



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

May 25, 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:
Jessica Farr, Vice Chair
Stewart Clifton
Edward Henley
Mina Johnson
Brian Tibbs
Councilmember Brett Withers

Commissioners Absent:
Greg Adkins, Chair
Jim Lawson

Staff Present:
Lucy Kempf, Executive Director
Todd Okolichany, Deputy Executive Director
Lisa Milligan, Planning Manager II
Tara Ladd, Legal
Amanda Lewis, Planner II
Logan Elliott, Planner II
Anita McCaig, Planner III
Eric Matravers, Planner II
Logan Elliott, Planner II
Dustin Shane, Planner II
Jason Swaggart, Planer II

Lucy Alden Kempf
Secretary and Executive Director, Metro Planning Commission

Metro Planning Department of Nashville and Davidson County
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Notice to Public

Please remember to turn off your cell phones.

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

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

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

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

Writing to the Commission

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

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

Speaking to the Commission

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

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

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

Legal Notice

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



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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. Tibbs moved and Ms. Johnson seconded the motion to adopt the agenda. (6-0)

C: APPROVAL OF MAY 11, 2023 MINUTES

Mr. Clifton moved and Mr. Tibbs seconded the motion to approve the meeting minutes of May 11, 2023. (6-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Rosenberg spoke in favor of Items 12a, 12b and 16.

Councilmember Parker spoke in favor of Item 20.

E: ITEMS FOR DEFERRAL / WITHDRAWAL 1, 2a, 2b, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13a, 13b, 17, 22, 23, 28, 37, 38

Ms. Johnson moved and Mr. Henley seconded the motion to approve the Deferred and Withdrawn Items. (6-0)

F: CONSENT AGENDA ITEMS 41, 45

Mr. Henley moved and Mr. Clifton seconded the motion to approve the Consent Agenda. (6-0)

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

G: ITEMS TO BE CONSIDERED

1. **2015SP-069-003**
SHELBY WOODS EAST NASHVILLE (AMENDMENT)
Council District 06 (Brett Withers)
Staff Reviewer: Logan Elliott

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

Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2015SP-069-003 to the June 8, 2023, Planning Commission meeting. (6-0)

- 2a. **2017SP-087-004**
THE HILL PROPERTY SP (AMENDMENT)
Council District 31 (John Rutherford)
Staff Reviewer: Logan Elliott

A request to amend a Specific Plan for a portion of property located at 8001 Warbler Way, southwest of the terminus of Tanager Drive, zoned SP (1.45 acres), to remove 1.45 acres of open space from the SP, requested by Land Solutions Company LLC, applicant; Green Trails, LLC, owner. (See associated case 2023SP-016-001).

Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2017SP-087-004 to the June 8, 2023, Planning Commission meeting. (6-0)

2b. 2023SP-016-001
THE VILLAGE AT AUTUMN VIEW
Council District 31 (John Rutherford)
Staff Reviewer: Logan Elliott

A request to rezone from AR2a and SP to SP zoning on properties located at 6419, 6423 and 6431 Pettus Road, and a portion of property located at 8001 Warbler Way, approximately 620 feet northeast of Nolensville Pike, (28.71 acres), to permit 205 multi-family residential units, requested by Land Solutions Company, applicant; Green Trails, LLC, owner. (See associated case 2017SP-087-004).

Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023SP-016-001 to the June 8, 2023, Planning Commission meeting. (6-0)

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, (see associated case number 2005UD-006-055).

Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2019SP-053-001 to the June 8, 2023, Planning Commission meeting. (6-0)

4. 2023SP-040-001
4057 MAXWELL ROAD RESIDENTIAL SP
Council District 33 (Antoinette Lee)
Staff Reviewer: Donald Anthony

A request to rezone from AR2A to SP zoning for properties located at 4057 Maxwell Road and Maxwell Road (unnumbered), approximately 760 feet west of Lavergne Couchville Pike (20.88 acres), to permit 78 single family units, requested by Catalyst Design Group, applicant; Michael Leon Martin, owner.

Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023SP-040-001 to the June 8, 2023, Planning Commission meeting. (6-0)

5. 2023SP-043-001
NOLENSVILLE PIKE SP
Council District 17 (Colby Sledge)
Staff Reviewer: Jason Swaggart

A request to rezone from CS, IWD and R6 to SP zoning for properties located at 2180 Nolensville Pike and 2182 Carson Street, at the southeastern corner of Coleman Street and Carson Street (3.01 acres), to permit a mixed-use development with multi-family residential uses, requested by Bradley Arant, applicant; Barbara B. McRee, William B. Bass & Cato A. Bass, III, owners.

Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023SP-043-001 to the June 8, 2023, Planning Commission meeting. (6-0)

6. 2023Z-037PR-001

Council District 02 (Kyonzté Toombs)
Staff Reviewer: Eric Matravets

A request to rezone from RS5 to R6 zoning for property located at 1229 John L Copeland Boulevard, approximately 170 feet south of Weakley Avenue (0.13 acres), requested by C&H Properties, LLC, applicant and owner.

Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023Z-037PR-001 to the June 8, 2023, Planning Commission meeting. (6-0)

7. 2018S-059-003

ORCHARDS PH3

Council District 09 (Tonya Hancock)
Staff Reviewer: Eric Matravets

A request for final plat approval to create 26 single family cluster lots on portions of properties located at 1020 C Old Hickory Boulevard, Old Hickory Boulevard (unnumbered), and New Providence Pass (unnumbered), approximately 270 feet west of Larkin Springs Road, zoned OR20 and RS10 (6.2 acres), requested by Wilson & Associates, applicant; Larkin Springs (TN) Owner IV LLC, owner.

Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2018S-059-003 to the June 8, 2023, Planning Commission meeting. (6-0)

8. 2018S-059-004

ORCHARDS PH2

Council District 09 (Tonya Hancock)
Staff Reviewer: Eric Matravets

A request for final plat approval to create 28 single family cluster lots on portions of properties located at 1020 C Old Hickory Boulevard and New Providence Pass (unnumbered), approximately 270 feet west of Larkin Springs Road, zoned RS10 (8.2 acres), requested by Wilson & Associates, applicant; Larkin Springs (TN) Owner IV LLC, owner.

Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2018S-059-004 to the June 8, 2023, Planning Commission meeting. (6-0)

9. 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 June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2019S-039-002 to the June 8, 2023, Planning Commission meeting. (6-0)

10. 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 June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023S-042-001 to the June 8, 2023, Planning Commission meeting. (6-0)

11. 2023S-063-001
THORNTON GROVE PUD PH 4A
Council District 03 (Jennifer Gamble)
Staff Reviewer: Donald Anthony

A request for final plat approval to create 29 lots and dedicate right-of-way on a portion of property located at 3500 Brick Church Pike, at the southern terminus of Thornton Grove Boulevard, zoned RM9 and within a Planned Unit Development Overlay District, (14.81 acres), requested by Dale & Associates, applicant; Thornton Grove Green, LLC, owner.

Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023S-063-001 to the June 8, 2023, Planning Commission meeting. (6-0)

12a. 2021CP-006-001
BELLEVUE COMMUNITY PLAN AMENDMENT
Council District 35 (Dave Rosenberg)
Staff Reviewer: Anita McCaig

A request to amend the Bellevue Community Plan by changing from T2 Rural Maintenance Policy to T3 Suburban Neighborhood Evolving Policy for property located at 1084 Morton Mill Road, at the northern terminus of Morton Mill Road, zoned AR2a (43.87 acres), requested by Ragan-Smith and Associates, applicant; Dr. James Fussell, owner. (See associated case 2021SP-061-001).

Staff Recommendation: Approve changing the policy to Suburban Neighborhood Evolving (T3 NE) on the non-flood plain portion of the property.

APPLICANT REQUEST

Amend Community Plan to change Community Character Policy.

Major Plan Amendment

A request to amend the Bellevue Community Plan by changing from T2 Rural Maintenance (T2 RM) to T3 Suburban Neighborhood Evolving (T3 NE) for property located at 1084 Morton Mill Road, zoned Agricultural (AR2a), approximately 43.87 acres.

BELLEVUE COMMUNITY PLAN

Current Policy

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

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

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

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

BACKGROUND

The property, approximately 44 acres and located in a bend of the Harpeth River, is currently accessed by a driveway crossing the CSX rail line at-grade and tying into the end of Morton Mill Road. In 2011, when the Bellevue Community Plan was last updated comprehensively, the river bend area was placed in Rural Maintenance (T2 RM) policy due to its limited access, large lot development pattern, and the amount of sensitive floodplain. The 2010 Flood had occurred the year before and flooding and recovery were the community's top issues.

In the mid-2010s, the owner of this property and the adjacent property approached the Planning Department to discuss the possibility of developing multifamily along with dedicating land for a park. Planning staff responded that due to limited access issues in order to consider multifamily on these properties a bridge needed to be built, connecting to Coley Davis. In 2019, the adjacent property owner dedicated their entire property (51 acres) to Metro for a new park.

In 2021, the applicant team approached the Planning Department about changing the land use policy at 1084 Morton Mill Road to Suburban Neighborhood Evolving (T3 NE) policy to allow for a multifamily development along with

providing public access to the adjacent park and constructing an extension to the existing greenway. Applications for a plan amendment and a rezoning to Specific Plan (SP) were filed.

The subject property is surrounded by park land to the west, the Harpeth River and greenway to the north and east, and the rail line and residential uses to the south (Figure 1). Adjacent to the north are Coley Davis Road and Interstate 40. The property (with its current access) along with the residences in the Morton Mill area and surrounding neighborhoods are in District 35 (Councilmember Dave Rosenberg) while Coley Davis Road (the proposed access point for the bridge) and adjacent residents are in District 22 (Councilmember Gloria Hausser).

COMMUNITY PARTICIPATION

On August 10, 2021, Community Plans staff conducted a virtual community meeting to discuss the applicant's plan amendment and rezoning proposals. Notices were mailed to 508 property owners in a 1,300 foot buffer of the plan amendment site. Details of the community meeting were made readily available on the Planning Department's webpage, and Councilmembers Rosenberg and Hausser also shared details with their constituents. Approximately 95 people attended. Staff outlined the request to change policy, and the applicant team presented site plans for the proposed development. Following the presentations, attendees were given the opportunity to ask questions and share comments. Numerous questions were asked. Questions and comments mainly focused on:

- Preserving the floodplain and protecting the larger area from flooding
- Site access
- Traffic impacts
- Multifamily housing
- Maintaining existing character

There were enough concerns expressed and additional information needed that the applications were deferred. The meeting was recorded and posted to Metro's YouTube channel. To date, that video has been viewed 249 times.

The applicant team reactivated the applications in early 2022 and held the following meetings:

- 8/30/21: Morton Mill subdivision meeting for Councilmember Rosenberg (District 35); approximately 30 attendees.
- 4/14/22: Harpeth Springs Homeowners' Association board meeting; 5 attendees and Councilmember Hausser (District 22).
- 5/11/22: Poplar Ridge Homeowners' Association board meeting (District 22); 5 attendees.

Given the complexity of the case involving numerous departments and agencies, Planning staff facilitated a second virtual community meeting on July 7, 2022. Again, notices were mailed to property owners within a 1,300 foot buffer, and Councilmembers shared information with constituents. Approximately 200 people attended the meeting. This meeting was also recorded and uploaded to Metro's YouTube channel; to date the video has been viewed 124 times.

Numerous questions were asked of the applicant, development team, and staff by attendees. Meeting attendees remained concerned about the same issues as in the previous community meeting: mainly flooding, site access, traffic, and apartments. The number of people attending the meeting meant that not everyone had the chance to speak or ask questions. Planning staff allowed an additional week for people to email questions. Staff and the applicant team responded, and the result was a 61-page document that was then shared with district Councilmembers and meeting attendees. The Harpeth River Conservancy also expressed concerns and shared their research and findings with Planning staff about area flooding, healthy ecosystems, and the importance of protecting the Harpeth River and its floodplains.

Staff asked the applicant team to defer the applications again and continue working with the community and Metro departments on concerns and outstanding issues; the applicant team agreed and held the following meetings:

- 8/11/22: District 22 community meeting with Councilmember Hausser; 86 attendees in person and 11 virtual.
- 1/31/23: District 22 community meeting at Bellevue community center with Councilmember Hausser; approximately 150 attendees.
- 2/2/23: District 35 virtual meeting with Councilmember Rosenberg; approximately 125 attendees.

In addition, the applicant team undertook the following outreach:

- Summer 2022: knocked on 1,750 doors in Council Districts 22 and 35 to answer project questions.
- 8/19/22: held orientation tour of the project and site with Councilmember Hurt.
- 8/25/2022: met with Harpeth River Conservancy to discuss their concerns.
- August 2022: mailed letter to 754 neighborhood residences with project information.
- January 18, 2023: met again with Harpeth River Conservancy to discuss possible solutions to address their concerns.
- February 2023: mailer to 1,700 properties in surrounding neighborhoods with project benefits and information.

The applicant team also has met twice with the Harpeth River Conservancy to listen to their concerns. To date, the applicant team has obtained petition signatures and letters of support that have been included in the public comment

folders. However, there are also numerous people opposed to the project who remain concerned and question the project's public benefits. The opposition has a petition. The residents of Harpeth Meadows Independent Living and the Meadows Nursing Home have also shared petitions in opposition. All correspondence received is included in the Planning Commission's public comments folders.

ANALYSIS OF SUBURBAN NEIGHBORHOOD EVOLVING POLICY

In this analysis, the subject property (1084 Morton Mill Road), currently in Rural Maintenance (T2 RM) policy, has been examined to apply Suburban Neighborhood Evolving (T3 NE) policy to the non-floodplain portion of the site, approximately 20 acres. The applicant team has been working with Metro Departments on addressing concerns, project design, and public benefits for almost two years. During that time, several public benefits have been agreed to and Metro's concerns have been addressed at this stage. Although there remains community opposition, the proposed development, along with its public benefits, has merits, and T3 NE is appropriate for part of the site with the floodplain area being preserved.

NashvilleNext Growth & Preservation Concept Map

The Growth & Preservation Concept Map (Concept Map) is a county-wide vision and tool to shape improvements in quality of life so that new development and redevelopment align with community values. The Concept Map shows the policy amendment area in a location designated as a "Green Network". Green Network areas primarily include natural and rural areas that provide natural resources, ecological services, and passive and active recreation opportunities. They also include sensitive natural features that can be disturbed or destroyed by development or that pose a health or safety risk when developed. The floodplain portion of the site is being preserved and will remain in the "Green Network."

The area is adjacent to a "Center" area that is envisioned to become a complete center with mobility options, housing options, and a variety of businesses, shops, restaurants, services, jobs, and recreation options. Changing the policy to T3 NE would change a portion of the Concept Map to "Neighborhood," recognizing the residential pattern of the proposed development and complementing the larger area. Adjacent to the site is a large area of "Neighborhood" for the surrounding residential land use pattern.

Community Plan and Policy Application

There are 14 Community Plans which provide the vision and policy guidance of land uses for communities within Davidson County. The Bellevue Community Plan strives to balance growth in existing centers while preserving the character of established suburban residential neighborhoods, rural areas, and natural features. The community plan area consists primarily of older and newer suburban development in Bellevue and rural development in Pasquo and Whites Bend. With an abundance of natural resources and interstate access to downtown, Bellevue and its surrounding area offer many residential options.

In 2021, the property owner at the subject property (1084 Morton Mill Road) decided to proceed with a proposal for developing multifamily on the non-floodplain portion of the property which entails constructing a bridge to tie into Coley Davis Road. The applicant team has voluntarily proposed several additional public benefits for future residents, Metro, and the Bellevue community (discussed in more detail in the next section). The proposed development is also planting a minimum of 250 trees in efforts to increase area tree canopy and stormwater absorption.

T3 NE policy is recommended for the area in question to support greater housing choice adjacent to a center identified in the NashvilleNext Growth & Preservation Concept Map. In this case, open spaces and the Harpeth River surround the property on three sides and single family residences are to the south across the rail line. T3 NE policy complements the suburban residential policies to the west and south of the property, as well as the Suburban Community Center policy (T3 CC) to the east (Figures 2 & 3). Current development patterns support a range of residential densities from 2 to 11 dwelling units per acre with higher densities closer to amenities and services provided within the T3 CC area. This project complements the current development patterns at approximately 9 dwelling units/acre.

Conservation (CO) policy is applied to the property's areas of floodway/floodplain and remains in place. Importantly, the development proposal preserves the floodplain area and is extending the greenway along the property to connect the existing greenway with other portions of the Harpeth River Greenway and the adjacent new park.

Public Benefits – Multimodal Transportation, Connectivity, and Open Space

Enhancing the connectivity of the property, the proposed development will construct a multimodal bridge tying into Coley Davis Road. The bridge will not only provide access to the property but will also provide public access to the adjacent new park. Located in the river bend, the new park currently lacks public access and is not programmed.

