neighbors, has agreed to add a blasting condition if the Commission were to make that recommendation.

Ms. Johnson asked which department will be in charge of debris falling into the creek during demolition and if they can add a condition regarding debris control.

Ms. Milligan responded the Stormwater Department would review any remediation in concert with TDEC.

Ms. Johnson asked why it is thought to be a great improvement to move the traffic light from Kenner Avenue to Ridgefield Drive considering the entire corridor.

Devin Doyle stated that change was specifically analyzed in the traffic model and the data supported an intuitive conclusion by traffic engineers. Relocating that traffic signal to a more equal distance spacing between signals allows for better coordination and better operation.

Ms. Johnson asked Mr. Doyle to speak about consolidating one point of access for better traffic management.

Devin Doyle responded it is striking a balance because the more access points there are, conflict points increase.

Ms. Johnson said this project will add to peak traffic but because of reduced retail, overall trips will be reduced.

Mr. Tibbs felt the development has been very well done and that it is fabulous improvement of what is going to happen with the creek. He asked if it will be tied back to the other greenway.

Mr. Shane answered there is a condition through NDOT to have them work on the pedestrian and lighting improvement across the adjacent property to get to the trailhead.

Mr. Tibbs stated this could be the most special area of the whole neighborhood because so far it has just been parking lots and retail. He recognized they still have to work on the traffic but this will bring great improvements.

Vice Chair Farr asked about traffic flow within the site and Uber and Lyft drop off locations for the hotel.

Ms. Milligan stated there are designated drop off locations on the through street, off lane drop off and loading locations for people and trucks; as well as in the circular drive, underground drop off, rideshare drop offs just north of the town square area and load and unload areas throughout.

Vice Chair stated this is a horrible intersection but changes need to be jump started somehow and it is not going to change leaving it status quo. She felt removing the impervious surface, as proposed, would have a huge impact on future flooding. Ms. Farr said this neighborhood has changed much less than compared to other parts of Nashville and thinks this is a good project for it. She liked the trickle down housing statement and wants to progress from the trickle down housing policy to something more intentional with more affordable housing and felt this plan goes a long way.

Mr. Haynes thought T5 is the right policy and even if it was T4, it supports something like this. He asked if the underground parking is one level or is it one level with sloping to the west.

John Gore, Barge Civil Associates, stated the parking plate is generally flat and have endeavored a big wide open intuitive parking plate instead of circling down.

Mr. Haynes asked if the parking garage will be gated.

John Gore answered it will be open. He said there are three entrances and the lowest side will have a flood door.

Mr. Haynes asked if it will be free parking.

John Gore said he believed it will be free parking and shared.

Mr. Haynes asked if there will be nesting for apartments versus retail versus guests.

John Gore stated he does not know if all of that has been vetted. He said sometime the plan is to take a certain amount of the residential parking and put it behind gates so there is one space per unit reserved parking and then there is a mixture for guests and mixed use development.

Mr. Haynes asked if someone were to redevelop this under MUL and build a structure in the existing parking lot, then could they exact improvements to the creek or improvements to Harding if they did it under base zoning.

Ms. Milligan responded if someone came in and wanted to apply for a building permit, Planning would not be involved in that review under MUL.

Mr. Haynes said the status quo is not going to work. It is changing and the small retail shops are not going to survive. With the new plan, the retail is going to survive off of all the people who live in the area. He thought the plan itself is the right one and the policy supports it.

Mr. Clifton stated this corridor without more transit and without more sophisticated ways of getting around, it cannot go that route. He felt this is the future for this site. This will be a change and a lot of things to get used to and feels the details are up for grabs with last minute changes as it goes to the legislative branch of Metro government.

**Mr. Henley moved and Mr. Tibbs seconded the motion to approve with conditions and disapprove without all conditions including an additional condition related to blasting as agreed by the developer. (8-0-1)
Ms. Blackshear recused herself.**

Resolution No. RS2023-100

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-018-001 is approved with conditions and disapproved without all conditions including an additional condition related to blasting as agreed by the developer (8-0-1)

CONDITIONS

1. Permitted uses shall be limited to 388 multi-family residential units, 80,000 square feet of commercial space as defined in the plan, and 78 hotel rooms, with a maximum FAR of 1.69 for all uses combined, excluding underground parking. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited in the entirety of the SP.
2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
3. Comply with all Metro Parks conditions regarding greenway design and dedication.
4. The creek will be uncovered and buildings in the creek will be demolished as shown on the site plan prior to the issuance of the first Use & Occupancy permit for the site, and the creek will be restored with the greenway dedication complete before the last Use & Occupancy permit is issued.
5. Streetscapes and pedestrian ways shall be designed with a thoughtful and cohesive landscape plan, including native materials, with integration to the greenway network.

6. There shall be a direct pedestrian connection between the middle 2 buildings for the sidewalk along the internal drive to the greenway. Pedestrian connections should link plazas, the greenway and interior and exterior walkways.
7. With the final site plan, comply with all WeGo infrastructure requirements.
8. With the final site plan, ROW dedication shall be provided to satisfy the Major and Collector Street Plan.
9. Parking shall be underground or as shown on the site plan.
10. With the final site plan, provide elevations consistent with the imagery provided in the preliminary SP and meeting all architectural standards.
11. All structures shall be designed with high quality materials, as required in the SP, and with elements that, while complementary to one another, present distinctive architectural features and placemaking elements. These should reinforce the design quality of the site and avoid the appearance of a monolithic wall along Harding Pike.
12. The following heights are permitted:
 - a. Maximum height for the westernmost building shall be 5 stories for the portion of the building closest to Harding Pike with the remainder allowed up to 8 stories, at no less than 30 feet set back from the building edge at Harding (or a 1.5:1 set back from the building face). Staff shall review and approve elevations with the final to determine compliance.
 - b. The 2nd building from the west shall be 8 stories with an allowed punctuation of height to permit architectural interest up to 10 stories. Placement of such punctuation shall be finalized at final site plan in consideration of sunlight, street configuration and other factors, but should be proportional to the rest of the building and generally consistent with the height plan. Staff shall review and approve elevations with the final.
 - c. The connector between the 2 westernmost buildings, shall be no more than 1 story and efforts should be made to maximize the tower separation.
 - d. The 3rd building from the west shall be thoughtfully sculpted, with a limited maximum of 11 stories as shown in the proposed height plan exhibit on page 3 of the staff report. Staff shall review and approve elevations with the final.
 - e. The easternmost building shall be a maximum of 13 stories and no greater than 220 feet in length fronting Harding. As a significant gateway element, this building should include a high attention to detail and distinctive architecture, as viewed from primary public spaces. Staff shall review and approve elevations with the final plan.
13. Comply with all conditions and requirements of Metro reviewing agencies.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. If blasting is necessary, the final site plan shall include a Site Blasting Plan, consisting of a pre-blast survey of structures on neighboring property (Map 116-3, Parcel 2), a blasting schedule with pre-blast notice, and the placement of no fewer than two (2) seismographs on this neighboring property to record and monitor excavation blasts from commencement to completion of all blasting activity.