Additionally, today, a segment of Coley Davis frequently floods in rain events. The proposed development will raise a segment of Coley Davis Road above the 2010 Flood mark to mitigate future flooding and to provide increased safety to other residents along the street to the west.

The Major and Collector Street Plan (MCSP) is a comprehensive plan and implementation tool for guiding public and private investment in major streets (arterial-boulevards, arterial-parkways, and collector-avenues) that make up the backbone of the city's transportation system. Coley Davis Road is a local street and intersects with Highway 70S, a state highway classified as a mixed use arterial-boulevard and slated for long-term frequent transit by the MCSP. The intersection of Coley Davis Road and Highway 70S is also adjacent to an interchange with Interstate 40 providing access to other parts of Nashville and adjacent communities.

The proposed development will construct bike lanes (approximately 2,900 feet) along Coley Davis Road from the Metro Parks property to the WeGo Park & Ride lot near the Coley Davis Road and Highway 70S intersection. The Park & Ride is located at 7650 Coley Davis Road and accesses Bus Route 3B, connecting to West Nashville, Midtown and Downtown, and Route 88, connecting to Dickson. The bike lanes are proposed to connect with the multimodal bridge into the subject property and adjacent new park.

The proposed bike lanes and multimodal bridge also tie into the Harpeth River Greenway. Currently, the greenway has segments along the Harpeth River and the northern edge of the property and crosses the Harpeth River to the soccer fields at Harpeth River Park. Another existing segment of the Harpeth River Greenway is immediately south of the subject property and the rail line. The proposed development will construct the missing segment in the existing greenway system along the eastern edge of the property, approximately 1,650 feet, completing the Harpeth River Greenway system from Harpeth Park to Edwin Warner Park. The development will also construct a greenway trail along the southern edge of the property, providing a direct connection to the new park. Figure 4 summarizes the proposed public multimodal improvements.

As mentioned previously, currently the site is accessed via a private driveway across the CSX railroad. Per CSX's guidelines, for an at-grade crossing to be intensified, another three at-grade crossings must be closed. Since this is not possible for this development to achieve, the current at-grade crossing (driveway) will change to emergency access only. However, the driveway will serve as the access point for construction of the bridge, causing inconvenience for the residents along Morton Mill Road. Once bridge construction is complete, the access will be closed except for emergency access.

Continuing Community Concerns and Opposition

The applicant team has been discussing this project with Metro departments and community members for almost two years to incorporate suggestions and design elements. However, even with concessions and public benefits, some community members remain strongly opposed to this project for various reasons. The largest concern expressed to date is exacerbating flooding in the area with an increase in impervious surface and bridge construction, although the property's floodplain area is being preserved and will be donated to Metro Parks. Planning staff met with Metro Water and Stormwater staff, who thought the applicant team has gone above and beyond existing regulations, such as not disturbing the floodplain and raising Coley Davis Road, at this point in the process. Some residents in the Morton Mill area are concerned about bridge construction traffic using Morton Mill Road to access the property, even though the access point to Morton Mill Road will be closed and used only for emergency access after bridge construction is completed. Some residents along Coley Davis Road are concerned about additional traffic, especially at the Coley Davis Road intersection with Highway 70S. Others are concerned that the new park is not currently open to the public but the multimodal bridge access and connecting greenway segment will be part of the proposed development. The applicant team has worked closely with Metro Parks and Greenways to plan these public improvements.

Analysis Summary

Amending the Community Character Policy from Rural Neighborhood Maintenance (T2 RM) to Suburban Neighborhood Evolving (T3 NE), while maintaining the Conservation (CO) policy for the floodplain area, is appropriate for the following reasons:

Appropriate Site Location:

- Applying T3 NE policy to part of the subject property supports greater housing choice adjacent to a center identified in the NashvilleNext Growth & Preservation Concept Map and complements the suburban residential policies to the west and south of the property and the Suburban Community Center policy (T3 CC) to the east.
- The site is across the Harpeth River from a large community center area that includes One Bellevue Place. Allowing additional residential and another housing option on this property can provide more people to support businesses.
- Streets, including Coley Davis Road, Highway 70 South (arterial), and the nearby Interstate 40 interchange, provide access to the larger Bellevue area and other destinations.
- The property has convenient access to transit at the nearby WeGo Park & Ride lot.
- The proposed development will provide connectivity from the subject property to the Harpeth River Greenway, a new multimodal bridge, and an improved Coley Davis Road with bike lanes, allowing a range of transportation options to area destinations and services.

Protecting the Harpeth River floodplain:

- CO policy is implemented with preservation of the floodplain area.

- The proposed development is planting a minimum of 250 trees in efforts to increase area tree canopy and absorb stormwater runoff.

Providing Public Benefits:

- The proposed development will construct a greenway along the Harpeth River connecting two existing greenway segments. The development is also constructing a greenway segment from the Harpeth River Greenway to the existing park land, providing additional access when open and programmed.
- The proposed development will construct a multimodal bridge connecting the development to Coley Davis Road and providing access to the existing park land, which currently is not accessible from the north side of the river.
- The proposed development is reconstructing a portion of Coley Davis Road that frequently floods to raise it out of the floodplain, past the level of the 2010 Flood, to mitigate frequent flooding.
- The proposed development is constructing bike lanes (+/- 2,900 feet) along a segment of Coley Davis Road, providing a dedicated travel path for bicyclists.
- The proposed development is donating 20 acres of floodplain area to Metro Parks.

STAFF RECOMMENDATION

Staff recommends approval of the policy change to Suburban Neighborhood Evolving (T3 NE) policy for the non-floodplain portion of the property.

Vice Chair Farr advised items 12a and 12b have been previously heard and the Public Hearing is closed.

Mr. Clifton asked what the positives are for changing from T2 Rural Maintenance to T3 Suburban Neighborhood Evolving policy.

Ms. McCaig responded the benefits are greenway connection, conservation of the flood plain, access to the nearby park, housing for the nearby center and more control with raising Coley Davis Road.

Mr. Clifton stated he believes in density, where it is warranted, and wants to support something, but is not sure he is comfortable with what he is hearing today.

Mr. Henley said the conditions they have placed form a very narrow window to fit through to make this development happen. He thought that makes it more appropriate if they were able to make all those conditions a reality. Mr. Henley stated what really took him aback was the elevating of the roadway. He said he is also in favor of density and if this was a site half or a third of what is there, it is an opportunity to take advantage of putting something special in the community.

Councilmember Withers thought the fact there is a very suburban community immediately to the south makes an extension of the Suburban policy work here. He said staff analysis shows this is consistent with the overall birds eye view of the community in terms of where policy and density are located. Mr. Withers stated the life safety proponent of raising the road is important. He felt this is a well done plan for a uniquely situated site.

Ms. Johnson asked NDOT about the gradual elevation with raising Coley Davis Road.

Devin Doyle, NDOT, stated it would be required to be designed to meet highway design standards for vertical separation and inclines.

Ms. Johnson asked if raising the road that much would it be more prone to potholes.

Devin Doyle answered by virtue of the fact they are widening the pavement, they are increasing the area that is susceptible to potholes, but it would be built to their standards, which are set to minimize the likelihood of potholes.

Ms. Johnson asked about bike and pedestrian lanes east of Coley Davis Road.

Matt Hattabaugh, NDOT, responded there is also a two foot buffer between the vertical delineators in that area.

Ms. Johnson asked what safety measures will be provided for bicyclists on the west side of the bridge.

Matt Hattabaugh stated the delineators are to the west, as well. He said there are constraints they have to work with but are working with the applicant's team to finalize the last bit of the cross section from west of the bridge.

Ms. Johnson said at the detailed planning phase they will consult and decide every safety measure.

Matt Hattabaugh responded in the affirmative.

Ms. Johnson said she appreciates the conditions being much tighter, and with the tighter conditions, the development will add benefit to the community, which will outweigh the inconveniences. She thought the placement of the buildings is somewhat reasonable and would love to see more open space within the developable area but understands that can be mediated with more landscaping trees around the parking space. Ms. Johnson stated without the SP, she is 100% sure the improvements are not going to happen.

Ms. Kempf stated she believes multi-family is appropriate in Rural policy. She thought there is work to be done on the materials. Ms. Kempf said the staff debates a lot over Rural policy because their response to Rural policy is to allow the development to spread out, which can have the opposite of what they want, which is conservation. Here, there is a lot of conservation, so the development pattern is compact. She asked Ms. Johnson to clarify her previous point.

Ms. Johnson explained her point is the proposed SP will only be appropriate under proposed T4 Neighborhood Evolving. Design, placement, density and height will not meet existing T2 Rural Maintenance policy, so in order for this SP to proceed, the Community policy must change, because it goes hand in hand.

Mr. Henley stated they are going to vote as a body to change the policy and then potentially vote to not approve the SP, but the underlying policy has changed and then they want to go back and change the policy again. He said unless the road is elevated and the bridge is there, he does not think the policy change is something with what he would agree. Mr. Henley pointed out they do not know the answer to Item 12b, but they are going to vote on Item 12a, which is the concern.

Councilmember Withers said he is more comfortable saying he can approve this SP specifically and a policy change to support it, but less comfortable with just a blanket change of the policy.

Mr. Tibbs said because of the process, if the strict conditions are not met, this would not go forward. He recognized the greenway is a community benefit and wants to make sure that continues forward. He asked if there are a lot of developer maintenance bridges in the area and asked what happens in the future when the developer is gone.

Devin Doyle responded there is one example that has advanced to a formal agreement, which has happened in the last 18 months, and would serve as the model for the maintenance agreement.

Mr. Tibbs said he was looking for a little less density and understands there was an intentional way to keep more open space.

Ms. Kempf explained there are two decisions, first is the policy change and second is the zoning review. There is a recommendation from staff, but it is to the Commission's discretion as to how to interpret the policy. It takes a minimum of six votes to change the policy and the zoning threshold is different.

Councilmember Withers asked if there is a Bill on this Item. He also asked if this was disapproved, what path forward does that leave for Councilmember Rosenberg. Lastly, Mr. Withers asked if the Commissioners were to feel that a site plan revision was needed, what would that process look like.

Ms. Kempf advised the Council Bill has not yet been introduced. She said if this body recommends disapproval, then Councilman Rosenberg would have an option to either not call up the Bill or take it Council and would need to get twenty seven votes and a public hearing associated with that decision. Ms. Kempf explained the Community Plan is for the Commission to entertain and that would be an amendment to NashvilleNext. The zone change proposal is the Commission advising Council, so it is ultimately a Council approval. Whether the Commission votes to disapprove it just changes the count.

Ms. Kempf asked if there is an interest in voting for Item 12b first, and if Item 12b fails, then not supporting Item 12a.

Ms. Milligan added the Commission rules and procedures indicate they will review and make recommendations based on the land use policy, so if they wanted to review Item 12b first, they have to do it based on the policy that is in place per their rules.

Ms. Kempf advised if the Commission were to do that, they need to decide that it meets the current policy because there is not a new policy in place.

Ms. Johnson stated a Community plan change is warranted considering the SP that provides the bridge access and improvement of the flood prone area along Coley Davis Road, and without that, she said she strongly believed a T2 Neighborhood Evolving in a landlocked area is inappropriate.

Mr. Clifton said he is skeptical because there are a lot of 'ifs' but does not have a problem with it if the Council chooses to do this under their rules. He stated he is not prepared to vote on either one at this point. Mr. Clifton asked about the mixed messages given by CSX.

Ms. Milligan stated the information received from CSX is that there were two options for a crossing on CSX, one would be tunneling and the other is going over. She explained CSX indicated they may not be supportive of one of the two but the other two is an option. Staff was recommending leaving both options in case CSX policies change, but there is an opportunity for at least one of the two options to be functional.

Vice Chair Farr said that CSX is willing to review a proposal that includes construction of the greenway trail and asked if they come back and say they are not supportive, then is there no greenway access.

Mr. Elliott responded if CSX was not able to approve greenway crossing then the SP zoning would not be able to move forward as a condition that staff is recommending. CSX has made it clear they are not interested in confirming the availability to do something without going through the necessary permitting processes. He said this is as far as CSX is willing to go related to a project that does not have it's zoning in place yet.

Vice Chair Farr asked if CSX says neither option works, they have a condition in the SP that indicates this SP is no long in effect.

Mr. Elliott answered yes, the project cannot move forward without providing the greenway crossing, in addition to other conditions such as raising the road and providing the bridge.

Mr. Henley asked if there is a way the staff and or a Councilmember can come back and change the policy back to the way it was.

Ms. Kempf advised the Commission could require the staff or the project be reviewed at final site plan, and if there is no satisfaction at that point, they could revisit the policy. She said a Commissioner can always come back and ask the staff to evaluate policy.

Councilmember Withers asked what happens if they vote to recommend approval and it goes to Council and some conditions cannot be met.

Ms. Milligan responded it is a specific condition in the staff report and a specific condition in the Council Bill that indicates they have to build the greenway for this project to happen. It would have to be amended, go back through this process and back through Council to remove that link because it is a specific condition in the staff report and in the Bill, as well.

Councilmember Withers said it gives him comfort knowing there is no risk of entitlements, without coming back to the Commission and Council, unlike a base zone change, so no one will be able to come back in and build a large multi-family project.

Ms. Milligan agreed this is not a base zone change. She said the way it is written 'approve with conditions and disapprove without all conditions' means when they send the legislation over, it would include all of those conditions. If at any point in the Council process someone amends it to remove a condition, then it becomes a disapproval and needs to get twenty seven votes.

Councilmember Withers hoped this is something articulated better in the Rural Maintenance policy.

Ms. Ladd and Ms. Kempf explained the distinction between the vote on the SP and the vote on the policy.

Mr. Henley moved and Mr. Tibbs seconded the motion to defer to the June 8, 2023, Planning Commission meeting. (6-0)

Resolution No. RS2023-189

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021CP-006-001 is deferred to the June 8, 2023, Planning Commission meeting. (6-0)

12b. 2021SP-061-001
BEND AT BELLEVUE (ARIZA) SP

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

A request to rezone from AR2a to SP zoning for property located at 1084 Morton Mill Road, at the current terminus of Morton Mill Road, (and partially located within the Floodplain Overlay District), (43.87 acres), to permit a 417 multi-family residential units development, requested by Ragan Smith Associates, applicant; Dr. James E. Fussell, owner. (See associated case 2021CP-006-001).

Staff Recommendation: Approve with conditions and disapprove without all conditions if the associated plan amendment is approved. Disapprove if the associated plan amendment is not approved.

Mr. Elliott presented the staff recommendation to approve with conditions and disapprove without all conditions if the associated plan amendment is approved. Disapprove if the associated plan amendment is not approved.

APPLICANT REQUEST

Rezone from AR2a to SP to permit a multi-family development.

Preliminary SP

A request to rezone from Agricultural/Residential (AR2a) to Specific Plan (SP) zoning for property located at 1084 Morton Mill Road, at the current terminus of Morton Mill Road, (and partially located within the Floodplain Overlay District), (43.87 acres), to permit a 417 multi-family residential units development.

Existing Zoning

Agricultural/Residential 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 18 lots with 4 duplex lots for a total of 22 units.*

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

Existing Policy

T2 Rural Maintenance (T2 RM) is intended to maintain rural character as a permanent choice for living within Davidson County and not as a holding or transitional zone for future urban development. T2 RM areas have established low-density residential, agricultural, and institutional development patterns. Although there may be areas with sewer service or that are zoned or developed for higher densities than is generally appropriate for rural areas, the intent is for sewer services or higher density zoning or development not to be expanded.

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

The Conservation Policy in this location reflects floodplain and floodway areas.

Proposed Policy (Conservation Policy to remain)

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

SITE CONTEXT

The site consists of a single parcel that contains approximately 44.16 acres. The site is located at a bend in the Harpeth River and is currently accessed by an at-grade crossing of a railroad at the end of Morton Mill Road. The site is bounded by a railroad, the Harpeth River, and about 51 acres of unimproved Metro Parks property. The existing land use of the property is single-family residential. A large TVA easement spans the property as well. An access easement is granted to the railroad operator and this easement runs along the length of the railroad going east from the at-grade access point and this grants access to the railroad bridge that spans the Harpeth River.

The subject property is currently zoned AR2a. Nearby parcels at the terminus of Morton Mill Road are zoned RS20 and multi-family and commercial zoning districts exist across the Harpeth River to the east. Coley Davis Road and Morton Mill Road are local streets. The site has approximately 20 acres within the floodplain and floodway associated with the Harpeth River.

PLAN DETAILS

The application proposes rezoning the subject property to SP to permit a multi-family residential development. The plan includes 417 multi-family residential units across 7 buildings. A bridge across the Harpeth River is proposed to connect Coley Davis Road with the subject site. This bridge is included within public right-of-way and, in addition to providing access to the multi-family development, the bridge would provide vehicular access to the currently inaccessible 51-acre Metro Parks property (parcel 074). The bridge would cross the western edge of the Harpeth River Park. At the proposed Coley Davis Road intersection, a turn lane is provided for left-turn movements onto the proposed bridge.

The plan concentrates the development on the portion of the site that is above the floodplain and proposes to dedicate approximately 20 acres of land that is within the floodplain to Metro Parks. The area of dedication is primarily located along the eastern portion of the site. The plan includes 2 four-story buildings near the proposed bridge landing from Coley Davis Road and 5 three-story buildings more interior and to the south of the property. The plans include elevations that demonstrate the proposed architecture. The buildings are organized to create interior courtyard open space areas with surface level vehicle parking surrounding the buildings. Garage units are scattered throughout the parking area.

The existing at-grade vehicle crossing of the railroad is proposed to be converted to an Emergency Access only with the construction of this project. This access would be gated for Emergency Access only and is a typical situation to satisfy Emergency Access requirements.

The Metro Parks Master Plan, *Plan to Play*, calls for the Harpeth River Greenway to be extended along the subject property's frontage of the Harpeth River from the existing terminus in the Harpeth Crest subdivision open space area. The existing greenway in the Harpeth Crest subdivision is within an easement that accommodates this future extension of the greenway to the CSX right-of-way and onto the subject property. The application has identified two potential solutions to crossing the railroad at the southern boundary of the property and making the planned greenway extensions and connections. One option is to construct a greenway tunnel under the railroad and the second option is to build an underpass beneath the existing railroad bridge over the Harpeth River. Both options are detailed in the SP plans and the final conditions for this crossing would be coordinated with the final site plan in coordination with CSX and Metro Parks. Metro Parks has reviewed both options and finds either to be potentially acceptable, pending final review. CSX has not been able to verify the final conditions without receiving fully engineered plans and having the zoning in place for this project. The applicant would then build a greenway along the Harpeth River and up to the northern end of this bend, setting up future extension onto the Metro Parks property's Harpeth River frontage and fully extending the greenway along this bend in the Harpeth River. The plan also provides for a future loop connection point to be built at the southern end near the railroad so that ultimately this bend in the river forms a loop in the greenway network. The approximately 20-acres of land within the floodplain is proposed to be dedicated to Metro Parks and the potential programming of this space would be coordinated by Metro Parks.

Additionally, the plan proposes to raise Coley Davis Road from the proposed bridge connection point and to the east near the Hwy 70 intersection to an elevation of 563.5, where the road is currently below this elevation. Currently, Coley Davis Road sits below the 500-year floodplain elevation at the curve in the road near the Harpeth River Park and this roadway floods in certain rain events, leaving the area west of this point temporarily inaccessible. In response to this existing condition, the application proposes to raise Coley Davis Road above the 500-year floodplain elevation. This is about 3 feet in the lowest location elevation point. In addition to raising Coley Davis Road, the plans propose to modify the section of Coley Davis Road as shown on the plans to provide 5 foot bike lanes with delineators on both sides of the road to improve the multi-modal conditions of the roadway.

ANALYSIS

Staff finds the proposed SP zoning to be consistent with the proposed T3 NE policy in this location. The proposed land use and development pattern are consistent with the guidance provided in the Community Character Manual for a Suburban Neighborhood Evolving policy area like this one. The subject site is separated from the nearest neighborhood, Harpeth Crest subdivision, by a railroad and the most southern building proposed in the SP is

approximately 400 feet from the nearest lot in the Harpeth Crest subdivision. With T3 NE policy, the subject site is an opportunity to introduce a moderate density and suburban housing type and staff finds the proposed SP plan to provide this. The proposed scale and organization of the buildings is consistent with the T3 NE policy.

The proposed SP zoning also improves the multi-modal connectivity of this area by extending the Harpeth River Greenway from its existing terminus to cross the railroad and ultimately provide a connection to the Bellevue commercial and community center on Hwy 70, consistent with the Metro Parks Master Plan, *Plan to Play*. This connection would provide a greenway link from the Warner Parks to the Bellevue commercial and community center on Hwy 70. Additionally, the plan improves the multi-modal connectivity of Coley Davis Road by providing bike lanes.

The proposed SP zoning also improves the vehicular connectivity of this area during severe rain events by raising the elevation of Coley Davis Road to be above the 500-year floodplain. The plan is sensitive to the Conservation Policy areas by concentrating the development outside of the floodplain and floodway and by preserving these areas in their natural condition.

Update Following March 9, 2023, Public Hearing

This item was heard at the March 9, 2023, Planning Commission hearing and was deferred to the April 13, 2023, meeting to allow time for staff to compile additional information related to the following items and responses are included beneath each item:

1. Have representatives of Metro Stormwater and NDOT attend 5/25 MPC meeting for questions.

Representatives of Metro Stormwater and NDOT will be attendance of the 5/25 MPC meeting for questions.

2. Provide a temporary traffic control plan for the proposed improvements to Coley Davis Road that shows how two-way traffic will be maintained during the construction process.

The applicant has provided a draft temporary Traffic Control Plan demonstrating the potential availability to maintain two-way traffic on Coley Davis Road. The plan phases the proposed improvements so that the cross-section of Coley Davis is first widened, and then one side of the road is raised at a time, allowing two-way traffic flow to be maintained. NDOT has reviewed this draft temporary Traffic Control Plan and finds it feasible. The final Traffic Control Plan would be provided and reviewed by NDOT staff later in the development process.

3. Provide an emergency vehicle access plan for the project site.

The applicant has provided exhibits demonstrating how the emergency access will be access controlled with standard locks and gates. The ability for emergency vehicles to navigate the site will be reviewed with the final site plan application once the engineered site plans have been prepared, consistent with the standard process for SP zoned developments. Without the fully engineered civil site plan, the ability to make all necessary emergency vehicle turning movements on the site cannot be reviewed for compliance with Metro standards. The Metro Fire Marshal's Office has confirmed that Coley Davis Road would be the primary route utilized for emergency access and that the gated emergency access on Morton Mill Road would only be utilized in the event of Coley Davis Road being inaccessible.

4. Provide a written statement from CSX that verifies their current position on the proposed greenway crossing options.

CSX Transportation has reviewed the SP development proposal of application 2021SP-061-001 and has concerns with and is not supportive of the proposed tunnel crossing in regard to CSXT's use and access to this rail corridor. This is contrary to the information that Planning staff received from CSXT prior to the March 9, 2023, meeting where it was indicated that both options were potentially viable. As an alternative, CSXT is willing to review a proposal that includes construction of the greenway trail under the railroad bridge. This proposal would be reviewed for the following conditions:

- CSXT will at all times preserve its paramount right to continue to occupy, possess and use its property for any and all railroad purposes
- The Project shall be initiated, designed, reviewed and (if approved) constructed in accordance with the CSXT's current policies, standards and guidelines as provided in the CSXT Public Project Information Manual and the execution of any associated agreements that may be required
- The associated real estate documents shall be executed for the proper conveyance of any real estate rights that may be required to support the Project prior to construction

Staff recommends leaving both options in the SP plan as Metro Parks supports both options and the interest and policies of CSXT could change in the future. The final option shall be coordinated with CSXT.

5. A condition related to the proposed bridge from Coley Davis and who is responsible for the associated maintenance of the bridge.

NDOT has revised their conditions of approval on this application to specify that NDOT is in general support of the proposed public bridge from Coley Davis Road to this bend in the Harpeth River and that additional information will need to be provided with the final site plan application before NDOT can make a final determination on acceptance of

the maintenance of the bridge. It's possible that NDOT does not accept maintenance of the bridge and the maintenance would then fall on the developer.

6. More specific comments from NDOT concerning their review of the proposed bridge and improvements to Coley Davis Road.

NDOT has revised their conditions of approval to specify the desired conditions for Coley Davis Road. NDOT is conditioning that the final cross-section for Coley Davis Road to consist of a 10' two-way multi-use path along the South side of the road, with a 2' vertical protection buffer between the travel lanes and the multi-use path. The boundaries of the multi-use path are to be determined at Final SP and shall make meaningful connections to existing pedestrian infrastructure on Coley Davis Rd while creating a functional network. At a minimum the applicant shall extend the multi-use path to the West and connect to the existing sidewalk on along the frontage of the Harpeth Springs Village.

While the TIS determined the west bound left turn lane on Coley Davis Road was not technically warranted, NDOT is willing to consider providing the left turn lane if the engineered plans provided with the final site plan application demonstrate that the cross-section can accommodate this turn-lane. If there are dimensional constraints with the final site plan application, providing a turn lane in this location shall be reevaluated.

7. A response to the question of "what will happen downstream of the Harpeth River considering the proposed project includes a new bridge and floodplain modifications".

The applicant has provided a draft Hydraulic Analysis for the proposed development to review the potential impacts to the effective flood mapping of the Harpeth River. This Hydraulic Analysis would need to be reviewed and approved by FEMA and then provided to Metro Stormwater for review and approval with the final site plan application and this is just a draft document at this point. The draft analysis finds that there will be no downstream or upstream impact to the regulatory 100-year floodplain associated with the construction of this development, including the construction of the bridge from Coley Davis Road, construction of the improvements to Coley Davis Road, and the construction of the extension to the Harpeth River Greenway. Additionally, the analysis modeled the impacts to the 500-year floodplain and upstream of the proposed bridge from Coley Davis Road, the analysis found a potential difference in a 500-year storm event of 0.23 - 0.25 feet and this impact reduces to zero feet upstream of the CSX railroad bridge across the Harpeth River.

8. A response to the title question surrounding the greenway easement and the access easement in the Harpeth Crest subdivision open space areas.

Metro Legal has assessed that the Court's would likely find that the existing greenway easement as platted on parcel 141120E04500CO permits the proposed greenway connection from the existing terminus in the Harpeth Crest Subdivision. Additionally, Metro Legal has assessed that the Court's would likely find that the applicant has the right to reasonable use of the existing access easement that is platted on parcel 141120E04600CO for construction and emergency access purposes.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

PARKS RECOMMENDATION

Approve with conditions

- Clearly delineate on the plan the boundaries of the 20+ acre proposed land dedication to Metro parks. Metro Park Board and Metro Council must approve the final land dedication. Coordinate with Metro Parks Greenways staff for Park Board and Metro Council approval process for the land dedication. Land dedication must be complete prior to Final Site Plan Approval.
- Coordinate with Metro Parks staff on the final alignment and design of the entire greenway and trailhead. Design and construct the greenway and trailhead to Metro standards.
- The plans currently show a greenway trail connection from the Metro Park parcel #14100001600, terminating at a proposed greenway easement within the proposed land dedication, somewhat paralleling the CSX railroad. Continue the construction of this greenway trail through the proposed easement, connecting to the proposed greenway trail along the Harpeth River and to the trail paralleling Morton Mill Road, creating a trail without interruption. Coordinate with TVA to meet requirements of trail construction within their easement.
- Coordinate with Metro Parks on the location and design of the proposed vehicular and greenway access to the adjacent Metro Parks Property parcel # 14100001600.
- Dedicate a Conservation Greenway Easement over all portions of the greenway to be built on applicant's property. Enter into a Conservation Easement Agreement with Metro (Parks) to include boundary survey and legal description of the easement, along with a Participation Agreement to include approved design construction documents. Coordinate with Metro Parks Greenways staff for Park Board and Metro Council approval process for these Agreements. Approved Agreements to be recorded with Registrar of Deeds prior to Final Site Plan Approval.

- Construction of greenway must be approved by Metro Parks and Metro ADA prior to issuance of first Use and Occupancy permit.

STORMWATER RECOMMENDATION

Approve with conditions

- Must comply with all Stormwater regulations set at the time of final submittal.

METRO WATER SERVICES RECOMMENDATION

Not applicable

- Harpeth Valley Water and Sewer Utility District.

HARPETH VALLEY WATER AND SEWER UTILITY DISTRICT

Approve with conditions

- See letter dated August 16, 2022.

METRO HISTORIC RECOMMENDATION

Approve with conditions

- High potential for historic and prehistoric resources here. With the final site plan submittal, a Phase I archaeological survey of the property shall be provided to determine what resources may be present below the surface. If an archaeological site is found as a result of a Phase I investigation, the developer shall consult with the MHC and conduct a Phase II survey to determine the extent of the site and the level of its significance. Applicants should consult with Metro Archaeologist, Dr. Adam Fracchia, for more information.

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. Any round-a-bouts proposed in public ROW shall meet FHWA guidelines. 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. Provide a loading/unloading plan for each aspect of the total development. Provide any truck turning movements relevant to loading/unloading activities on site. Note: A private hauler will be required for waste/recycle disposal. Comply w/ NDOT traffic comments.
- NDOT is in general support of having the proposed public bridge as a connection between Coley Davis Rd and the planned Metro Park, but prior to the final determination, the following information is required to establish the anticipated annual maintenance cost of the bridge. [1.A] Bridge Type (concrete girder, steel girder, etc.), [1.B] Bridge Length, [1.C] Bridge Width, [1.D] Number of spans, [1.E] Number of expansion joints, [1.F] Type of expansion joints (if known), [1.G] Abutment type (MSE walls, concrete, etc.), [1.H] Approaches (at grade, built up, combination, etc.). Therefore, following prelim approval, the applicant shall continue to coordinate w/ NDOT leadership on annual long-term maintenance cost estimate expectations.
- Coley Davis road cross section; see NDOT Traffic conditions. The design of raising of Coley Davis road(embankments, berms, retaining infrastructure, spillway infrastructure, soil road bed material usage, etc.) above the flood way shall be designed and stamped by licensed professional engineer(s)-Hydraulic, geotechnical and/or structural. NDOT's bridge & wall engineers will need to evaluate the proposed infrastructure improvements. If grading for Coley Davis road improvements encroach into a TVA buffer, coordination w/ utility company on relocation of tower/line will be required.
- A letter of approval for CSX ROW encroachments; at-grade emergency crossing and greenway access under RR trestle bridge, will be required, prior to final. Comply w/ NDOT traffic comments.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- NDOT is in general support of having the proposed public bridge as a connection between Coley Davis Rd and the planned Metro Park, but prior to the final determination, the following information is required to establish the anticipated annual maintenance cost of the bridge. [1.A] Bridge Type (concrete girder, steel girder, etc.), [1.B] Bridge Length, [1.C] Bridge Width, [1.D] Number of spans, [1.E] Number of expansion joints, [1.F] Type of expansion joints (if known), [1.G] Abutment type (MSE walls, concrete, etc.), [1.H] Approaches (at grade, built up, combination, etc.). Therefore, following prelim approval, the applicant shall continue to coordinate w/ NDOT leadership on annual long-term maintenance cost estimate expectations.
- The final design of the proposed Coley Davis Road improvements/modifications to raise the roadway out of the floodway are still being discussed with NDOT. The cross-section East of the proposed bridge access shall include a 10' two-way multi-use path along the South side of the road, a 2' buffer with vertical delineators along the travel lane side of the road and contain adequate travel lanes. Due to the constraints of the Harpeth River and the I-40 TDOT Access Control Fence, a modified cross-section may be required West of the proposed bridge access. This modified cross-section shall contain a multi-use path & buffer, along with adequate travel lanes. The final dimensions of the

modified cross-section are to be determined at Final SP. The boundaries of the multi-use path are to be determined at Final SP and shall make meaningful connections to existing pedestrian infrastructure on Coley Davis Rd while creating a functional network. At a minimum the applicant shall extend the multi-use path to the West and connect to the existing sidewalk on along the frontage of the Harpeth Springs Village, which may require additional sidewalk to provide an adequate transition. All guardrail and/or handrail installation along Coley Davis Rd shall follow all TDOT standards. See Roads conditions for additional details on the raising of Coley Davis Rd.