24. 2023SP-022-001

2724 TUCKER ROAD

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Eric Matravers

A request to rezone from R10 to SP zoning for property located at 2724 Tucker Road, approximately 150 feet south of St. Marys Lane (2.4 acres), requested by Dale and Associates, applicant; Charles & Doris & Moss Pentecost, owners.

Staff Recommendation: Defer to the April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023SP-022-001 to the April 13, 2023, Planning Commission meeting. (9-0)

25a. 2023SP-023-001

7986 COLEY DAVIS SP

Council District 22 (Gloria Hausser)

Staff Reviewer: Eric Matravets

A request to rezone from CL to SP zoning for property located at 7986 Coley Davis Rd, east of Scenic River Lane and located within a Planned Unit Development (1.27 acres), to permit 26 multi-family residential units, requested by CSDG, applicant; Concentric Senior Care, LLC, owner. (See associated case #151-82P-001)

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

APPLICANT REQUEST

Preliminary SP to permit the development of 26 multi-family residential units.

Preliminary SP

A request to rezone from Commercial Limited (CL) to Specific Plan (SP) zoning for property located at 7986 Coley Davis Rd, east of Scenic River Lane and located within a Planned Unit Development (PUD) Overlay District (1.27 acres), to permit 26 multi-family residential units.

Existing Zoning

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

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

Proposed Zoning

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

BELLEVUE COMMUNITY PLAN

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

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

SITE CONTEXT AND PLAN DETAILS

The preliminary SP application is for a 1.27-acre parcel located along the south side of Coley Davis Road between Scenic River Lane and Somerset Farms Drive. The property is currently zoned CL with a PUD overlay and is currently vacant. Surrounding properties are zoned for residential and commercial uses and are also located within various PUDs. Adjacent land uses include: multi-family residential to the west, multi-family residential and office to the east, detached single-family residential to the south, and one and two-family residential to the north.

The preliminary SP application is for a two-story, 26 unit multi-family residential building. The building's primary frontage is along Coley Davis Road and a stormwater area lies between the road and the structure. Vehicular access to the site is behind the building via Somerset Farms Drive, and the primary pedestrian entrance is on the back of the structure facing the internal surface parking lot. Sidewalks are to be provided along Coley Davis Road, and a 5 foot sidewalk will connect to the existing sidewalk network on Somerset Farms Drive. Staff is supportive of a sidewalk waiver along Scenic River Lane, as the road has the character of a rural and private drive. A Type B landscape buffer separates single-family uses to the south.

The plan proposes setbacks of 20 feet on all sides, with a maximum height of 30 feet at the setback line. As shown on the elevations, windows will be vertically-oriented. The SP limits building materials to brick, brick veneer, stone, cast stone, cementitious siding, glass, and other similar materials. The following elevations show the proposed building as it would appear from the east and west, and north and south.

ANALYSIS

The T3 NM policy is characterized by low- to moderate-density residential development and institutional land uses with moderate to deep building setbacks, moderate lot coverage, and moderate levels of connectivity. T3 NM areas have buildings that are generally one to three stories tall, and buildings up to four stories may be found abutting or adjacent to centers and corridors.

Development. Buildings have moderate and consistent setbacks, providing large yards and moderate spacing between buildings.

The residential density of the proposal is appropriate at this location given the surrounding multi-family and nonresidential uses along this stretch of Coley Davis Road. Staff is recommending a condition that the setback along Coley Davis Road be 75 feet, consistent with the building layout as proposed on the site plan, and that the height be limited to two stories in 35 feet. As conditioned by staff, the massing, façade requirements, and height of the proposed structure are in keeping with the policy intent, and setbacks are consistent with those along Coley Davis Road. Sidewalks are to be provided along Coley Davis Road, and a 5 foot sidewalk proposed internal to the site connects to the existing sidewalk network on Somerset Farms Drive. Scenic River Lane does not include sidewalks and has the character of a private drive but Metro records show this is a public road, becoming a dead-end road connecting to 10 large single-family residential lots to the south. Sidewalks along Scenic River Lane would not contribute greatly to the overall network and staff is supportive of a sidewalk waiver with a fee in lieu of sidewalk construction. NDOT will not require Scenic River Lane to meet MCSP requirements.

There is an associated case, 151-82P-001, which is a request to cancel a portion of the commercial PUD on the site. Harpeth Springs PUD was originally approved in 1982 for residential, office, restaurant, and motel uses, and has been partially cancelled for other parcels within the PUD boundaries. A partial cancelation of the PUD on this site is required for approval of the SP.

Because the proposed SP is consistent with stated policy goals, staff recommends approval with conditions and disapproval without all conditions.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Not Applicable – served by Harpeth Valley Utility District

HARPETH VALLEY UTILITY DISTRICT RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- With a final: Callout the following per NDOT ST- detail sections: access and ADA ramps, sidewalks, curb & gutter.
- All ROW frontages shall adhere to the Major Collector Street Plan(MCSP) w/ the exception of Scenic River Ln. The development is not accessing Scenic River Lane and planning is not requiring sidewalks along Scenic River Lane frontage. If necessary, dedicate ROW along Coley Davis and Somerset Farms Dr. frontages to accommodate the MCSP requirements.
- Provide call outs on final site plan for MCSP requirements.
- Show 'Now Entering Private Drive' signage where applicable off public roads into site. Provide internal stop control at private or public intersections.
- Where there may be potential vehicular or pedestrian sight distance issues, 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. Dimension ROW pavement widths for clarity.
- Provide a loading/unloading and waste plan for each aspect/phase of the total development.

- Provide any truck turning movements relevant to loading/unloading waste plan activities.
- Note: A private hauler will be required for site waste/recycle disposal.
- Comply w/ NDOT traffic comments.

TRAFFIC & PARKING RECOMMENDATION
Approve with conditions

- Call out amount of ROW to be dedicated along Coley Davis Road. Property line shown in site plan does not look accurate. ROW must be behind the sidewalk.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.27	0.6 F	33,192 SF	1,253	31	127

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.27	0.6 F	33,192 SF	1,253	31	127

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
Senior Adult Housing (252)	-	-	26 U	79	5	9

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-1,174	-26	-118

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 26 multi-family residential units. Short term rental property, owner occupied, and short term rental property, not owner occupied, shall be prohibited.
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 RM20 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 requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
8. The minimum front setback along Coley Davis Road shall be 75 feet.
9. Maximum building height shall be limited to 2 stories in 35 feet from the average elevation at the finished grade to the midpoint of the primary roof pitch or to the top of the parapet for a flat roof.
10. The final site plan shall depict a false front façade oriented to Coley Davis Road.
11. Building elevations submitted with final SP shall have building design—including massing, glazing, and façade articulation—that is substantially similar to the elevations approved with the preliminary SP.
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.