- NDOT is in general agreement with the submitted traffic control plan for the raising of Coley Davis Rd. however modifications maybe required due to field conditions.
- In accordance with the submitted TIS, the proposed Westbound left turn lane on Coley Davis Road at the proposed bridge access was not warranted, and if it is determined that the final cross-section cannot accommodate all the necessary components, then the installation of the turn lane shall be reevaluated.
- At Final SP the parking count for this development shall be shown per metro code.
- Harpeth River green-way underpass will require a letter of approval from CSX prior to Final SP approval. The applicant shall continue to coordinate with Parks on the proposed greenway improvements/connections. Any gaps or deficiencies in the existing greenway that are created from the development of this property, such as bridge piers landing on the existing greenway, shall be replaced at the discretion of Parks.
- Modifications to the above conditions may be required as this development's phase(s) progress but further analysis will need to be conducted to justify said modifications.
- The developer's final construction drawings shall comply with the design regulations established by the Nashville Department of Transportation, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

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
Single-Family Residential* (210)	43.87	0.5 D	55 U	600	44	57

*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 (221)	43.87	-	417 U	2,271	139	174

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
-	-	-	+362 U	+1,671	+95	+117

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2a district: 1 Elementary 1 Middle 1 High
 Projected student generation proposed SP district: 20 Elementary 13 Middle 11 High

The proposed SP is expected to generate 41 additional students than what is typically generated under the existing AR2a zoning district. Students would attend Harpeth Valley Elementary School, Bellevue Middle School, and Hillwood High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

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

CONDITIONS

1. Permitted uses shall be limited to a maximum of 417 multi-family residential units. Short term rental property, owner occupied and short term rental property, not owner occupied shall be prohibited.
2. The construction of the bridge from Coley Davis Road to the subject site is a requirement of the first phase of development.
3. The Harpeth River Greenway extension across the railroad and along the Harpeth River is a required improvement for this project. The final design of the greenway extension shall be coordinated with Metro Parks, Planning and CSX.

4. Coley Davis Road shall be raised out of the 500-year floodplain and improved to the cross-section required by NDOT with the first phase of development.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. Parking shall meet the requirements of the Zoning Code. If a reduction is sought, a parking study must be prepared and approved by NDOT and Planning.
7. With the final site plan submittal, elevations consistent with those included in the final site plan shall be submitted for review and approval.
8. Add the following note to the corrected set: Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, and glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.
9. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
11. The final site plan shall 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
12. 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.
13. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
14. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
15. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Mr. Henley moved and Mr. Tibbs seconded the motion to defer to the June 8, 2023, Planning Commission meeting. (6-0)

Resolution No. RS2023-190

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-061-001 is deferred to the June 8, 2023, Planning Commission meeting. (6-0)

- 13a. 2023CP-000-003**
MAJOR AND COLLECTOR STREET PLAN AMENDMENT
CALDERWOOD EXTENSION REMOVAL
 Council District 31 (John Rutherford)
 Staff Reviewer: Joren Dunnavant

A request to amend the Major and Collector Street Plan to remove a future collector street on property located at 7088 Burkitt Road, approximately 540 feet east of Old Burkitt Road, zoned AR2A (11.4 acres), requested by CSDG, applicant; Blackburn Family Limited Partners II LP, owner. (See associated case 2022SP-021-001).
Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023CP-000-003 to the June 8, 2023, Planning Commission meeting. (6-0)

13b. 2022SP-021-001

BERKHAMSTEAD

Council District 31 (John Rutherford)

Staff Reviewer: Logan Elliott

A request to rezone from AR2a to SP zoning for property located at 7088 Burkitt Rd, approximately 550 feet east of Old Burkitt Rd, (11.4 acres), to permit up to 129 multi-family residential units, requested by CSDG, applicant; Blackburn Family Limited Partners II LP, owner. (See associated case 2023CP-000-003).

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2022SP-021-001 indefinitely. (6-0)

14. 2017SP-091-004

KENECT NASHVILLE (AMENDMENT)

Council District 19 (Freddie O'Connell)

Staff Reviewer: Eric Matravets

A request to amend a Specific Plan on properties located at 800, 808 and 812 19th Ave. S., at the southeast corner of 19th Ave. S. and Division Street, zoned SP (1.19 acres), to permit a maximum of 420 units comprised of multi-family residential units and hotel rooms, requested by Holland & Knight LLP, applicant; AP 1815 Division Nashville Property, LLC, owner.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

A request to amend a Specific Plan to permit hotel use, and to permit up to a maximum of 420 units, comprised of a mix of multi-family residential units and hotel rooms.

Preliminary SP

A request to amend a Specific Plan (SP) on properties located at 800, 808 and 812 19th Ave. S., at the southeast corner of 19th Ave. S. and Division Street, zoned SP (1.19 acres), to permit a maximum of 420 units comprised of multi-family residential units and hotel rooms.

Existing Zoning

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

Proposed Zoning

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

GREEN HILLS–MIDTOWN COMMUNITY PLAN

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

Supplemental Policy

The site is within a special policy area in the Midtown Study, 10-MT-T5-MU-02. The special policy for T5 Center Mixed Use Neighborhood Area 2 includes specific guidance on building form, vehicular and pedestrian connectivity, and intensity. This site is located in an area bounded by Alley #447, east of Division Street, Alley #444, east of 19th Avenue South, and Alley #448, which is north of Grand Avenue. The policy indicates that development in this area should have a lower building heights and masses than along the West End Avenue corridor because of structural constraints to development, with maximum building heights of 20 stories. The policy calls for improvements to vehicular, bicycle and pedestrian infrastructure above and beyond those called for in the Major and Collector Street Plan (MCSP) in order to support building heights exceeding eight stories, given the constrained existing infrastructure in this area. Additionally, the policy provides guidance regarding transitions between more intense development along West End Avenue and lower intensity and historic areas to the east such as Music Row.

EXISTING PLAN DETAILS

As approved, the SP currently permits a maximum of 420 multi-family residential units and a maximum of 24,000 square feet of nonresidential uses. The permitted non-residential uses include Restaurant, Full Service; Restaurant, Take-Out; General Office; and Leasing/Sales Office. The SP includes a Floor Area Ratio of 10.02 and a maximum height of 20 stories in 239 feet. The building has vehicular access taken from 19th Avenue South with the pedestrian entrance also located on 19th Avenue South. The building has been constructed consistent with the approved SP and is occupied.

PROPOSED PLAN

The proposed amendment would add hotel use to the Specific Plan and maintain the existing maximum number of total units to 420. A maximum of 420 of the 420 multi-family residential units could be converted into hotel uses. For example, the applicant may elect to convert 200 units into hotel occupancy, leaving 220 multi-family residential units. The SP amendment will maintain a maximum of 24,000 square feet of non-residential uses.

ANALYSIS

"Hotel" is defined in the zoning code as any commercial establishment, or any portion of such establishment, (A) whose principal use provides that such structure is occupied or intended or designed for occupancy by transients for lodging or sleeping purposes within the area of the jurisdiction of the metropolitan government, and includes any hotel, inn, tourist court, tourist camp, tourist cabin, motel or any place meeting this definition, and (B) accepts on-site reservations for accommodations.

The structure will be required to meet building codes for the hotel use. The base building construction would not change but improvements to the building's interior and systems would be necessary prior to any issuance of occupancy permits for hotel rooms. Hotel rooms will be available for reservation on-site and on-demand at a check-in counter in existing non-residential space, consistent with the second criteria. The applicant has not provided details on where or how hotel units will be sited in relation to multi-family units.

The T4 MU policy is intended to be among the most intense in the county outside of the downtown area, and to include both Nashville's major employers as well as residential, commercial, and service uses to create lively, mixed-use neighborhoods. This portion of Midtown is well served by transit along Broadway and West End. While hotel uses can be appropriate in this policy, T4 MU is intended to be primarily residential and the SP was approved to provide needed multi-family housing in an urban neighborhood. Converting this building to hotel use would negatively impact housing availability. Additionally, staff has concerns regarding the location of and compatibility of hotel uses with multi-family uses within the building. It could be possible for long term leaseholders to have hotel rooms surrounding them. For these reasons, staff recommends disapproval of the request.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Fire and Building Code: Use as 'hotel' would be considered as a change in occupancy classification from IBC R-2 to R-1. Compliance with all R-1 fire and building code related items.

WATER SERVICES RECOMMENDATION

Approve with conditions

- MWS has no objection to the latest amendment. Our previous conditions from 2017SP-091-001 still apply.

STORMWATER RECOMMENDATION

Approve

Nashville DOT RECOMMENDATION

Approve with conditions

- Previous approval conditions apply. See traffic comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Provide a traffic memo showing the change in uses and trip generation. Identify how loading/drop-off/pick-up will function for the new use. Additional off-site improvements may be needed to improve multimodal infrastructure.

STAFF RECOMMENDATION

Staff recommends disapproval.

Mr. Matravers presented the staff recommendation to disapprove.

Quan Poole, Holland & Knight, spoke in favor of the application.

Danielle Kaczynski, 1803 Broadway Street, spoke in opposition to the application.
Kevin Warner, no address given, spoke in opposition to the application.

Quan Poole spoke in rebuttal.

Vice Chair Farr closed the Public Hearing.

Mr. Tibbs asked for clarification regarding the number of units used for hotel.

Ms. Milligan answered that all of units under the request could be for hotel uses.

Mr. Tibbs said he would feel better if there was a number of units specified that could be turned into hotel use. He asked if it was out of policy to ask for a percentage of units that could be used for hotel.

Ms. Milligan answered it is in their purview to limit the number of units used for hotel.

Mr. Tibbs said he feels more compelled to agree with staff recommendation.

Ms. Johnson stated she does not see how they can retrofit to meet the fire code requirements.

Councilmember Withers asked how this SP differs from the prior existing base zoning.

Ms. Milligan explained this property, prior to being rezoned to SP in 2017, was zoned Core Frame CF and Office Residential Intensive Alternative ORI-A, which permits a variety of uses. CF permits residential with conditions through the adaptive residential standards of the zoning code. It came in as an SP which was very specific in that it allowed multi-family residential. At that time in 2017, they had a use category of Short Term Rental property, but not the category there is now, where there is owner/occupied and not owner/occupied. It was approved as so many multi-family units and a certain square footage of non-residential uses that were on the ground floor. The SP as passed did not permit Short Term Rentals even though it was a use specific in the code.

Councilmember Withers said he is intrigued with the discussion of whether or not a hotel use would have been a consideration, but it does not appear to be the case in the ordinance that was passed. He remembered hotel use was disapproved in the past and does not find that any of that has changed. Mr. Withers said he is inclined to support staff recommendation.

Mr. Clifton moved and Ms. Johnson seconded the motion to disapprove. (6-0)

Resolution No. RS2023-191

“BE IT RESOLVED by The Metropolitan Planning Commission that 2017SP-091-004 is disapproved. (6-0)

**15. 2021SP-075-001
VT CHARLOTTE PIKE DEVELOPMENT
Council District 22 (Gloria Hausser)
Staff Reviewer: Logan Elliott**

A request to rezone from R40 and R15 to SP zoning for properties located at 7456 and 7460 Charlotte Pike and 7481 Sawyer Brown Road, approximately 60 feet northeast of Wheatfield Way (11.99 acres), to permit 61 multi-family residential units, requested by Dale and Associates, applicant; Jui-Lien Chou Ho, owner.

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

APPLICANT REQUEST

Preliminary SP to permit a multi-family development.

Zone Change

A request to rezone from One and Two-Family Residential (R15 and R40) to Specific Plan (SP) zoning for properties located at 7456 and 7460 Charlotte Pike and 7481 Sawyer Brown Road, approximately 60 feet northeast of Wheatfield Way (11.99 acres), to permit 61 multi-family residential units.

Existing Zoning

One and Two-Family Residential (R40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25 percent duplex lots. *R40 would permit a maximum of 6 lots with 1 duplex lots for a total of 7 units.*

One and Two-Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots. *R15 would permit a maximum of 18 lots with 4 duplex lots for a total of 22 units.*

Proposed Zoning

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

BELLEVUE COMMUNITY PLAN

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

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

SITE

The subject site comprises three parcels and contains approximately 11.99 acres. The site is located on the north side of Charlotte Pike, located west of and adjacent to the Sawyer Brown Road intersection with Charlotte Pike. This portion of Charlotte Pike is classified as a Scenic Arterial in the Major and Collector Street Plan and this portion of Sawyer Brown Road is a local street. The site currently contains two single-family residential uses and a vacant parcel. The existing house located at 7460 Charlotte Pike is classified as Worthy of Conservation with the Metro Historical Commission. The site is surrounded by other single family, multi-family residential, institutional, and vacant land uses with non-residential uses located nearby at the intersection of Charlotte Pike and Old Hickory Boulevard. Overhead electric lines cross the site, about 250' interior to the site, and they run parallel to Charlotte Pike.

PLAN DETAILS

The application proposes 33 detached and 28 attached multi-family units for a total of 61 units. The application proposes to re-align Sawyer Brown Road so that it intersects Charlotte Pike at a right-angle. The site draws its access from the re-aligned Sawyer Brown Road and internal to the site are private drives. The project provides its required secondary emergency access through a gated private drive that also accesses Sawyer Brown Road. A landscape buffer is provided along Charlotte Pike in excess of the requirements of the Scenic Arterial roadway standards in the Zoning Code. The units include two car garages and additional surface parking dispersed throughout the site. The plans indicate areas where the existing vegetation will remain and these areas are generally areas with steep topography.

Update following April 27, 2023, Planning Commission meeting:

At the April 27, 2023, MPC meeting, the Commission deferred the application for staff to compile the following information:

- The anticipated construction phasing plan for the proposed improvements to Sawyer Brown Road.
- A presentation on the Charlotte Pike Corridor Study and the relevant findings to this portion of Charlotte Pike and Sawyer Brown Road.
- The history of the land use policy applied to this site.

The realignment of Sawyer Brown Road will require a traffic control plan to be prepared by the applicant and provided to NDOT for review and approval during the permitting phase of development. The road realignment construction process will likely require the closure of the Charlotte Pike intersection for a period of time while the safety of this intersection is improved. Sawyer Brown Road will maintain access to Old Charlotte Pike during this time. The timeline of this process could vary and NDOT's standard process aims to limit the time that roadways are closed associated with construction projects.

A representative of NDOT will provide a presentation on the Charlotte Pike Corridor Study and the anticipated construction phasing at the May 25, 2023, Planning Commission meeting.

Planning staff further researched the policy applied to this site and the policy in this area was applied with Bellevue Community Plan Update of 2011. The Bellevue Community Plan Update received a high level of community participation. This area was placed in T3 NE policy primarily because of the varying lot sizes and vacant land. The policy was carried forward in 2015 with the adoption of NashvilleNext.

ANALYSIS

The application proposes a form and intensity that is consistent with the T3 NE policy and is appropriate given the surrounding development pattern. The T3 NE policy describes that development should be suburban in its pattern, but at a higher density and with greater housing variety than classic suburban neighborhoods. The plan includes significant right-of-way improvements with the re-alignment of Sawyer Brown Road and with the widening of Charlotte Pike to provide a two-way left-turn lane. The plan also provides sidewalk improvements along the site's frontage of both Charlotte Pike and Sawyer Brown Road per Metro standards. The plan provides the required landscaping per the Scenic Arterial Boulevard requirements in the Zoning Code. The plans identify the areas of significant slope, as defined in the Zoning Code, and the plans demonstrate that the development appropriately avoids the steeply sloped areas.

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve with conditions

- Add Preliminary Note to plans:

Drawing is for illustration purposes to indicate the basic premise of the development, as it pertains to Stormwater approval / comments only. The final lot count and details of the plan shall be governed by the appropriate stormwater regulations at the time of final application.

WATER SERVICES RECOMMENDATION

Not Applicable Harpeth Valley Water and Sewer Utility District.

HARPETH VALLEY WATER AND SEWER UTILITY DISTRICT RECOMMENDATION

Approve with conditions

- See letter dated 8/27/21 from Jay Tant, Assistant General Manager, HVUD

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- With a 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. Provide a waste plan. Note: A private hauler will be required for waste/recycle disposal. Comply w/ NDOT traffic comments.

- Conditions of approval:

- Mandatory Referral for road abandonment required.
- MR must be approved, prior to final SP approval.
- At final, provide SSD exhibit(per ASSHTO) for access drive off new Sawyer Brown and ISD(triangles-left from stop) for new road alignment at intersection w/ Charlotte.
- Provide ADA compliant ramps at intersection corners w/ Charlotte and Wheatfield and at each corner of Sawyer Brown and Charlotte Pike.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Parking shall be provided per Code.
- Widen Charlotte Pike to include a two-way left-turn lane (TWLTL) from Wheatfield Way to approximately 400' east of Sawyer Brown Road (existing TWLTL).

Maximum Uses in Existing Zoning District: **R40**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	5.66	1.089 D	7 U	90	9	8

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	6.33	2.904 D	22 U	285	20	24

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)	11.99	-	61 U	331	21	28

Traffic changes between maximum: **R40, R15, and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+32 U	-44	-8	-4

METRO SCHOOL BOARD REPORT

Projected student generation existing R15 and R40 district: 2 Elementary 1 Middle 1 High
 Projected student generation proposed SP district: 2 Elementary 1 Middle 1 High

The proposed SP zoning is expected to generate no additional students than the existing R15 and R40 zoning. Students would attend Gower Elementary School, H.G. Hill Middle School, and Hillwood High School. H.G. Hill Middle School is identified as being overcapacity. Gower Elementary School and Hillwood 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 disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 61 multi-family residential units. Short term rental property, owner occupied and short term rental property, not-owner occupied shall be prohibited.
2. Any Mandatory Referrals that are necessary shall be completed prior to the approval of any final site plan applications.
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 RM6 zoning district as of the date of the applicable request or application.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved

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

Mr. Elliott stated there was a Public Hearing for this Item on April 27, 2023 and the Public Hearing is now closed.

Devin Doyle, NDOT, stated Councilmember Hausser requested NDOT to perform a Transportation Analysis and explained future improvements that came out of the study. He said NDOT is recommending approval.

Ms. Johnson asked NDOT about the widening of Charlotte Pike.

Devin Doyle stated Charlotte Pike will be widened so that a left turn lane will be provided onto Sawyer Brown Road from Charlotte Pike. He said this project will widen Charlotte Pike connecting the turn lanes to provide a continuous three lane cross section.

Ms. Johnson asked when they are widening and realigning Sawyer Brown Road, is there any way to open that for the local residents.

Devin Doyle advised NDOT will work with the contractor to minimize closures. The contractors will improve as much of the roadway construction outside of the existing right of way. He explained further, closures will happen for a short duration of time and only when they are making the change from the old road cross section to the new cross section.

Ms. Johnson moved and Mr. Henley seconded the motion to approve with conditions and disapprove without all conditions. (6-0)

Resolution No. RS2023-192

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019SP-014-003 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 61 multi-family residential units. Short term rental property, owner occupied and short term rental property, not-owner occupied shall be prohibited.
2. Any Mandatory Referrals that are necessary shall be completed prior to the approval of any final site plan applications.
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 RM6 zoning district as of the date of the applicable request or application.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved

Vice Chair Farr called for a ten minute break.

- 16. 2022SP-041-002**
8033 HIGHWAY 100 SP (AMENDMENT)
Council District 35 (Dave Rosenberg)
Staff Reviewer: Amelia Lewis

A request to amend a Specific Plan for property located at 8033 Highway 100, approximately 95 feet west of Temple Road, and within the Highway 100 Urban Design Overlay, zoned SP (9.07 acres), to permit certain uses in MUL-A zoning, add automobile convenience uses, and amend development standards, requested by Fulmer Lucas Engineering, applicant; HWY 100 Investment Partners, owner.

Staff Recommendation: Approve with conditions and disapprove without all conditions including a modification to the River Trace UDO related to the location of the gas canopy.

APPLICANT REQUEST

SP amendment to expand permitted uses and amend development standards.

SP Amendment

A request to amend a Specific Plan for property located at 8033 Highway 100, approximately 95 feet west of Temple Road, and within the Highway 100 Urban Design Overlay, zoned Specific Plan (SP) (9.07 acres), to permit certain uses in Mixed-Use Limited Alternative (MUL-A) zoning, add automobile convenience uses, and amend development standards.

Existing Zoning

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

Proposed Zoning

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

BELLEVUE COMMUNITY PLAN

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

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

SITE CONTEXT AND PLAN DETAILS

The subject property is one parcel, approximately 9.07 acres, located at the southwest corner of Highway 100 and Temple Road. The surrounding parcels consist of Commercial Limited (CL), Single-Family Residential (RS30 and RS40) and Specific Plan (SP). The property to the west was zoned SP in 2020, to permit a 6,400 square foot restaurant. The area generally consists of commercial and single-family land uses.

The preliminary SP was approved in 2022 to permit limited uses in MUL-A including, but not limited to: financial institution, general office, restaurant, and retail. Bulk standards in the SP include a maximum building footprint of 15,000 square feet, no disturbance of the 100 year floodplain with the exception of a vehicular drive, and compliance with the River Trace/Highway 100 Urban Design Overlay (UDO).

The proposed SP amendment proposes to add automobile convenience as a permitted use and to permit disturbance of the 100 year floodplain as shown on the site plan.

The proposed site plan is intended to develop with an automobile convenience use. Eight gas pumps are located along Highway 100, with a proposed 5,915 square foot building set back on the site. Approximately 1.78 acres of the 9.07 acre site is within the 100 year floodplain. The floodplain area is located on the eastern and southern portions of the site. Staff's primary focus with the proposed development is limiting the disturbance of the floodplain area. As proposed, the only portions of the development within the floodplain include the vehicular entrance from Highway 100 and a portion of the gas pumps. A total of 30 parking spaces are required by code, and 58 parking spaces are proposed on the site plan.

Highway 100 is classified in the Major and Collector Street Plan (MCSP) as a Scenic Arterial Boulevard which requires the area 10 feet from the right-of-way to be designated as a scenic landscape easement and to be planted with a Standard A landscape buffer yard. Existing vegetation may be used in part or in whole to meet this requirement. The 10 foot scenic landscape easement is shown on the eastern property frontage. A condition has been included that the easement shall extend across the entirety of the frontage. A landscape plan will be required with the final site plan submittal.

The MCSP calls for an eight foot wide planting strip and 12 foot wide bikeway along the property frontage of Highway 100. Temple Road requires a six foot wide bike lane, six foot wide sidewalk, and six foot wide planting strip. There is also a priority greenway trail located along both property frontages. At the time of final site plan, the applicant shall work with Planning, NDOT, and Parks to determine the most appropriate pedestrian and bike infrastructure for both

street frontages given the shared goals of a bike lane and sidewalk, and also the site constraints with floodplain and topography.

The site is located within the River Trace/Highway 100 UDO. The standards of this Urban Design Overlay preserve and enhance the general development pattern by providing for uniform standards such as maximum height that matches the surrounding context, signage standards that are pedestrian in scale, fence standards that do not overwhelm and material standards that enhance and match the existing construction pattern along this portion of Highway 100. The UDO requires that for any major modification, approval from the Planning Commission is required. The applicant is requesting two modifications from the UDO:

1. The UDO states that auto-oriented canopies for uses such as gas station pumps, should not be considered the main building on the principal frontage but may be attached to the main building at the side or rear of the structure, setback from the front building façade by a minimum of 10 feet.
2. The maximum sign area for a single-tenant monument sign is 28 square feet. The proposed sign is approximately 31 square feet. The maximum height for a single tenant monument sign is a maximum of 5 feet. As proposed, the sign from ground to highest point is proposed as 8.5 feet.

Staff will analyze both requests below.

ANALYSIS

T3-CC policy is applicable to areas where there is a concentration of land that is zoned, used, or intended to be used as commercial and mixed use, that is situated to serve a suburban community and where the center's intensification is supported by surrounding existing or planned residential development, adequate infrastructure and adequate access, such as arterial-boulevards and collector-avenues. A key goal of the Suburban Community Center (T3 CC) Policy is to create and enhance suburban centers that provide services meeting the daily needs of residents within a 10 to 20 minute drive, especially those sites located at prominent intersections. The site is located at the intersection of Highway 100 and Temple Road. Highway 100 is classified as a scenic arterial boulevard in the Major and Collector Street Plan (MCSP), and Temple Road is classified as an arterial boulevard. Given the location of the site, the proposed use is meeting the intent of the T3 CC policy.

The intent of the Conservation (CO) policy is to keep undisturbed environmentally sensitive land features in a natural state and remediate environmentally sensitive features that have been disturbed when new development or redevelopment takes place. The CO Policy on this property is in place due to the amount of the 100 year floodplain. The policy guidance states that while NashvilleNext General Plan calls for preservation of environmental features, and the community often values preservation of environmental features, preservation is not always possible if property owners cannot achieve some economic value from their properties. The existing SP prohibited development within the floodplain, with the exception of the vehicular drive. However, given the extensive amount of floodplain on the site, and the ability of the site to be developed without interfering into the floodplain area, staff is supportive of the minimal encroachment into the floodplain by the proposed development.

The proposal requests 2 modifications to the UDO, one related to the gas pump locations and one related to signage. In regards to the 1st request, the UDO requires that gas canopies be located behind or beside the principle building. The applicant is requesting that the canopy be allowed to be located in front of the building. There are similar situations nearby with a Kroger gas canopy and a canopy related to Sonic. In both cases, the canopies are in front of the principle building. While these were built prior to the UDO, the allowance for a canopy is not inconsistent with the existing context. Additionally, moving the canopy behind the building would likely result in the building being pulled significantly closer to the street, which would be inconsistent with the development pattern. Given these reasons, staff recommends approval of the canopy location. The 2nd request is related to signage. The applicant is requesting a sign that is larger and taller than permitted. Staff recommends disapproval of this modification and recommends the signage comply with the UDO.

FIRE MARSHAL RECOMMENDATION

Approve

PARKS RECOMMENDATION

Approve with conditions

- Replace note 3 on the site plan under development standards with the following, "A Conservation Greenway Easement that covers a minimum of the floodway plus 75' and additional minimum 25' width that may be needed for additional connectivity within the site in order to facility off site connectivity, is required. The location of any needed additional 25' wide easement to be coordinated with Metro Planning and Metro Parks staff, prior to Final SP Site Plan approval. Conservation Greenway Easement Agreement with legal description and boundary survey must be approved by Metro Park Board and Metro Council, and subsequently recorded with the property deed prior to issuance of use and occupancy letter. Coordinate with Metro Parks staff on approval process."

STORMWATER RECOMMENDATION

Approve with conditions

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

METRO WATER SERVICES RECOMMENDATION

Not applicable – Harpeth Valley Utility District

- Availability letter provided

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).
- 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 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.
- Provide record of cross access agreement with parcel to the West at 8045 Highway 100.
- Max width for commercial ramps is 35 ft., therefore, provide justification for drive width proposed 36 ft.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Due to the requested land use change to permit automobile convenience use, a traffic study may be required. Prior to Final SP submittal coordinate with NDOT on scoping a TIS.
- See Roads comments for MCSP requirements.
- See Roads conditions for shared access easement with neighboring parcel.

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)	-	-	15,000 SF	566	14	57

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
Gas Station with Convenience Market (820)	-	-	8 fuel pumps	987	55	112

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
-	-	-	-	+421	+41	+55

METRO SCHOOL BOARD REPORT

The proposed development is not expected to generate any students.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions including approval of a modification to the UDO related to location of the gas canopy.

CONDITIONS

1. Permitted uses shall be limited to the uses as outlined in the amended preliminary SP document.
2. All conditions of BL2022-1400 shall apply, unless modified by this amendment.
3. The SP shall meet all standards of the UDO, except for the modifications permitted by the Planning Commission.

4. Site shall be limited to one vehicular access point along Highway 100. No vehicular access is permitted to Temple Road. Alignment of the vehicular access shall be coordinated with NDOT.
5. On the corrected copy, the scenic landscape easement shall extend across the entirety of the frontage.
6. On the corrected copy, the amendment page shall be updated to say "Amendment 1" not "Amendment 3."
7. At the time of final site plan, pedestrian and bike infrastructure meeting the intent of the MCSP and goals of Greenways, along Highway 100 and Temple Road shall be determined by Planning, NDOT, and Parks.
8. One final site plan shall be reviewed jointly for the SP and UDO.
9. If a permitted use is indicated as Permitted with Conditions, the final site plan shall indicate compliance with any conditions as outlined in the Zoning Code. If there are conditions in conflict with the UDO, the requirements of the UDO shall govern.
10. Disturbance of the site shall be limited to the extent possible, and a tree preservation plan shall be provided with the final site plan. No clearing of the site shall take place in advance of approval of the final site plan. Applicant shall work to retain as much existing vegetation along Highway 100 as practicable.
11. The shared access easement shall be recorded prior to the issuance of building permits.
12. Comply with all conditions and requirements of Metro reviewing agencies.
13. 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.
14. 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.
15. 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.
16. 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.
17. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
18. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approve with conditions and disapprove without all conditions including a modification to the River Trace UDO related to the location of the gas canopy. (6-0)

Resolution No. RS2023-193

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-041-002 is **approved with conditions and disapproved without all conditions including a modification to the River Trace UDO related to the location of the gas canopy. (6-0)**

CONDITIONS

1. Permitted uses shall be limited to the uses as outlined in the amended preliminary SP document.
2. All conditions of BL2022-1400 shall apply, unless modified by this amendment.
3. The SP shall meet all standards of the UDO, except for the modifications permitted by the Planning Commission.
4. Site shall be limited to one vehicular access point along Highway 100. No vehicular access is permitted to Temple Road. Alignment of the vehicular access shall be coordinated with NDOT.
5. On the corrected copy, the scenic landscape easement shall extend across the entirety of the frontage.
6. On the corrected copy, the amendment page shall be updated to say "Amendment 1" not "Amendment 3."
7. At the time of final site plan, pedestrian and bike infrastructure meeting the intent of the MCSP and goals of Greenways, along Highway 100 and Temple Road shall be determined by Planning, NDOT, and Parks.
8. One final site plan shall be reviewed jointly for the SP and UDO.
9. If a permitted use is indicated as Permitted with Conditions, the final site plan shall indicate compliance with any conditions as outlined in the Zoning Code. If there are conditions in conflict with the UDO, the requirements of the UDO shall govern.
10. Disturbance of the site shall be limited to the extent possible, and a tree preservation plan shall be provided with the final site plan. No clearing of the site shall take place in advance of approval of the final site plan. Applicant shall work to retain as much existing vegetation along Highway 100 as practicable.
11. The shared access easement shall be recorded prior to the issuance of building permits.
12. Comply with all conditions and requirements of Metro reviewing agencies.
13. 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.

14. 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.

15. 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.

16. 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.

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

18. 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. 2022SP-066-001

114-118 JC NAPIER

Council District 19 (Freddie O'Connell)
Staff Reviewer: Dustin Shane

A request to rezone from R6-A to SP zoning on properties located at 112, 114, 116, and 118 J.C. Napier Street and J.C. Napier Street (unnumbered), approximately 230 feet east of Fairfield Avenue (0.15 acres), to permit 5 multi-family units, requested by SWS Engineering, INC., applicant; MH Development, LLC, Yellow Ball Development, GP, owners.

Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-066-001 to the June 8, 2023, Planning Commission meeting. (6-0)

18. 2023SP-030-001

1806 AND 1808 DIVISION STREET

Council District 19 (Freddie O'Connell)
Staff Reviewer: Jason Swaggart

A request to rezone from MUI-A to SP zoning for properties located at 1806 and 1808 Division Street, approximately 170 feet east of 19th Ave. S. (0.34 acres) to permit a mixed-use development with multi-family residential uses, requested by Buchalter, applicant; Sounds Perfect, LLC, owner.

Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023SP-030-001 to the June 8, 2023, Planning Commission meeting. (6-0)

19. 2023SP-032-001

316 HOMESTEAD PRELIMINARY SP

Council District 02 (Kyonzté Toombs)
Staff Reviewer: Logan Elliott

A request to rezone from CS to SP zoning for property located at 316 Homestead Road, approximately 240 feet north of Southridge Drive (1.56 acres), to permit 23 multi-family residential units, requested by Catalyst Design Group, applicant; Bella Cyrus Development, LLC, owner.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Preliminary SP to permit a multi-family development.

Preliminary SP

A request to rezone from Commercial Service (CS) to Specific Plan (SP) zoning for property located at 316 Homestead Road, approximately 240 feet north of Southridge Drive (1.56 acres), to permit 23 multi-family residential units.

Existing Zoning

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

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.

EAST NASHVILLE COMMUNITY PLAN

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

DICKERSON NORTH CORRIDOR STUDY

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

SITE

The approximately 1.56-acre site is located on the south side of Homestead Road, a local street, and about a quarter mile to the east of Dickerson Pike, an Arterial Boulevard. The site is relatively flat with no environmental features mapped on the property. The site currently contains a single-family land use and is surrounded by other single-family land uses on Homestead Road and to the rear of the site with some commercial and office land uses also being located on Homestead Road. Homestead Road is a substandard roadway with no curb, gutter, or sidewalks existing.

PLAN DETAILS

The application proposes a Specific Plan zoning district that permits a maximum of 23 multi-family resident units accessed via private drives. The units are attached into rows of units that front Homestead Road and internal open spaces. The units include garage parking with some surface parking available. The plan includes the improvement of Homestead Road to standard local street conditions along the site's frontage.

ANALYSIS

Staff finds the proposed SP zoning district to be inconsistent with the guidance provided in the Dickerson North Corridor Study supplemental policy. This supplemental policy includes a conceptual street network map that shows a local street connection from the existing terminus of Larkspur Drive to extend to Homestead Road. This street connection would impact the subject site either with the actual roadway construction or in the way that the proposed site should interact with this new roadway. Additionally, the density and land uses identified as appropriate for Homestead Road are dependent on the infrastructure identified in the supplemental policy being provided. Additionally, Homestead Road is substandard and should be improved to Dickerson Pike before additional entitlements are permitted away from the corridor. Staff recommends disapproval of the subject rezoning as it does not provide the infrastructure identified in the supplemental policy.