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

Resolution No. RS2023-101

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-023-001 is approved with conditions and disapproved without all conditions. (9-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 26 multi-family residential units. Short term rental property, owner occupied, and short term rental property, not owner occupied, shall be prohibited.
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 RM20 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 requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
8. The minimum front setback along Coley Davis Road shall be 75 feet.
9. Maximum building height shall be limited to 2 stories in 35 feet from the average elevation at the finished grade to the midpoint of the primary roof pitch or to the top of the parapet for a flat roof.
10. The final site plan shall depict a false front façade oriented to Coley Davis Road.
11. Building elevations submitted with final SP shall have building design—including massing, glazing, and façade articulation—that is substantially similar to the elevations approved with the preliminary SP.
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.

25b. 151-82P-001

HARPETH SPRINGS PUD (CANCELATION)

Council District 22 (Gloria Hausser)

Staff Reviewer: Eric Matravers

A request to cancel a portion of a Planned Unit Development for property located at 7986 Coley Davis Road, east of Scenic River Lane, (1.3 acres), zoned CL, requested by CSDG, applicant; Concentric Senior Care, LLC, owner. (See associated case #2023SP-023-001).

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

APPLICANT REQUEST

Cancel a Planned Unit Development.

PUD Cancellation

A request to cancel a Planned Unit Development (PUD) Overlay District on property located at 7986 Coley Davis Rd, east of Scenic River Lane (1.27 acres), zoned Commercial Limited (CL).

Existing Zoning

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

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

BELLEVUE COMMUNITY PLAN

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

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

ANALYSIS

Harpeth Springs PUD was originally approved in 1982 for residential, office, restaurant, and motel uses. The residential and commercial PUD included parcels 86, 87, and (former parcel) 88. The commercial PUD consisted of 8.95 acres and was approved for a 175 unit motel, a 10,000 square foot restaurant, and two office buildings totaling 55,000 square feet. In 2003, the PUD was revised to permit the development of a 24,000 square foot office complex containing four separate office buildings. Two of the buildings were constructed. In 2006, the PUD was revised to permit a 3,000 square foot daycare center, and a 4,500 square foot dance studio. In 2007, a portion of the PUD was cancelled on parcel 88 and Harpeth Springs Village Specific Plan was approved to permit 98 townhomes. That SP was amended in 2016 to reduce the unit count and has since developed. The parcel in question, 86, is currently undeveloped.

There is an associated case, 2023SP-023-001, which proposes to rezone this site for a two-story 26 unit multi-family residential structure. The cancelation of the PUD is necessary to develop the site as proposed by the SP.

STAFF RECOMMENDATION

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

Approve. (9-0)

Resolution No. RS2023-102

“BE IT RESOLVED by The Metropolitan Planning Commission that 151-82P-001 is approved. (9-0)

26. 2023SP-025-001

LAKESHORE DRIVE RESIDENTIAL

Council District 11 (Larry Hagar)

Staff Reviewer: Laszlo Marton

A request to rezone from RS5 to SP zoning on property located at 2411 Lakeshore Drive, northeast of Dabbs Avenue, zoned RS5 (1.79 acres), to permit 16 multi-family residential units, requested by Catalyst Design Group, applicant; Grand Gors, LLC, owner.

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

APPLICANT REQUEST

Zone change from RS5 to SP.

Zone Change

A request to rezone from Single-Family Residential (RS5) to Specific Plan (SP) zoning on property located at 2411 Lakeshore Drive, northeast of Dabbs Avenue, to permit 16 multi-family residential units, amenities, and associated parking (1.79 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 15 units, based on acreage only. This does not account for compliance with the Metro Subdivision Regulations.*

Proposed Zoning

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan includes 16 attached multi-family units.*

DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

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

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy 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.

SITE CONTEXT AND PLAN DETAILS

The preliminary SP application is for a 1.79-acre parcel located near the intersection of 26th Street and Lakeshore Drive. The property is currently zoned RS5. Adjacent zoning includes MUL to the northwest and RS5 to the east and south. Surrounding uses include single-family residences, and two mid-rise apartment buildings which border the property along its western boundary. The property's rear backs up into the Cumberland River where there are steep slopes, over 25 percent. The site currently has one single-family structure and includes some areas of open field and tree canopy towards the rear.

The preliminary SP application is for 16 attached multi-family residential units. The units are blocked into four separate groups. The first two units are oriented towards Lakeshore Drive while the rest of the units face a private drive that starts on Lakeshore Drive, moves through the center of the property, and ends in a diagonal shape in the rear. A front setback of 28 feet places units 1 and 2 in line with the existing front setback for the neighboring property to the east. Units 7-16 are staggered, providing a view of the river. Units 1-2 have rear entry garages while units 3-16 have front-entry garages with 2 parking spaces. An additional 13 surface parking spaces are provided in the center of the site off of the private drive. Approximately 9,500 square feet of common open space is planned throughout the site and the plan includes an overlook to be placed at the rear corner of the property. A 10' Standard B-3 type landscape buffer is provided along the eastern and western property lines.

Building heights vary across the site as the unit blocks progress from Lakeshore Drive to the river. Units 1-10 have a maximum height of 35 feet, while units 11-16 have a maximum height of 45 feet. Units 1-6 are designed with pitched roofs while units 7-16 have flat roofs that allow for rooftop access and rear porches that provide views of the river.

ANALYSIS

The property is within the T3 Suburban Neighborhood Maintenance and Conservation policy areas. The T3 NM policy is intended to maintain the general character of developed suburban residential neighborhoods. Recommended building types include a range of housing choices including single-family residential units, duplexes, and low and mid-rise townhomes. The proposed SP would allow 16 units on the property, 1 more unit than what the existing RS5 zoning currently permits, based on acreage only (not accounting for compliance with Metro Subdivision Regulations). Conservation policy is intended to preserve environmentally sensitive land features through protection and remediation. The Conservation policy on the property is associated with steep slopes at the rear of the property. No building is proposed in these areas.

The property's proximity to T4 Urban Mixed-Use Policy to the west, makes the increase in density more appropriate. While the proposed development is denser than development to the south and east, it serves as a moderate transition in intensity between the T4 MU and T3 NM policy areas. The step down in building heights from the front of the property to the rear makes the development more harmonious with the existing character of the neighborhood. Pitched roofs on the units closest to Lakeshore Drive provide a more compatible building form and character with the

immediate surrounding properties. Additionally, units 1 and 2 orient towards lakeshore drive and retain the existing setback, respecting the current spacing conditions along the street. The proposed plan is generally consistent with the T3 NM policy. The proposed design provides appropriate transitions in building type, massing and orientation that blends development into the surrounding neighborhood. Overall, the proposal furthers goals of NashvilleNext to promote a broader mixture of housing types.

FIRE MARSHALL 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. Provide fire hydrant flow test report prior to construction.

STORMWATER RECOMMENDATION

Approve with conditions

- Applicant to provide a Hydrologic Determination prior to final site plan approval. Must comply with all regulations in the Stormwater Management Manual at the time of final submittal.

WATER SERVICES RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- With final: Roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Show 'Now Entering Private Drive' signage where applicable off public roads. Dimension ROW pavement widths for clarity. Note: A private hauler will be required for waste/recycle disposal. Comments: Call out ST-270b for utility trench backfill w/ flowable fill and provide mill & overlay to cover extents of utility work in ROW along frontage.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

Approval with the following conditions:

- Ensure the sidewalk along frontage connects to the existing sidewalk to the west (neighboring parcel). Fill the short gap if there will be one between where this property frontage ends and where the existing sidewalk picks up. Include this sidewalk continuity on all plans going forward and call out on the site plan that the sidewalk will connect to the existing sidewalk.

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)	1.79	7.41 D	15 U	182	16	16

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)	-	-	16 U	85	5	8

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1 U	-97	-11	-8

METRO SCHOOL BOARD REPORT

**Projected student generation existing RS5 district: 1 Elementary 1 Middle 1 High
Projected student generation proposed SP district: 1 Elementary 1 Middle 1 High**

The proposed SP zoning is expected to generate no more students than the existing RS5 zoning district. Students would attend Dupont Elementary School, Dupont Hadley Middle School, and McGavock High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapprove without all conditions.

CONDITIONS

1. Permitted uses shall be limited to 16 multi-family residential units. Short term rental property, owner occupied, and short term rental property, not owner occupied shall be prohibited.
2. Elevations provided at final site plan shall be consistent with those provided with this preliminary SP plan.
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 RM20 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.

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

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

Valerie Blackburn, 501 28th Street, spoke in opposition to the application.

Matt Brown stated he designed the plans with Jared Cunningham's assistance. He spoke in rebuttal.

Ms. Milligan stated they received a letter of support from the Councilmember.

Chair Adkins closed the Public Hearing.

Ms. Johnson said it makes sense to put a transition next to mixed use. She expressed her concerns about the observation deck and wanted the developer to be sensitive with the neighbor and anything more suitable and agreeable would be her preference. Ms. Johnson wanted to see fast growing tall trees in the landscaping buffer.

Councilmember Withers stated the landscaping buffer gave him a great deal of comfort. He said the pavilion would need to be kept in the conversation as it moves through the legislative process.

Mr. Henley liked the plan but hears the neighbor's point and advised it to be moved if it is not impeded by some type of significant topography.

Mr. Clifton stated he has nothing further to add to the discussion.

Mr. Haynes said he had no comment.

Vice Chair Farr agreed with Mr. Henley and said overall the plan makes sense.

Mr. Tibbs moved and Mr. Haynes seconded the motion to approve with conditions and disapprove without all conditions including a condition to adjust the overlook area to move it further from the shared property line. (8-0)

Resolution No. RS2023-103

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-025-001 is approved with conditions and disapproved without all conditions including a condition to adjust the overlook area to move it further from the shared property line. (8-0)

CONDITIONS

1. Permitted uses shall be limited to 16 multi-family residential units. Short term rental property, owner occupied, and short term rental property, not owner occupied shall be prohibited.
2. Elevations provided at final site plan shall be consistent with those provided with this preliminary SP plan.
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 RM20 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.

27. 2023SP-027-001

PEEPLS COURT SP

Council District 10 (Zach Young)

Staff Reviewer: Amelia Lewis

A request to rezone from R10 to SP zoning for properties located at Peeples Court (unnumbered) and Gallatin Pike (unnumbered), approximately 170 feet north of Vietnam Veterans Boulevard (89.05 acres), to permit a maximum of 534 multi-family residential units, requested by Catalyst Design Group, applicant; Yanique Diskin, TR., Randy Lynn Scruggs (Estate of) & Gary E. Scruggs (Estate of), owners.

Staff Recommendation: Approve with conditions, including a reduction in the maximum number of units, and disapproval without all conditions.

APPLICANT REQUEST

Preliminary SP to permit 534 multi-family units.

Zone Change

A request to rezone from One and Two-Family Residential (R10) to Specific Plan (SP) zoning for properties located at Peeples Court (unnumbered) and Gallatin Pike (unnumbered), approximately 170 feet north of Vietnam Veterans Boulevard (89.05 acres), to permit a maximum of 534 multi-family residential units.

Existing Zoning

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 329 lots with 82 duplex eligible lots, for a total of 411 units, based on acreage alone. This does not account for compliance with Subdivision Regulations.*

Proposed Zoning

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

MADISON COMMUNITY PLAN

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 NE policy may be applied either to undeveloped or substantially underdeveloped “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.

SITE CONTEXT AND PLAN DETAILS

The 89.05 acres site is comprised of five parcels on the north side of Peebles Court, east of Liberty Lane. Immediately west of the subject site is an adjacent SP approved in 2021, known as Liberty Lane SP, for 199 multi-family units. A final site plan is currently under review for this site. Additional information regarding this SP and the surrounding context is included below. The parcels to the south are separated by Vietnam Veterans Boulevard and are primarily zoned Commercial Services (CS) and established with commercial uses. Properties to the north and east are within Goodlettsville as the subject site is located along the boundary between Nashville and Goodlettsville. Along Liberty Lane are several properties that developed under the existing R10 zoning district with one and two-family residential uses.

The proposed plan is a regulatory SP based on the zoning density permitted by the RM6 zoning district, which would permit a maximum of 534 multi-family units. As a proposed regulatory SP, a site plan would not be provided until the final site plan is submitted. Additional standards are included in the regulatory document such as a maximum FAR, maximum ISR, minimum 20 percent open spaces, and design standards.

Vehicular access to the site is provided by Peebles Court, which is currently undeveloped right-of-way. Peebles Court is a dead-end road that terminates at the subject property. Peebles Court can currently only be accessed via Liberty Lane which is a two lane road that crosses under the Vietnam Veterans Boulevard overpass.