FIRE MARSHAL RECOMMENDATION

Approve

TREE PRESERVATION/LANDSCAPING RECOMMENDATION

Approve with conditions

- Utilize existing trees to meet TDU as much as possible with final. TDU on site shall meet MUL-A 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 Preliminary SP only. Public and/or private Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. Submittal of an availability study is required before the Final SP can be reviewed. Once this study

has been submitted, the applicant will need to address any outstanding issues brought forth by the results of this study. A minimum of 30% W&S Capacity must be paid before issuance of building permits.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, with a final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Dimension ROW pavement widths for clarity. Note: A private hauler will be required for waste/recycle disposal. Approval conditions: 1. Provide ST-252 half road section along frontage. 2. Repave turn-a-round at the terminus of Homestead, per -252 schedule. (cont.) If possible w/ existing ROW, Expand pavement terminus for better turn-a-round capabilities, remove island and re-establish street lighting at terminus.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Reference the code 17.20.140 for the traffic study thresholds. If the land uses and densities meet the threshold, coordinate with NDOT on scoping a traffic study. The scoping, traffic study submittal, and finalization of the study with NDOT shall all be completed prior to Final SP submittal.
- MCSP requirements shall all be met.
- Site access point(s) and loading (if applicable) shall be finalized with NDOT prior to final SP submittal.
- Off-site improvements are anticipated and shall be determined with the traffic study.
- Parking shall be per code.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.56	0.6 F	40,722 SF	1,537	39	155

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (221)	.78	-	34 U	124	8	12

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-1,413	-31	-43

METRO SCHOOL BOARD REPORT

Projected student generation existing CS district: 0 Elementary 0 Middle 0 High
 Projected student generation proposed SP-R district: 4 Elementary 2 Middle 2 High

The proposed SP-R zoning is expected to generate 8 fewer students than the existing CS zoning district. Students would attend Chadwell 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 disapproval.

Mr. Elliott presented the staff recommendation to disapprove.

Jon Michael, Thompson Burton Law Firm, spoke in favor of the application.

Joan West stated she lives on Homestead Road. She said she is for the development but not the connecting street.

Maya Bali, 107 Foxwood Lane, Franklin, spoke in favor of the application.

Quan Poole, 511 Union Street, spoke in favor of the application; however, expressed concern whether the infrastructure is adequate.

Clark Crawford stated he owns the commercial building at 319 Homestead Road. He spoke in opposition to the application.

Steve Kirby stated he owns four lots on Homestead Road. He spoke in opposition to the application.

Gerald Norton stated he lives in Oak Park which is adjacent to Homestead Road. He stated he is not in opposition to the developers and what they plan to do. He expressed concerns regarding traffic and safety issues. He said he is in favor of the development but not the traffic.

Lawrence Tyner, 141 Oak Park Drive, spoke in opposition to the application.

Jon Michael spoke in rebuttal.

Councilmember Toombs stated most of the constituents were in support of the project but not for the connection to Larkspur Road.

Vice Chair Farr closed the Public Hearing.

Councilmember Withers expressed concerns for the road condition on Homestead Road and said he would like to hear more from NDOT on their recommendations for that street.

Ms. Kempf stated this is one reason why, with the East Bank plan, they tied the right of way acquisition up front with the policy. She said it is hard work but it is critical. Ms. Kempf explained sometimes they see sites like this and say a development is premature and put pressure on a developer to say wait until you are able to acquire more property so they can come up with a more wholistic solution.

Mr. Tibbs said something has to be done on Homestead Road. He felt it should be improved before, as they cannot have the density with the way it is set up now.

Mr. Henley thought the connection is not appropriate. He said the road is not up to standards and there needs to be a collaboration between the Planning Department and NDOT to look at it.

Vice Chair Farr said it is worth a discussion to look at all of Homestead Road for a change in use.

Ms. Kempf stated NDOT can look at the site and give recommendations assuming no connection and with connection.

Ms. Johnson moved and Mr. Tibbs seconded the motion to defer to the June 22, 2023, Planning Commission meeting. (6-0)

Resolution No. RS2023-194

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-032-001 is deferred to the June 22, 2023, Planning Commission meeting. (6-0)

20. 2023SP-033-001

1003 DOUGLAS AVE. MULTIFAMILY

Council District 05 (Sean Parker)

Staff Reviewer: Logan Elliott

A request to rezone from RS5 to SP zoning for property located at 1003 Douglas Avenue, at the northwestern corner of Douglas Avenue and Trevecca Avenue, located within the Nashville Auto Diesel College Institutional Overlay (3.18 acres), to permit a maximum of 300 multi-family residential units, requested by Catalyst Design Group, applicant; East Nashville, LLC, owner.

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 Single-Family Residential (RS5) to Specific Plan (SP) zoning for property located at 1003

Douglas Avenue, at the northwestern corner of Douglas Avenue and Trevecca Avenue, located within the Nashville Auto Diesel College Institutional Overlay (3.18 acres), to permit a maximum of 300 multi-family residential units.

Existing Zoning

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 27 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.

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.

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

SITE

The approximately 3.18-acre site is located at the north-west corner of Douglas Avenue, a Collector Avenue, and Trevecca Avenue. The site slopes downwards to the rear where a potential water feature exist. The applicant has provided a Hydrologic Determination that has been accepted by the Tennessee Department of Environment and Conservation determining this is a non-jurisdictional feature and can be altered. The site is adjacent to a portion of the recently approved Lincoln Tech mixed use Specific Plan zoning.

PLAN DETAILS

The application proposes a Specific Plan zoning district that permits an urban multi-family development. The plan includes a single building that rises a maximum of 5 stories as measured from Douglas Avenue and basement levels are included towards the rear of the site as the grade falls away from the street. Access to the building is limited to the proposed public alley from Trevecca Avenue. Above ground parking is provided and lined with residential units except on the rear façade to the north. The plan also steps down the height on the western side of the site and a courtyard feature is also provided to buffer the project from the adjacent residential lots. The plans include conceptual massing and architectural drawings demonstrating the approximate design of the development.

ANALYSIS

Staff finds the proposed SP zoning district to be consistent with the guidance provided in the Community Character Manual (CCM) for the T4 NE and CO policy. The proposed land use, building form and massing, streetscape and right-of-way improvements, and access conditions are all appropriate for this policy context. The applicant has also provided adequate evidence that the potential environmental feature at the very rear of the site is appropriate to alter for the construction of the public alley.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

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

TREE PRESERVATION/LANDSCAPING RECOMMENDATION

Approve with conditions

- Ensure on the final site plan the trees on Trevecca just north of Douglas are preserved.

WATER SERVICES RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

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

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- The applicant shall install an Eastbound left-turn-lane on Douglas Ave at the intersection of Trevecca Ave. Adjustments to the striping plan on Douglas may be required at Final SP.
- The applicant shall provide reduced curb radii on both corners of the intersection of Trevecca Ave and Douglas Ave. Due to the grade on Trevecca the amount of reduction for the curb radii will be determined at Final SP.
- An additional turn lane for the Southbound approach on Trevecca Ave at the intersection of Douglas Ave shall be installed.
- At the intersection of Gallatin Pike and Douglas Ave; convert the shared/left/through/right lane to a shared through/right lane, remove the split phasing and provide protected permissive phasing for the Eastbound & Westbound approaches, leading pedestrian intervals shall also be incorporated into the signal timing.
- Prior to Final SP approval the applicant shall coordinate with NDOT and WeGo on contributions to the transit needs along the Gallatin Pike corridor.
- Comply with NDOT Roads conditions.

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)	3.18	7.41 D	27 U	312	24	29

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	-	-	284 U	1545	94	121

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
-	-	-	+257	+1,233	+70	+92

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 district: 2 Elementary 1 Middle 1 High
 Projected student generation proposed SP-R district: 15 Elementary 11 Middle 12 High

The proposed SP-R zoning is expected to generate 34 fewer 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 with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 284 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not owner occupied, shall be prohibited.
2. The alley facing façade of the parking structure shall be screened with architectural screening. Final elevations shall be reviewed with submission of the final site 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 RM80-A, as of the date of the applicable request or application.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Approved with conditions and disapproved without all conditions. (6-0)

Resolution No. RS2023-195

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-033-001 is approved with conditions and disapproved without all conditions. (6-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 284 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not owner occupied, shall be prohibited.
2. The alley facing façade of the parking structure shall be screened with architectural screening. Final elevations shall be reviewed with submission of the final site 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 RM80-A, as of the date of the applicable request or application.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

21. 2023SP-041-001
330 & 332 HOMESTEAD PRELIMINARY SP
Council District 02 (Kyonzté Toombs)
Staff Reviewer: Dustin Shane

A request to rezone from CS to SP zoning for properties located at 330 and 332 Homestead Road, approximately 745 feet west of Dickerson Pike (2.24 acres), to permit all uses of the MUL-A zoning district, except for those uses specifically excluded on the plan, requested by Catalyst Design Group, applicant; Roger & Joan West, and Roger West, Et Ux, owners.

Staff Recommendation: Disapprove.

APPLICANT REQUEST
Zone change from CS to SP.

Zone Change

A request to rezone from Commercial Services (CS) to Specific Plan (SP) zoning for properties located at 330 and 332 Homestead Road, approximately 745 feet west of Dickerson Pike (2.24 acres), to permit all uses of the MUL-A zoning district except for those uses specifically excluded on the plan.

Existing Zoning

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

Proposed Zoning

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

EAST NASHVILLE COMMUNITY PLAN

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

Supplemental Policy

The site is within the Dickerson North Small Area Plan and specifically within the Ewing/Broadmoor character area. Supplementary policy areas are intended to provide additional guidance beyond the CCM policies, often identifying a smaller area and providing guidance based on context and specific goals for this area. Additional information on the supplemental policy is included in the analysis below.

SITE CONTEXT

The application consists of three parcels (Map 060-04: Parcels 013, 014, and 106) totaling 2.24 acres in size located on the south side of Homestead Road, about 750 feet from the intersection with Dickerson Pike. The property contains two single-family homes (with the rear parcel being listed as vacant commercial land). Surrounding uses include single-family uses, industrial uses, and vacant land all zoned CS or CS-A. A single-family home, vacant land, and an office use, all zoned RS10, abut to the south. Commercial uses are found two parcels to the east, also zoned CS.

ANALYSIS

The application proposes to rezone the property from CS to a regulatory SP permitting all uses of MUL-A except for several prohibited uses such as cash advance, pawnshop, and various utility-related facilities. The property is within the T4 Urban Community Center (T4 CC) policy area, with further guidance being given by the Dickerson North Small Area Plan. Within that plan it is part of the Ewing/Broadmoor character area, which envisions single-family areas further from Dickerson Pike transitioning in built form to heights of up to five stories along the corridor. Attached homes are given as an example of what this transitional built form could look like in the areas closer to but still off the corridor. The vicinity is identified as "medium intensity," reflecting its transitional role within this framework. A local street connection between Homestead Road and Larkspur Drive is shown.

For elements not specifically contained in the supplemental policy, T4 CC policy applies. T4 CC is intended to maintain, enhance, and create urban community centers through development as intense mixed use areas that serve the larger surrounding urban area. They are pedestrian-friendly and located at or close to prominent intersections. An urban built form privileging pedestrians is promoted. MUL-A is an appropriate zoning district for this policy according to the CCM.

The development level intensity envisioned by these policies, however, is dependent upon provision of the essential infrastructure identified in the North Dickerson Small Area Plan. The applicant does not intend to provide the specified road connection (an extension of Larkspur Drive to the south up to the western terminus of Homestead Road). Without this connection, an increase in entitlements will put too much strain on the existing road network. This connection must be realized before the policy recommendations discussed above can be realized with a rezoning. Additionally, Homestead is a relatively narrow street and the entire length to Dickerson Pike should be improved prior to granting of additional entitlements off the corridor. For this reason, staff recommends disapproval of the rezoning.

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 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 ROADS 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). 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 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 AND PARKING RECOMMENDATION
Approve with conditions

- MCSP requirements shall all be met.
- Site access point(s) and loading (if applicable) shall be finalized with NDOT prior to final SP submittal.
- Parking shall be per code.
- Widening on Homestead Road may be required to satisfy NDOT standards.
- Comply with Roads comments.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	2.24	0.6 F	58,544 SF	2,210	55	223

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)	1.12	1.0	49 U	265	17	23

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)	.56	1.0	24,393 SF	921	23	93

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)	.56	1.0	24,393 SF	2,736	242	239

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1,712	+227	+132

METRO SCHOOL BOARD REPORT

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

Given the mix of uses permitted by the requested SP-MU zoning district, the number of residential units ultimately built on site may vary and an assumption as to impact at this point is premature. School students generated by future development would attend Cockrill Elementary School, McKissack Middle School, and Pearl-Cohn High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends disapproval.

Mr. Shane presented the staff recommendation to disapprove.

Jon Michael, Thompson Burton Law Firm, spoke in favor of the application.

Joan West stated she lives on Homestead Road. She said this project would be good for the neighborhood but do not put in the connecting street.

Clark Crawford, 319 Homestead Road, spoke in opposition to the application.

Steve Kirby stated he lives on Homestead Road. He spoke in opposition to the application.

Jon Michael spoke in rebuttal.

Vice Chair Farr closed the Public Hearing.

Ms. Kempf asked if a two meeting deferral bumps the applicant from this Council term.

Ms. Milligan responded, no. She advised projects that are heard on the agenda tonight and on June 8th, if recommended for approval, have their Bills automatically filed at the end of June for an introduction and first reading in July, public hearing and second reading in August and third reading on August 13th, which is the last meeting of this term. Items that are heard on June 22nd would only be filed if the Councilmember requests early that they file the Bill the day after that hearing.

Councilmember Withers thought it is best to work through the process to get the departmental reviews in place to make sure everyone is comfortable.

Ms. Johnson stated she wanted to hear from NDOT about the feasibility of abandoning the connector street.

Ms. Johnson moved and Mr. Clifton seconded the motion to defer to the June 22, 2023, Planning Commission meeting. (6-0)

Resolution No. RS2023-196

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-041-001 is deferred to the June 22, 2203, Planning Commission meeting. (6-0)

22. 2023SP-042-001
5043 MT. VIEW PRELIMINARY SP
Council District 28 (Tanaka Vercher)
Staff Reviewer: Logan Elliott

A request to rezone from AR2A to SP zoning for property located at 5043 Mt. View Road, approximately 1000 feet southeast of the intersection of Mt. View Road and Hickory Hollow Parkway (2.03 acres), to permit 20 multi-family residential units, requested by Catalyst Design Group applicant; Mt. View Development LLC, owner.

Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023SP-042-001 to the June 8, 2023, Planning Commission meeting. (6-0)

23. 2023SP-047-001
MCALPINE SP
Council District 07 (Emily Benedict)
Staff Reviewer: Amelia Lewis

A request to rezone from CS, MUL-A and RS10 to SP zoning for properties located at 4102 Gallatin Pike, 1103 McAlpine Avenue and McAlpine Avenue (unnumbered), approximately 415 south of Greenland Avenue, and partially within the Gallatin Pike Urban Design Overlay District (2.7 acres), to permit a mixed-use development, requested by Smith Gee Studio, applicant; The Vivian Bates Living Trust, owner.

Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023SP-047-001 to the June 8, 2023, Planning Commission meeting. (6-0)

24. 2022Z-118PR-001
Council District 19 (Freddie O'Connell)
Staff Reviewer: Donald Anthony

A request to rezone from IWD to MUN-A for property located at 189 Little Green Street, at the southeast corner of Little Green Street and Edgar Street (0.15 acres), requested by Pilar Ross, applicant; Pilar Ross and Carlos Restrepo, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from IWD to MUN-A.

Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Mixed Use Neighborhood-Alternative (MUN-A) for property located at 189 Little Green Street, at the southeast corner of Little Green Street and Edgar Street (0.15 acres).

Existing Zoning

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

Proposed Zoning

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

SOUTH NASHVILLE COMMUNITY PLAN

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

SITE AND CONTEXT

The rezoning application is for 0.15-acre property located at the southeast corner of Little Green Street and Edgar Street. The property is currently zoned IWD and is located in the Urban Zoning Overlay. The property is currently used as a storage yard. Adjacent zoning includes MUN-A on the east and IWD on the north, south, and west.

Adjacent land uses include: commercial on the north; multi-family residential on the east; railroad on the south; and vacant property on the west.

The property is located at the intersection of two local streets, Little Green Street and Edgar Street, and lies one block south of Hermitage Avenue. The site is surrounded by a mix of commercial, residential, and industrial uses; multiple undeveloped properties lie in close proximity to the site. Three properties on the same block face as the subject property are currently zoned MUN-A, all having been rezoned to MUN-A since 2019. Additionally, at its May 11, 2023, meeting, the Planning Commission recommended approval of a rezoning to MUN-A on property at 195 Little Green Street.

The rezoning application is for MUN-A zoning. The MUN-A zoning district is intended to create walkable neighborhoods through the use of appropriate building placement and bulk standards. Residential uses including single-family, two-family, and multi-family are permitted in the MUN-A district. Permitted commercial uses in the MUN-A district are more limited than those in more intense mixed use districts, reflecting the intent for the MUN-A district to provide neighborhood-level services. Uses such as liquor stores, drive-through fast food restaurants, hotels, and automobile service centers are not permitted in the MUN-A district.

Building height in the MUN-A district is limited to three stories in 45 feet at the build-to line; height can reach four stories in 60 feet with a 15-foot setback above the third floor. Because the property lies within the Urban Zoning Overlay, a build-to zone of zero to fifteen feet would apply along the frontage; additional building orientation requirements would apply to any building constructed on the site.

ANALYSIS

The application proposes to rezone the property from IWD to MUN-A. The T4 MU policy is intended to maintain, enhance, and create urban, mixed use neighborhoods with a diverse mix of moderate to high-density residential, commercial, office, and light industrial land uses. The Community Character Manual characterizes the T4 MU policy in part by: a mix of land uses; shallow setbacks; moderate to high lot coverage; building heights for single-family and two-family structures of up to three stories; and building heights for mixed use, nonresidential, and multi-family structures of up to five stories. The current IWD zoning is not supported by the T4 MU policy.

The proposed MUN-A zoning is consistent with the T4 MU policy. MUN-A zoning on the subject property would support: residential, commercial, or mixed use development; access to Downtown and major transportation corridors via Hermitage Avenue; close proximity to an existing stop for an east-west WeGo route at the corner of Hermitage Avenue and Keith Street; moderate lot coverage with a maximum floor area ratio of 0.60 and impervious surface ratio of 0.80; and maximum building height of four stories. Because the proposed MUN-A zoning is consistent with the T4 MU policy, staff recommends approval of the rezoning request.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.15	0.8 F	5,227 SF	54	1	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	0.08	0.6 F	2 U	9	1	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.04	0.6 F	1,045 SF	39	1	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.03	0.6 F	784 SF	88	8	8

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+82	+9	+12

METRO SCHOOL BOARD REPORT

Given the potential mix of uses, it is premature to estimate student generation numbers. Students would attend McGavock Elementary School, Two Rivers Middle School, and McGavock High School. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (6-0)

Resolution No. RS2023-197

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-118PR-001 is approved. (6-0)

25. 2023Z-035PR-001

Council District 02 (Kyonzté Toombs)
Staff Reviewer: Celina Konigstein

A request to rezone from RS7.5 to RM20-NS for property located at 2505 Whites Creek Pike, approximately 120 feet north of Frances Street (0.3 acres), requested by Cream City Development, LLC, applicant and owner.

Staff Recommendation: Disapprove RM20-NS and approve RM15-A-NS.

APPLICANT REQUEST

Zone change from RS7.5 to RM20-NS.

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to Multi-Family Residential – No Short-Term Rentals (RM20-NS) for property located at 2505 Whites Creek Pike, approximately 120 feet north of Frances Street (0.3 acres).

Existing Zoning

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of 1 unit based on acreage alone.* Compliance with the metro subdivision regulations may result in fewer lots.

Proposed Zoning

Multi-Family Residential- No Short Term Rentals (RM20-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. The – NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not-Owner Occupied uses from the district. *RM20-NS would permit a maximum of 6 units based on acreage alone.*

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

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

Supplemental Policy

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

ANALYSIS

The application consists of one property located the east side of Whites Creek Pike, north of Frances Street, on approximately 0.3 acres. The site contains one existing single-family dwelling. There is an unbuilt alley along the rear of the property.

Surrounding properties are zoned RS7.5 and include single-family residential uses and vacant land. A Planned Unit Development Overlay District (PUD), with a base zoning of RM9, was approved in 2002 on several larger properties to the north. The PUD permits single-family and multifamily uses but remains undeveloped.

While T4 NM can support a variety of zoning districts, rezoning this single lot to RM20-NS would not be consistent with the context of the surrounding single-family development pattern. The lack of infrastructure to the north of Frances Street and unbuilt alley directly behind the property informs staff this area is not ready for increased density. Additionally, due to the mid-block location of this property and lack of a cohesive infrastructure network, staff has concerns about rezoning this site. Absent the inclusion of additional properties and assurances of an improved infrastructure network with future development, the proposed rezone request may not be appropriate.

Therefore, staff recommends disapproval of the proposed zoning district of RM20-NS and approval of a lower intensity zoning district of RM15-A-NS, which permits a maximum of 15 units per acre. Reducing the intensity at this site is appropriate given the lack of infrastructure and surrounding context. The addition of the "Alternative" designation would include standards that provide building placement and design standards intended to achieve an urban character and enhance the pedestrian realm.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.3	4.94 D	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	0.3	20 D	6 U	31	3	3

Traffic changes between maximum: **RS7.5 and RM20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
			+5 U	+16	-2	+2

METRO SCHOOL BOARD REPORT

Projected student generation existing RS7.5 districts: 0 Elementary 0 Middle 0 High

Projected student generation proposed RM20-NS district: 1 Elementary 0 Middle 0 High

The proposed RM20-NS zoning is expected to generate one more students than the existing RS7.5 zoning district. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends disapproval of RM20-NS and approval of RM15-A-NS.

Disapprove RM20-NS and approve RM15-A-NS. (6-0)

Resolution No. RS2023-198

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-035PR-001 is disapprove RM20-NS and approve RM15-A-NS. (6-0)

26. 2023Z-050PR-001

Council District 29 (Delishia Porterfield)

Staff Reviewer: Laszlo Marton

A request to rezone from R20 to IWD for properties located at 2537 and 2541 Couchville Pike, approximately 675 feet west of Airpark Center East (4.36 acres), requested by TKC Architecture and Engineering LLC, applicant; Nancy B. Nelms and CSJ & Associates, LLC, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from R20 to IWD.

Zone Change

A request to rezone from One and Two-Family Residential (R20) to Industrial Warehousing/Distribution (IWD) for property located at 2537 and 2541 Couchville Pike, approximately 675 feet west of Airpark Center East (4.36 acres).

Existing Zoning

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots. *R20 would permit a maximum of 8 lots with 2 duplex lots for a total of 10 units.*

Proposed Zoning

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

ANTIOCH-PRIEST LAKE 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.

ANALYSIS

The application consists of two parcels (Map 121, Parcels 145, 260) totaling 4.36 acres, located 675 feet west of Airpark Center East. The property is currently vacant residential land while surrounding uses are industrial, and office. Surrounding properties are zoned IWD and R20.

The application proposes to rezone the property from R20 to IWD. The property is located within the D Employment Center (D EC) policy area. D EC policy is intended to enhance and create concentrations of employment that are often in a campus-like setting. These areas support a mixture of office, commercial and select light industrial uses. The proposed IWD district is appropriate given the D EC policy as it provides opportunities for wholesaling, warehousing, office use and bulk distribution uses. The current land use mix in the area is primarily industrial and office, and IWD would ensure compatible uses remain in the area.

Maximum Uses in Existing Zoning District: R20

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)	4.36	2.31 D	11 U	136	12	13

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	4.36	0.8 F	151,937 SF	286	26	29

Traffic changes between maximum: **R20 and IWD**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+150	+14	+16

STAFF RECOMMENDATION

Staff's recommendation is to approve.

Approve. (6-0)

Resolution No. RS2023-199

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-050PR-001 is approved. (6-0)

27. 2023Z-052PR-001

Council District 01 (Jonathan Hall)
Staff Reviewer: Jason Swaggart

A request to rezone from AR2A and RS15 to IR zoning for properties located at 4520 Ashland City Highway and Cato Road (unnumbered), approximately 825 feet east of Amy Lynn Drive (27.58 acres), requested by Thomas & Hutton, applicant; Eskimo Ashland and Church of the Living God, the Pillar and Ground of the Truth, Trustees, owners.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Zone change from AR2a and RS15 to IR.

Zone Change

A request to rezone from Agricultural and Residential (AR2A) and Single-Family Residential (RS15) to Industrial Restrictive (IR) zoning for properties located at 4520 Ashland City Highway and Cato Road (unnumbered), approximately 825 feet east of Amy Lynn Drive (27.58 acres).

Existing Zoning

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

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. *RS15 would permit a maximum of 45 single-family units.*

Proposed Zoning

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

BORDEAUX – WHITES CREEK HAYNES TRINITY 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.

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.

SITE AND CONTEXT

The request pertains to three parcels totaling 27.58 acres. The parcels are located on the north side of Ashland City Highway, northeast of the intersection of Ashland City Highway and Briley Parkway. Only one parcel has frontage on Ashland City Highway. The other two parcels are located behind it and are adjacent to Briley Parkway. Approximately 12.13 acres is zoned AR2a and the remaining 15.45 acres is zoned RS15. All three properties are vacant. The properties contain areas of steep slopes and a stream.

ANALYSIS

Staff recommends disapproval. Portions of the site are located within CO policy, recognizing areas of steep slope and streams with associated buffers that bisect the site. Most of the properties are within T2 RM policy which only supports residential uses that are rural in character. The proposed IR zoning permits non-residential uses, including industrial and manufacturing uses, that are incompatible with the goals of the applied policy. Given the inconsistency with policy, staff recommends disapproval.

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)	12.13	0.50 D	7 U	148	13	13

*Based on two-family lots

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)	15.45	2.47 D	45 U	396	29	37

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	27.58	0.6 F	720,830 SF	1,184	122	137

Traffic changes between maximum: **AR2a/RS15 and IR**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+640	+80	+87

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2a/RS15 district: Elementary 6 Middle 6 High 5

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

The proposed IR zoning is expected to generate no more students than the existing AR2a and RS15 zoning districts. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. There is additional capacity in all three schools. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends disapproval.

Mr. Swaggart presented the staff recommendation to disapprove.

Travis Todd, Thomas & Hutton Engineering, 615 Main Street, spoke in favor of the application.

Chip Howorth, Adapt Development, 7337 Cockrill Bend Boulevard, spoke in favor of the application.

Aaron Lockhart, 3808 Clarksville Pike, spoke in favor of the application.

Ryan Moses, 7337 Cockrill Bend Boulevard, spoke in favor of the application.

Jon Michael, Thompson Burton Law Firm, 1801 West End Avenue, spoke in favor of the application.

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

Laura Moore, 132 Abbey Hill Lane, spoke in favor of the application.

Alan Shaw, 3514 Chesapeake Drive, spoke in favor of the application.

Che Flowers, 1813 Belle Arbor Drive, spoke in favor of the application.

Harrison Buc, 4905 Kentucky Avenue, spoke in favor of the application.

Kim Davis, 9064 Old Charlotte Pike, Pegram, spoke in favor of the application.

Yessica Llanos, 3634 Brookway Drive, spoke in favor of the application.

Danielle Mendelson, 1677 54th Avenue North, spoke in favor of the application.

Levi Shoad, 5038 Hydes Ferry Pike, spoke in favor of the application.

Troy Williams, 4479 Cato Road, spoke in opposition to the application.

Ian Rhett, 4600 Cato Road, spoke in opposition to the application.

Alfred Krenn, 4485 Cato Road, spoke in opposition to the application.

Travis Todd spoke in rebuttal.

Vice Chair Farr closed the Public Hearing.

Mr. Clifton thought the points from both sides were very well made. He said he does not think they can approve this because of what the plans show but felt they should not defer this and take away from the Council a right to vote on it.

Ms. Johnson asked if there is any discussion for going to SP.

Ms. Milligan said they have not seen this plan until today and there was no discussion regarding an SP.

Ms. Johnson said if this is the intent, it could be good for the site, but the request is for the entire zone to IR and has to agree with the staff recommendation for disapproval. She said she would rather see a deferral and ask the applicant to bring the SP to accommodate the community's needs.

Ms. Kempf stated an SP would have been a wiser choice given the environment. She said a plan amendment would be needed and asked what that would do to the timing.

Ms. Milligan explained they would need to go through a process of a determination with the policy team. Considering it would be going from a Rural to a District Industrial, it would be a major amendment, and those are typically eight weeks from the time they are submitted. She said the next filing deadline is June 14th and it would put it into late August for a Commission meeting.

Councilmember Withers felt the odds of passage of this legislation, either way, are very low for this term.

Councilmember Withers moved and Mr. Clifton seconded the motion to disapprove. (6-0)

Resolution No. RS2023-200

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-052PR-001 is disapproved. (6-0)

28. 2023Z-054PR-001

Council District 03 (Jennifer Gamble)
Staff Reviewer: Eric Matravets

A request to rezone from CS to MUN-A-NS for property located at 1259 Dickerson Pike, south of the terminus of Weeping Willow Way (4.49 acres), to permit mixed-use development, requested by Smith Gee Studio, applicant; Fred W. Hahn Jr., owner.

Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023Z-054PR-001 to the June 8, 2023, Planning Commission meeting. (6-0)

29. 2023Z-055PR-001

Council District 21 (Brandon Taylor)
Staff Reviewer: Dustin Shane

A request to rezone from IR to OR20-A for various properties located along Clifton Avenue, approximately 205 feet east of 26th Avenue North (0.24 acres), requested by SoBro Law Group, PLLC, applicant; various owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from IR to OR20-A.

Zone Change

A request to rezone from Industrial Restrictive (IR) to Office/Residential-Alternative (OR20-A) for various properties located along Clifton Avenue, approximately 205 feet east of 26th Avenue North (0.24 acres).

Existing Zoning

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

Proposed Zoning

Office/Residential-Alternative is intended for office and/or multi-family residential units at up to 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *OR20-A would permit a maximum of 5 units.*

NORTH NASHVILLE 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.

ANALYSIS

The application consists of eleven parcels (Map 092-10-0-B, Parcels 001-010, 900) totaling 0.24 acres in size and located at the southeastern corner of the intersection of Clifton Avenue and Alley 932. The property contains a multi-family residential building constructed in 1960. The building was remodeled in 2017 and received permits from the Codes department authorizing the Short term rental property (STRP)—Not owner occupied use in that year. The permits were issued in error, however, and they were revoked approximately five years later. Surrounding uses include multi-family residential to the west zoned MUL-A; vacant land and a parking lot to the north across Clifton Avenue zoned IR; and a parking and open storage area to the east and south zoned MUG-A. OR20 zoning existing one block to the east along Clifton Avenue.

The application proposes to rezone the property from IR to OR20-A. The property is within the T4 Urban Mixed-Use Corridor (T4 CM) policy area. T4 CM policy is intended to enhance neighborhoods by encouraging a greater mix of higher density residential and mixed-use development along corridors. Residential uses are to be given preference between intersections (26th Avenue North is one block to the west), which makes the existing IR zoning for this property incompatible with the policy guidance. The CCM lists OR20-A as an appropriate zoning under T4 CM policy. One of the stated goals of the policy is to create neighborhoods that feature high-density residential buildings. OR20-A would support this intent to a greater degree than conventional IR zoning.

The rezoning request is further supported by the fact that this property is within a transition area approximately 130 feet from a first-tier center as identified in NashvilleNext. OR20-A zoning legitimizes the existing use and ensures future development will more closely align with long-range planning efforts in the area. For these reasons, staff recommends approval of the rezoning.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.24	0.6 F	6,272 SF	55	1	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	0.12	20 D	2 U	9	1	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.12	0.8 F	4,181 SF	68	8	10

Traffic changes between maximum: **R10 and OR20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+22	+8	+10

METRO SCHOOL BOARD REPORT

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

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

The proposed OR20-A zoning is expected to generate no more students than the existing IR zoning districts. Students would attend Park Avenue Elementary School, McKissack Middle School, and Pearl-Cohn High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (6-0)

Resolution No. RS2023-201

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-055PR-001 is approved. (6-0)

30. 2023Z-056PR-001

Council District 17 (Colby Sledge)
Staff Reviewer: Laszlo Marton

A request to rezone from SP to MUL-A-NS for properties located at 1108, 1110 and 1114 4th Avenue South, approximately 100 south of Mildred Shute Avenue (0.41 acres), requested by Openworks, LLC, applicant; Red Clay QOZB, LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from SP to MUL-A-NS.

Zone Change

A request to rezone from Specific Plan (SP) to Mixed Use Limited-Alternative-No STRP (MUL-A-NS) for properties located at 1110, 1108, and 1114 4th Avenue South, approximately 100 feet southwest of Mildred Shute Avenue (0.41 acres).

Existing Zoning

Specific Plan-Mixed Industrial (SP-MI) 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 industrial uses and a mix of office, commercial, and/or residential uses.

Proposed Zoning

Mixed Use Limited-Alternative-No STRP (MUL-A-NS) is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. The -NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not-Owner Occupied uses from the district.