Area Rezoning History

When the adjacent SP to the west, hereby referred as Liberty Lane SP (2021SP-054-001), was approved in 2021, the existing access issues were a primary concern. The Fire Marshal indicated that given the one point of access a maximum of 199 units would be permitted (if sprinklers were provided in multi-family structures). The final site plan for this development includes a total of 199 units, maxing out the density permitted by Metro Fire for this entire area with the one emergency access point.

Access Constraints

Planning Staff has two concerns regarding access to the site. The first is emergency access. The Fire Code requires that with development of a certain density, more than one emergency access point is required. The applicant has provided a draft easement document that would provide a secondary emergency access point from the existing Windsor Green multi-family development to the west, accessed via Conference Drive. The applicant has indicated that this agreement will be completed with the final site plan stage, however Staff has asked for this agreement be finalized prior to the hearing at the Planning Commission for the preliminary SP. With this proposed development and another preliminary SP proposed on the west side of Liberty Lane for approximately 106 units, this area would be entitled to approximately 850 units with one point of emergency access. It is the determination of staff that the emergency access should be in place prior to receiving entitlements of this scale.

The second concern is related to general access. With the existing development along Liberty Lane and the entitlements for the Liberty Lane SP there are over 200 units currently entitled with one public vehicle access point. An additional SP to the west, off of Liberty Lane is proposed for approximately 106 multi-family units. Considering these projects together, it would likely yield over 800 units with only one public point of access.

Density

In 2021, with the previous SP, staff largely supported the proposed density of the Liberty Lane SP as it was comparable to what could be developed under the existing R10 zoning district, while allowing for an alternate building form. The other pending SP is also proposing to use the RM4 density. The proposed SP proposes to use a base density of RM6 for a maximum of 534 units. If using RM4, 356 units would be permitted.

ANALYSIS

The primary policy on the site is Suburban Neighborhood Evolving (T3 NE). The intent of this policy is to create and enhance suburban neighborhoods with the best qualities of classic suburban neighborhoods including greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques.

The T3 NE policy identifies several zoning districts that may be appropriate for the property, ranging from RS7.5, R8, and R15, and RM9-A through RM20-A. This is density that may be appropriate, but does not consider the unique site features and constraints.

The policy guidance states that when considering zoning districts, the following should be considered: A site's location in relation to centers and corridors, the size of the site, environmental conditions, locational characteristics, and the surrounding context of the subject property. The site does not have immediate proximity to centers and corridors and is accessed via one local road, Liberty Lane. Given the location of the site, any increase in density will be at a large scale. There are few environmental features on the site that would impact the development. Small portions of Conservation (CO) Policy exist on the site due to the northern and eastern property lines from adjacency to Mansker Creek and areas of steep slopes. Limiting the density is also supported in order to prevent the disturbance of these features.

Suburban Neighborhood Evolving policy guidance specifically related to vehicular access and connectivity indicates that with new development, connectivity is established to provide residents with multiple route options to destinations, which reduces congestion on primary roads. With the existing constraints of the property additional access routes are not feasible. Based on this guidance, an increase in intensity of this level may not be appropriate.

While the policy indicates that a higher density may be supported in this policy area, given the access constraints and surrounding development, staff finds the proposed density inappropriate. Staff is recommending a reduction in the number of units to a RM4 level density, which would permit 356 multi-family units.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Secondary Emergency Vehicle Access Easement and access roadway are required for compliance with minimum fire code requirements.

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 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.
- Water provided by Madison Suburban Utility District.

MADISON SUBURBAN UTILITY DISTRICT

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- With the final: Callout the following per NDOT ST- detail sections: access and ADA ramps, sidewalks, curb & gutter.
- All ROW frontages shall adhere to the Major Collector Street Plan(MCSP). Dedicate ROW along all frontages to accommodate MCSP requirements. Provide call outs on final site plan for MCSP requirements.
- Show 'Now Entering Private Drive' signage where applicable off public roads into site.
- Provide internal and external stop control at private or public intersections.
- Where there may be potential vehicular or pedestrian sight distance issues at intersection and access ramps, provide stopping sight distance exhibits at any relevant intersections and accesses. Provide adequate sight distance spacing at all access ramps and public (or public) streets with on-street parking.
- Dimension ROW pavement widths for clarity.
- Provide a loading/unloading and waste plan for each aspect/phase of the total development. Provide any truck turning movements relevant to loading/unloading waste plan activities. Note: A private hauler will be required for site waste/recycle disposal.
- Comply w/ NDOT traffic comments.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Coordinate with WeGo prior to Final SP submittal on any transit infrastructure needs in this area. This development shall construct/provide/contribute towards those needs.
- Ensure that along property frontages, MCSP requirements are being met.
- These developments shall contribute towards the sidewalk connection on Liberty Lane down to Gallatin Pike. (Coordination ongoing and shall be finalized prior to final SP)
- As an additional improvement, these developments shall provide two pedestrian landings at the intersection of Gallatin Pike and Liberty Lane for the northeast and southeast corners. Stripe in the crosswalk for the east leg. Provide push buttons and signal heads for all corners of the intersection (Liberty Hills development has been conditioned to provide landings for the other two corners and crosswalks for the north, west and south legs).
- Parking shall be per code.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	89.05	4.356 D	411 U	3,817	296	395

*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)	89.05	6 D	534 U	2,909	177	221

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+123 U	-908	-119	-174

METRO SCHOOL BOARD REPORT

Projected student generation existing R10 district: 25 Elementary 21 Middle 21 High

Projected student generation proposed SP district: 61 Elementary 40 Middle 36 High

The proposed zoning expected to generate 70 additional students than the existing zoning district. Students would attend Goodlettsville Elementary School, Goodlettsville Middle School, and Hunters Lane High School. Goodlettsville Elementary and Hunters Lane High School have been identified as having additional capacity. Goodlettsville Middle School has been identified as being at capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions, including a reduction in the maximum number of units, and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 356 multi-family units. Short term rental property, owner occupied and short term rental property, not owner occupied shall be prohibited.
2. The applicant shall either provide a sidewalk connection from the development site to Gallatin Pike via Liberty Lane or shall contribute towards this sidewalk construction. The off-site sidewalk conditions or contribution shall be coordinated in conjunction with NDOT with the final site plan application.
3. Prior to the approval of the final site plan, the emergency access agreement shall be recorded, or a second access point shall be established.
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 RM4 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. 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.

6. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
8. 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. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Mr. Elliott stated the applicant the individuals in opposition to the application had a discussion and will continue to discuss Item 27 outside of the meeting. If they have any concerns, they will attend the Council public hearing to express those concerns.

Ms. Blackshear recused herself.

**Mr. Haynes moved and Mr. Tibbs seconded the motion to put Item 27 back on to the Consent Agenda. (8-0-1)
Ms. Blackshear recused herself.**

Resolution No. RS2023-104

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-027-001 is approved with conditions and disapproved without all conditions. (8-0-1)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 356 multi-family units. Short term rental property, owner occupied and short term rental property, not owner occupied shall be prohibited.
2. The applicant shall either provide a sidewalk connection from the development site to Gallatin Pike via Liberty Lane or shall contribute towards this sidewalk construction. The off-site sidewalk conditions or contribution shall be coordinated in conjunction with NDOT with the final site plan application.
3. Prior to the approval of the final site plan, the emergency access agreement shall be recorded, or a second access point shall be established.
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 RM4 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. 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.
6. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
8. 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. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

28. 2023DDU-001-001

BL2023-1761/Taylor
Council District 21 (Brandon Taylor)
Staff Reviewer: Logan Elliott

A request to apply a Detached Accessory Dwelling Unit Overlay District to various properties located north of Clifton Avenue and south of Jefferson Street, zoned RS5 and R6-A, (106.63 acres), requested by Councilmember Brandon Taylor, applicant; various owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change to apply a Detached Accessory Dwelling Unit (DADU) Overlay District

Zone Change

A request to apply a Detached Accessory Dwelling Unit Overlay District to various properties located north of Clifton Avenue and south of Jefferson Street, zoned Single-Family Residential (RS5) and One and Two-Family Residential (R6-A), (106.63 acres).

Existing Zoning (to remain)

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.

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.

Proposed Zoning

Detached Accessory Dwelling Unit (DADU) Overlay would permit a detached, self-sufficient dwelling unit accessory to a principal structure. The overlay would permit DADUs subject to existing standards for detached accessory dwelling units in Section 17.16.030.G of the Zoning Code, which includes requirements for, but not limited to, ownership, lot area, setbacks, bulk and massing, design, and access.

NORTH NASHVILLE COMMUNITY PLAN

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

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

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.

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

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

SITE AND CONTEXT

The approximately 106.63-acre area is located in North Nashville and makes up a majority of the area north of Clifton Avenue, east of Interstate 40, south of Jefferson Street, and west of 21st Avenue North. The area is primarily

residential with some vacant and institutional land uses. The area has a development pattern of single-family residential and two-family residential with a gridded street network. The area is generally served by a network of public alleys and many of the streets in this area have sidewalks.

ANALYSIS

Staff finds the proposed DADU overlay to be consistent with the T4 RC, T4 NE, T4 CM, T4 NC, and Transition policy guidance to provide infill development that provides for an increased housing diversity. The majority of the area is within T4 NE policy and the T4 NE policy describes that successful infill and redevelopment in existing neighborhoods needs to consider timing and some elements of the existing developed character, such as the street network and block structure and proximity to Centers and Corridors. The proposed DADU overlay has a limited impact to the existing neighborhood character as observed from the street with DADU's being required to be located behind principal structures. Also, Design Standards are included in the Zoning Code that require DADU's to be of similar style, design, and material color as used for the principal structure and shall use similar architectural characteristics, including roof form and pitch, to the existing principal structure. The subject area is also well served by infrastructure with their proximity to mixed-use corridors, gridded public street network, public alleys, and sidewalks and have the infrastructure to support appropriate infill development.

Staff finds the proposed overlay to be consistent with the subject policies.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (9-0)

Resolution No. RS2023-105

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

29. 2023NHC-002-001

BL2023-1779/Toombs

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Dustin Shane

A request to apply a Neighborhood Conservation Zoning Overlay District to various properties located west of Whites Creek Pike and north of Moormans Arm Road, zoned RS10 (169.19 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 in Haynes Manor, zoned Single-Family Residential (RS10) (11.96 acres).

Existing Zoning

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

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

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

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

REQUEST DETAILS

The Metro Historic Zoning Commission (MHZC) considered this application at its March 15, 2023, 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:

Haynes Manor, a collection of about sixteen streets located north of Moorman’s Arm Road between Whites Creek Pike and Buena Vista Pike, is significant in the areas of Community Planning and Development and Ethnic Heritage: African American. Formally established as a subdivision in the mid-1960s, the Haynes Manor neighborhood is significant as a mid-20th century neighborhood developed for African Americans during the “Jim Crow” era when Black residents created their own communities within the context of redlining and other discriminatory policies that ensured physical separation between white and black Nashvillians. Haynes Manor is located near Haynes Heights, one of the earliest of these subdivisions and a forerunner in suburban development in the area. Although developed in the later years of this era, Haynes Manor also sought to provide a refuge for citizens displaced by urban renewal and interstate highway projects.

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

METRO HISTORIC ZONING COMMISSION RECOMMENDATION

Approve

- A recommendation of approval of the Haynes Manor Neighborhood Conservation Zoning Overlay was issued at the Metro Historic Zoning Commission (MHZC) held on March 15, 2023.
- The MHZC determined the area to meet criteria 1 and 3 of section 17.36.120 and recommended the adoption of the existing design guidelines with a Haynes Manor 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.

Approve. (9-0)

Resolution No. RS2023-106

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

30. 2023TSO-001-001

BL2023-1773/Syracuse
Council District 15 (Jeff Syracuse)
Staff Reviewer: Donald Anthony

A request to apply a Two Story Overlay District for various properties located east of McGavock Pike and south of Meadowood Drive, (249.01 acres), requested by Metro Councilmember Jeff Syracuse, applicant; various property owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Apply a Two-Story Overlay District.

Two Story Overlay District

A request to apply a Two-Story Overlay District for various properties located east of McGavock Pike and south of Meadowood Drive (249.01 acres).

Existing Zoning

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

Proposed Overlay

Two-story Residential Overlay District (TSO) 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.

DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

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

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

REQUEST DETAILS

The proposed application of the Two-Story Residential Overlay District (TSO) would affect 316 parcels totaling approximately 249 acres in the Lincoya Hills and Knob Hill subdivisions in Donelson. The TSO is a new overlay district, having been approved by Metro Council on February 21, 2023. The purpose of the TSO is to support a neighborhood’s existing form and character by employing building height limitations. In the TSO district, the maximum height of a principal structure is two stories in 35 feet as measured from finished grade. The maximum height of an accessory structure is one story or 16 feet—whichever is less—as measured from finished grade. The TSO district may be applied in any area with underlying R, R-A, RS, or RS-A zoning.

ANALYSIS

The Lincoya Hills and Knob Hill subdivisions were initially platted in multiple phases in the early and mid-1950s. The neighborhoods have been built-out with a mix of single-story and split-level ranch homes. Most houses in the neighborhoods were constructed in the 1950s and 1960s, though newer houses are scattered throughout the area. Front setbacks of 50 feet or greater and side and rear-loaded, attached carports and garages are typical. Lots generally range from 0.4 acres to one acre in area. The images below show typical building styles and building heights in the subject neighborhoods.

The subject properties are currently zoned RS20, which permits heights of up to three stories. If the TSO district is applied, RS20 would remain as the underlying zoning district, and lots would be subject to all RS20 bulk regulations except height. The TSO district’s height limitation of two stories in 35 feet would supersede the RS20 height standard.

The subject properties are located within the T3 NM policy area. The T3 NM policy is intended to maintain the general character of suburban neighborhoods as characterized by their development pattern, building form, land use, and associated public realm. Existing houses in the Lincoya Hills neighborhood have heights of one to two stories with single-story and split-level houses being most prominent. The TSO district would ensure that new structures maintain the existing height pattern in the area by restricting the height of principal structures to two stories in 35 feet and accessory structures to one story or 16 feet, whichever is less. Because the proposed application of the TSO district is consistent with the T3 NM policy, staff recommends approval of the TSO district.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (9-0)

Resolution No. RS2023-107

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

31. 2023Z-020PR-002

BL2023-1776/Hancock
Council District 09 (Tonya Hancock)
Staff Reviewer: Laszlo Marton

A request to rezone from RS40 to RS80 zoning for various properties located on Pawnee Trail, and one property located on Hudson Road (15.53), requested by Councilmember Tonya Hancock, applicant; various owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS40 to RS80.

Zone Change

A request to rezone from Single-Family Residential (RS40) to Single-Family Residential (RS80) for various properties located on Pawnee Trail, and one property located on Hudson Road (15.53 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.

Proposed Zoning

Single-Family Residential (RS80) requires a minimum 80,000 square foot lot and is intended for single-family dwellings at a density of .46 dwelling units per acre. *RS80 would permit a maximum of approximately 573 units.*

MADISON COMMUNITY PLAN

T2 Rural Maintenance (T2 RM) is intended to maintain rural character as a permanent choice for living within Davidson County and not as a holding or transitional zone for future urban development. T2 RM areas have established low-density residential, agricultural, and institutional development patterns. Although there may be areas with sewer service or that are zoned or developed for higher densities than is generally appropriate for rural areas, the intent is for sewer services or higher density zoning or development not to be expanded. Instead, new development in T2 RM areas should be through the use of a Conservation Subdivision at a maximum gross density of 1 dwelling unit/2 acres with individual lots no smaller than the existing zoning and a significant amount of permanently preserved open space.

ANALYSIS

The application consists of various parcels on Pawnee Trail and one parcel on Hudson Road totaling 15.53 acres. All properties are currently zoned RS40. Uses in the area are primarily single family residential and vacant residential land.

The application proposes to rezone the properties from RS40 to RS80. The properties are located within T2 Rural Maintenance policy which intends to maintain rural character as a permanent choice for living within Davidson County. T2 RM areas are intended to be one of the lowest densities of development in the county, generally not exceeding one dwelling unit per two acres. The proposed RS80 zoning district has a minimum lot size of 80,000 square feet which is just under the two acres suggested by the T2 RM policy. RS80 also requires slightly larger side setbacks and a lower maximum building coverage than the RS40 district, allowing for further preservation of open space and maintaining spacing between buildings, which is reflective of the development pattern in T2 RM areas. Overall, the rezoning supports T2 RM Policy to maintain rural residential land and preserve open space and environmentally sensitive land features.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (9-0)

Resolution No. RS2023-108

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-20PR-001 is approved. (9-0)

32. 2023Z-028PR-001

Council District 21 (Brandon Taylor)
Staff Reviewer: Laszlo Marton

A request to rezone from RS5 to R6-A zoning for property located at 703 29th Ave North, approximately 80 feet north of Clifton Avenue (0.14 acres), requested by Miranda Kammeyer, applicant and owner.

Staff Recommendation: Defer to the April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023Z-028PR-001 to the April 13, 2023, Planning Commission meeting. (9-0)

33. 2023Z-029PR-001

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

A request to rezone from RS5 to R6-A for properties located at 817 Douglas Avenue, west of the intersection of Douglas Avenue and Cline Avenue (0.21 acres), requested by Catalyst Design Group, applicant; Goondocks, LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential (R6-A) for properties located at 817 Douglas Avenue, west of the intersection of Douglas Avenue and Cline Avenue (0.21 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 one lot and one unit.*

Proposed Zoning

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

EAST NASHVILLE COMMUNITY PLAN

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

SITE AND CONTEXT

The 0.21-acre parcel is located at the northwest corner of the intersection of Douglas Avenue and Cline Avenue. The site has frontage along both streets. The surrounding parcels are primarily zoned RS5, R6, and R6-A and have been developed with one and two-family land uses.

ANALYSIS

The intent of the T4 NE Policy is to create and enhance neighborhoods—to include greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques. When considering rezoning, a site’s location in relation to centers, corridors and multi-modal transportation options, in addition to the size of the site, environmental conditions on and near the site, and the character of adjacent Transect and policy areas, should be considered. The site is located along Douglas Avenue, classified as a Collector Avenue in the Major and Collector Street Plan (MCSP), which is intended to support higher density development. There are no environmental conditions on the site that would limit or constrain the development

of the site. Additionally, the site is located on the edge of the Urban Neighborhood Maintenance Policy (T4 NM) boundary where the development pattern consists of parcels zoned R6 and developed with two-family uses, a zoning and land use consistent with the requested R6-A zoning.

FIRE MARSHAL RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	.21	7.41 D	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (week7day)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	.21	7.71 D	2 U	28	7	2

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

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

**Projected student generation existing RS5 district: 0 Elementary 0 Middle 0 High
 Projected student generation proposed R6-A district: 0 Elementary 0 Middle 0 High**

METRO SCHOOL BOARD REPORT

The proposed R6-A zoning district is not anticipated to generate any additional students than the existing RS5 zoning district. Students would attend Hattie Cotton Elementary School, Jere Baxter Middle School, and Maplewood High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Chair Adkins stated the opposition to Item 33 has left the meeting.

Mr. Haynes moved and Ms. Johnson seconded the motion to put Item 33 back on to the Consent Agenda. (8-0)

Resolution No. RS2023-109

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-29PR-001 is approved. (8-0)

34. 2023Z-030PR-001

Council District 24 (Kathleen Murphy)
Staff Reviewer: Jason Swaggart

A request to rezone from RS7.5 to R6 for property located at 323 51st Avenue North, approximately 160 feet north of the intersection of Elkins Avenue and 51st Avenue North (0.15 acres), requested by Shannon Konkel, applicant and owner.

Staff Recommendation: Defer to the April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023Z-030PR-001 to the April 13, 2023, Planning Commission meeting. (9-0)

35. 2022S-253-001

FIRST REVISION LOT 1 RESUB LOTS 76 & 77 MADISON HEIGHTS

Council District 09 (Tonya Hancock)
Staff Reviewer: Amelia Lewis

A request for final plat approval to create two lots on property located at 828 Neelys Bend Road approximately 194 feet west of Tahlerna Avenue, zoned RS20 (1.5 acres), requested by Todd Bollinger, applicant; Rose Lyn Noland, owner.

Staff Recommendation: Defer to the April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023Z-253-001 to the April 13, 2023, Planning Commission meeting. (9-0)

36. 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 April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020S-264-001 to the April 13, 2023, Planning Commission meeting. (9-0)

37. 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 April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023S-016-001 to the April 13, 2023, Planning Commission meeting. (9-0)

38. 2023S-034-001

3004 LEBANON PIKE SUBDIVISION

Council District 14 (Kevin Rhoten)

Staff Reviewer: Eric Matravets

A request for concept plan approval to create five lots on property located at 3004 Lebanon Pike, at the northwest corner of Lebanon Pike and Disspayne Drive, zoned RS10 (1.82 acres), requested by Wilson & Associates P.C., applicant; Pampas LLC, owner.

Staff Recommendation: Approve with conditions with an exception to 3-5.2.d finding that the development can provide for harmonious development.

APPLICANT REQUEST

Request for concept plan approval to create five lots.

Concept Plan

A request for concept plan approval to create five lots on property located at 3004 Lebanon Pike, at the northwest corner of Lebanon Pike and Disspayne Drive, zoned Single-Family Residential (RS10) (1.82 acres).

SITE DATA AND CONTEXT

Location: The property is located at the northwest corner of Lebanon Pike and Disspayne Drive.

Street type: The property has frontage on Lebanon Pike, which is a Suburban Arterial Boulevard. New lots will front onto Disspayne Drive, which is a local street.

Approximate Acreage: 1.82 acres or approximately 79,279 square feet.

Parcel/Site History: The parcel consists of Lot 21, a historical lot. The parcel was created in 1958.

Zoning History: The property has been zoned RS10, One and Two-Family Residential since 1998.

Existing land use and configuration: The parcel is occupied by one single-family house.

Surrounding land use and zoning:

- North: Single-Family Residential (RS15)
- South: Recreation center (R10)
- East: Single-Family Residential (RS10)
- West: Single-Family Residential (RS10)

PROPOSAL DETAILS

Number of lots: 5.

Lot sizes: Lot 1 is 10,405.7 sq. ft. (.024 acres). Lot 2 is 10,281.9 sq. ft. (0.24 acres). Lot 3 is 10,158.2 sq. ft. (0.23 acres). Lot 4 is 10,034.3 sq. ft. (0.23 acres). Lot 5 is 10,003.1 sq. ft. (0.23 acres).

Access: All lots are oriented to and have driveway access on Disspayne Drive.

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 RS10 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 Disspayne Drive.
- c. *The resulting density of lots does not exceed the prescribed densities of the policies for the area.*
Complies. RS10 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.*
Lots 1–5 do not comply with frontage requirements. The minimum required lot frontage for each lot is approximately 79 feet. The proposed lots are between 65 and 70.3 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 1–5 do not comply with lot size requirements. The minimum required lot size for each lot is approximately 0.29 acres (or 12,632 sq. ft.). The proposed lots are between 10,003 and 10,405 sq. ft.
 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*
Setbacks will be as per codes requires.
 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).*
To provide for harmonious development, staff requested that the applicant reduce lot sizes to the minimum requirement of 10,000 square feet in order to maximize the setback off of Lebanon Pike. Staff feels that the contextual setback on Lebanon Pike is of a greater priority for maintaining neighborhood character and promoting compatibility than similar lot sizes and frontages as nearby parcels.

PLANNING STAFF COMMENTS

The proposed subdivision meets the standards of the Metro Subdivision Regulations and the standards of the Metro Zoning Code for a final plat. The proposed subdivision meets the intent of subsection d. of the compatibility standards

and provides for harmonious development; therefore, staff recommends approval with conditions with an exception to 3-5.2.d finding that the development can provide for harmonious development

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Lots bounded by overhead utility lines. Unit heights possibly limited to 30'. Limited building detail, and/ or building construction information provided. Construction must meet all applicable building and fire codes. Any additional fire code or access issues will be addressed during the construction permitting process. Future development or construction may require changes to meet adopted fire and building codes.

STORMWATER RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Coordinate with planning on sidewalk requirements for project.
- In regard to access, driveway connections must be permitted by the Nashville Department of Transportation and conform with Metro Code requirements.

TRAFFIC AND PARKING RECOMMENDATION

Approve

- Traffic conditions to be set at the time of construction plan approval for individual lots. (Traffic studies, driveway distances, access sight triangles, etc.)

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

STAFF RECOMMENDATION

Approve with conditions with an exception to 3-5.2.d finding that the development can provide for harmonious development

CONDITIONS

1. Final site plan will follow landscaping and tree density requirements per Metro Zoning Ordinance.
2. Comply with all conditions of Metro Reviewing agencies.

Approve with condition with an exception to 3-5.2.d finding that the development can provide for harmonious development. (9-0)

Resolution No. RS2023-110

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023S-034-001 is approved with conditions with a exception to 3-5.2.d finding that the development can provide for harmonious development. (9-0)

CONDITIONS

1. Final site plan will follow landscaping and tree density requirements per Metro Zoning Ordinance.
2. Comply with all conditions of Metro Reviewing agencies.

39. 2023S-041-001

HABIBA SUBDIVISION

Council District 13 (Russ Bradford)

Staff Reviewer: Amelia Lewis

A request for concept plan approval to create three lots and dedicate right-of-way on property located at 1287 Currey Road, east of Catalina Drive, zoned RS10 (3.29 acres), requested by Cherry Land Surveying, Inc., applicant; Habiba Ahmed, owner.

Staff Recommendation: Defer to the April 13, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023S-041-001 to the April 13, 2023, Planning Commission meeting. (9-0)

H: OTHER BUSINESS

- 40. Historic Zoning Commission Report
- 41. Board of Parks and Recreation Report
- 42. Executive Committee Report
- 43. Accept the Director's Report

Resolution No. RS2023-111

"BE IT RESOLVED by The Metropolitan Planning Commission that the director's report is approved. (9-0)

- 44. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

April 13, 2023

MPC Meeting

4 pm, 700 President Ronald Reagan Way, Howard Office Building, Sonny West Conference Center

April 27, 2023

MPC Meeting

4 pm, 700 President Ronald Reagan Way, Howard Office Building, Sonny West Conference Center

J: ADJOURNMENT

The meeting adjourned at 11:44 p.m.