SOUTH NASHVILLE COMMUNITY PLAN

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

Wedgewood-Houston Chestnut Hill Supplemental Policy

The Wedgewood-Houston Chestnut Hill (WHCH) Planning Study is a supplement to and part of the South Nashville Community Plan of NashvilleNext. WHCH includes different Character Areas with 15 smaller subdistricts that address land use, transportation, and community design at the neighborhood scale. Each district is unique in terms of the recommended land use mix, intensity, and appropriate building types intended to guide future development of the neighborhoods.

ANALYSIS

The application consists of three parcels (Map 105-03, Parcels 020-022) totaling 0.41 acres, located on 4th Avenue South just south of the intersection with Mildred Shute Avenue. The current zoning of the subject property, SP, was approved in 2020 and limits uses on the site to those conforming with IWD zoning. The SP removes several uses which include automobile sales, fuel storage, waste transfer, and others, while also increasing the maximum FAR to 1.0. The property consists of a one-story warehouse structure and vacant commercial land. Surrounding land uses are industrial, commercial, residential, office, and the Nashville City Cemetery is located across the street. Surround properties are zoned SP, CS, and MUL-A.

The application proposes to rezone the property from SP to MUL-A-NS. The property is located within the T4 Urban Mixed-Use policy which intends to maintain, enhance, and create urban mixed use neighborhoods. The policy is supportive of MUL-A districts as it is characterized by a diverse mix of residential, commercial, office, and light industrial land uses. The property is also located within Subdistrict 4b of the Wedgewood-Houston Chestnut Hill Supplemental Policy Area. Subdistrict 4b recognizes the area’s current “low slung” character and industrial uses and calls for the area to evolve into a mixed-use district that supports transit and walkable access to downtown in the longer term. According to Subdistrict 4b, the transition to more dense development may be appropriate when it improves a substantial portion of a block, reduces curb cuts, is close to future transit stops, incorporates urban industrial or artisan spaces, and provides a mix of uses within a building. If redeveloped under MUL-A-NS, the site would improve a significant portion of the block, would require access to be taken from the alley, and would have the opportunity to incorporate a mixture of uses within the site.

Several neighboring properties along 3rd Avenue South and 4th Avenue South have been rezoned to SP and MUL-A in recent years, beginning a transition to more dense development near the intersections with Chestnut Street. MUL-A-NS on the subject property would continue this movement to a more mixed-use neighborhood, allowing a mixture of residential, retail, office and artisan manufacturing which the T4 MU policy and Subdistrict 4b of the WHCH supplemental policy support. Additionally, the request has the potential to support goals of NashvilleNext by locating housing infill and services along mobility corridors to support walking and transit use. For these reasons staff recommends approval of MUL-A-NS.

FIRE RECOMMENDATION

Approve.

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
Warehousing (150)	0.41	1.0	17,859 SF	74	3	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential	.21	1.0 F	9 U	47	3	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	.10	1.0 F	4,356 SF	164	5	17

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	.10	1.0 F	4,356 SF	489	43	42

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+626	+48	+61

METRO SCHOOL BOARD REPORT

The mix of uses could vary and assumption of impact at this point is premature. Students would attend John B. Whitsitt Elementary School, Cameron College Prep Middle School, and Glenclyff High School. Whitsitt and Glenclyff are identified as having additional capacity, while Cameron MS is identified as overcapacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (6-0)

Resolution No. RS2023-202

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-056PR-001 is approved. (6-0)

31. 2023Z-057PR-001

Council District 02 (Kyonzté Toombs)
Staff Reviewer: Celina Konigstein

A request to rezone from RS10 to R10 for properties located at Manchester Avenue (unnumbered), approximately 100 feet east of Hydes Ferry Road (0.69 acres), requested by CRD Consulting, applicant; Michael Barnes, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS10 to R10.

Zone Change

A request to rezone from Single-Family Residential (RS10) to One and Two-Family Residential (R10) for properties located at Manchester Avenue (unnumbered), approximately 100 feet east of Hydes Ferry Road (0.69 acres).

Existing Zoning

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

Proposed Zoning

One- and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 2 lots. Duplex eligibility will be determined by the Metro Codes Department.*

BORDEAUX – WHITES CREEK – HAYNES TRINITY PLAN

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

ANALYSIS

The application consists of two parcels totaling 0.69 acres and is located on Manchester Avenue, approximately 100 feet east of Hydes Ferry Road. The northernmost parcel (Parcel 08004011000) has a single-family home on it while the southernmost parcel (Parcel 08004011100) is vacant. Surrounding land use is primarily one- and two-family residential, with some commercial and community uses.

The application proposes to rezone the property from RS10 to R10. The requested R10 zoning is supported by the T3 NE policy. The proposed zoning allows for one or two-family residential uses, which would increase housing choice in the area. Several surrounding parcels have recently been rezoned with higher densities. A majority of these zoning requests are from RS10 to R10 although there are some SPs and other two-family zoning districts as well. While the evolving policy likely anticipated a change in zoning districts within this area, staff and the community are becoming increasingly aware of an increase in rezoning activity. While the T3 NE policy supports change in housing type and increased density within the policy area, it also intends for there to be a variety of housing options in the area it is applied. To provide for a variety of housing options in the area, some of the existing single-family housing should be maintained.

To balance the needs of the current residents and the existing infrastructure and to maintain the housing diversity called for in the policy, staff has analyzed an area bounded by John Mallette Drive to the north, Hydes Ferry Road to the west, the Cumberland River to the south, and Clarksville Pike to the east, which consists of 286 parcels. Since 2021, 48 parcels in the area have been rezoned. For the analysis, staff looked at the study area as if it were not developed and consisted of vacant land and zoned for one and two-family. Under this scenario, a subdivision that included 286 lots would be limited to 25% duplex lots. The 25% limit for duplex lots is dictated by current Zoning Code requirements and is intended to maintain a variety of housing options. The 25% limitation results in 71 lots being duplex eligible. This would allow for the rezoning of 23 additional parcels beyond this subject application. Staff recommends that when the 71-parcel mark is reached, further analysis regarding the land uses, infrastructure, and policy should occur.

The proposed R10 zoning district will incorporate additional intensity into the neighborhood in a manner that does not disrupt the suburban character of the neighborhood. It represents a modest increase in intensity, consistent with the surrounding context

Maximum Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.69	3.7 D	3 U	41	7	3

Maximum Uses in Proposed Zoning District: R10

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.69	4.63 D	6 U	78	9	7

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+37	+2	+4

METRO SCHOOL BOARD REPORT

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

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

The proposed R10 zoning district is expected to generate no additional students than the existing RS10 zoning district. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (6-0)

Resolution No. RS2023-203

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-057PR-001 is approved. (6-0)

32. 2023Z-058PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Laszlo Marton

A request to rezone from IWD to MUG-NS for property located at 501 Mainstream Drive, north of the intersection of Mainstream Drive and Great Circle Road (16.90 acres), requested by Holland & Knight, applicant; CCP-Riverview, LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from IWD to MUG-NS.

Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Mixed Use General-No STRP (MUG-NS) for property located at 501 Mainstream Drive, north of the terminus of Mainstream Drive and Great Circle Road (16.90 acres).

Existing Zoning

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

Proposed Zoning

Mixed Use General-No STRP (MUG-NS) is intended for a moderately high intensity mixture of residential, retail, and office uses. The -NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not-Owner Occupied uses from the district.

NORTH NASHVILLE COMMUNITY PLAN

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.

ANALYSIS

The application consists of one parcel (Map 070-11, Parcel 006) totaling 16.9 acres, located just north of the terminus of Mainstream Drive and Great Circle Road. The property contains two, one-story office buildings. The property backs up to the Cumberland River and the Cumberland River Greenway. Surrounding land uses are office, industrial, commercial and park space, while surround properties are zoned IWD, R8, and MUG-A.

The application proposes to rezone the property from IWD to MUG-NS. The property is located within the D Employment Center policy as it 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 the primary uses in the policy area while retail, restaurants, services and medium to high density residential are also appropriate as secondary uses. Several properties along Great Circle Road, just west of the subject property, have been rezoned to MUG in recent years, however, much of the area is still zoned IR and IWD, holding office, industrial, and warehousing uses. There is a balance that must be struck in Employment Centers between employment and supporting residential, and it is critical to ensure that the balance is not tipping too heavily to residential uses. MUG-NS allows for retail, restaurants, and residential uses which are complementary and supportive of the primary function of a D-EC policy area to provide intense concentrations of jobs.

FIRE RECOMMENDATION
Approve.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	16.9	0.8 F	500,591 SF	836	86	95

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	8.5	3.0 F	1,111 U	6,053	362	447

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	4.2	3.0 F	548,856 SF	20,719	516	2,091

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	4.2	3.0 F	548,856 SF	61,571	5,456	5,363

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+87,507	+6,248	+7,806

METRO SCHOOL BOARD REPORT

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

STAFF RECOMMENDATION
 Staff recommends approval.

Approve. (6-0)

Resolution No. RS2023-204

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-058PR-001 is approved. (6-0)

33. 2023Z-059PR-001

Council District 02 (Kyonzté Toombs)
Staff Reviewer: Celina Konigstein

A request to rezone from IWD to MUG-NS for property located at 210 Athens Way, approximately 550 feet north of Rosa Parks Boulevard (10.01 acres), requested by Holland & Knight LLP, applicant; Forum Woodlawn, LLC, owner.
Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from IWD to MUG-NS.

Zone Change

A request to rezone from Industrial/Warehousing/Distribution (IWD) to Mixed-Use General – No STRP (MUG-NS) for property located at 210 Athens way, approximately 550 feet north of Rosa Parks Boulevard (10.01 acres).

Existing Zoning

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

Proposed Zoning

Mixed Use General (MUG-NS) is intended for a moderately high intensity mixture of residential, retail, and office uses. The -NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not-Owner Occupied uses from the district.

NORTH NASHVILLE COMMUNITY PLAN

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.

ANALYSIS

The site is located at 210 Athens Way, approximately 550 feet north of Rosa Parks Boulevard and a total of 10.01 acres. Surrounding zoning districts include Mixed-Use General (MUG), Mixed-Use Limited (MUL) and IWD. The surrounding properties include a mix of uses including multi-family, office, medical, and commercial.

The primary policy on the site is District Employment Center Policy (D-EC) policy. The intent of this policy is to provide a mix of commercial and industrial uses with residential as a supportive use, for housing options near employment opportunities. The proposed zoning is consistent with the D EC Policy. There is a balance that must be struck in Employment Centers between employment and supporting residential, and it is critical to ensure that the balance is not tipping too heavily to residential uses. MUG-NS allows for retail, restaurants, and residential uses which are complementary and supportive of the primary function of a D-EC policy area to provide intense concentrations of jobs.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	5	3.0 F	653 U	3,557	215	269

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	2.5	3.0 F	326,700 SF	12,333	307	1,244

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	2.5	3.0 F	326,700 SF	36,649	3,247	3,192

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+51,942	+3,709	+4,639

METRO SCHOOL BOARD REPORT

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

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (6-0)

Resolution No. RS2023-205

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-059PR-001 is approved. (6-0)

34. 2023Z-060PR-001

Council District 02 (Kyonzté Toombs)
Staff Reviewer: Laszlo Marton

A request to rezone from IWD to MUG-NS for property located at 540 Mainstream Drive, approximately 660 feet west of Great Circle Road (3.66 acres), requested by Holland & Knight LLP, applicant; 501 Great Circle Propco, LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from IWD to MUG-NS.

Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Mixed Use General-No STRP (MUG-NS) for property located at 540 Mainstream Drive, approximately 660 feet west of Great Circle Road (3.66 acres).

Existing Zoning

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

Proposed Zoning

Mixed Use General-No STRP (MUG-NS) is intended for a moderately high intensity mixture of residential, retail, and office uses. The -NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not-Owner Occupied uses from the district.

NORTH NASHVILLE COMMUNITY PLAN

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.

ANALYSIS

The application consists of one parcel (Map 070-11, Parcel 007) totaling 3.66 acres, located on the southern side of Mainstream Drive. The property is currently used as a surface parking lot. Surrounding land uses are office, industrial, commercial, and park space while surrounding properties are zoned IWD, R8 and MUG-A.

The application proposes to rezone the property from IWD to MUG-NS. The property is located within the D Employment Center policy as it 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 the primary uses in the policy area while retail, restaurants, services and medium to high density residential are also appropriate as secondary uses. Several properties along Great Circle Road, just west of the subject property, have been rezoned to MUG in recent years; however, much of the area is still zoned IR and IWD, holding office, industrial, and warehousing uses. There is a balance that must be struck in Employment Centers between employment and supporting residential, and it is critical to ensure that the balance is not tipping too heavily to residential uses. MUG-NS allows for retail, restaurants, and residential uses which are complementary and supportive of the primary function of a D-EC policy area to provide intense concentrations of jobs.

FIRE RECOMMENDATION

Approve.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	3.66	0.8 F	127,543 SF	247	22	25

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	1.84	3.0 F	240 U	1,306	81	103

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.92	3.0 F	120,225 SF	4,538	113	458

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.92	3.0 F	120,225 SF	13,487	1,195	1,174

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+19,084	+1,367	+1,710

METRO SCHOOL BOARD REPORT

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

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (6-0)

Resolution No. RS2023-206

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-060PR-001 is approved. (6-0)

35. 2001UD-002-014 MUSIC ROW UDO (CANCELLATION) Council District 19 (Freddie O'Connell) Staff Reviewer: Logan Elliott

A request to cancel an Urban Design Overlay District for properties located at 1503, 1509, 1511, 1515 and 1517 McGavock Street, at the southwest corner of 14th Ave. S. and McGavock Street, zoned SP, located within the Music Row Urban Design Overlay District and Arts Center Redevelopment District (1.87 acres), requested by Albion Residential, applicant; Lee Beaman, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Cancel a portion of an Urban Design Overlay zoning district.

UDO Cancellation

A request to cancel a portion of an Urban Design Overlay District for properties located at 1503, 1509, 1511, 1515 and 1517 McGavock Street, at the southwest corner of 14th Ave. S. and McGavock Street, zoned Specific Plan (SP), located within the Music Row Urban Design Overlay District and Arts Center Redevelopment District (1.87 acres).

Existing Zoning

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

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

GREEN HILLS - MIDTOWN COMMUNITY PLAN

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

MUSIC ROW VISION PLAN

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

engaging and inviting ground-floor retail. A diverse mix of office, residential, retail, hotel, restaurants, and bars makes this area a center of activity around the clock.

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

ANALYSIS

The Music Row UDO that is applied to the property intends to ensure that rehabilitations, redevelopment, and new construction in the district will contribute to an emerging urban form that will provide a new focal point for the city and benefit area property owners, businesses, residents, and other stakeholders.

The subject properties were recently rezoned to Specific Plan zoning to permit a mixed-use development. The SP zoning regulates the development potential to ensure its consistent with the T5 MU policy, the Major and Collector Street Plan, and the surrounding context. The SP zoning regulates the streetscape, buildings, parking and other design elements to ensure an appropriate urban development is provided. Staff finds the SP zoning to better zoning tool to ensure policy consistency and high-quality design with future development and recommends canceling the UDO.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (6-0)

Resolution No. RS2023-207

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021UD-002-014 is. (6-0)

36. 2020S-207-003

CHANDLER RESERVE

Council District 11 (Larry Hagar)

Staff Reviewer: Dustin Shane

A request for final plat approval to create 49 lots and dedicate right-of-way on a portion of property located at Chandler Road (unnumbered), north of Chandler Road, zoned R10 (15.98 acres), requested by Wilson & Associates, P.C., applicant; Meritage Homes of Tennessee Inc, owner.

Staff Recommendation: Approve with conditions.

Ms. Milligan advised the applicant has asked for a one meeting deferral for this Item.

Ms. Johnson moved and Mr. Tibbs seconded the motion to defer to the June 8, 2023, Planning Commission meeting. (6-0)

Resolution No. RS2023-208

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020S-207-003 is deferred to the June 8, 2023, Planning Commission meeting. (6-0)

37. 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 Tahlana Avenue, zoned RS20 (1.5 acres), requested by Todd Bollinger, applicant; Rose Lyn Noland, owner.

Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022S-253-001 to the June 8, 2023, Planning Commission meeting. (6-0)

38. 2023S-026-001
MARTIN RESERVE SUBDIVISION
Council District 25 (Russ Pulley)
Staff Reviewer: Dustin Shane

A request for concept plan approval to create 7 lots and dedicate right-a-way on properties located at 3600 Abbott Martin Road, approximately 100 feet south of Burlington Place, zoned R20 (4.29 acres), requested by Stephen Vander Horst, applicant; Abbott Land 3600, LLC, owner.

Staff Recommendation: Defer to the June 8, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023S-026-001 to the June 8, 2023, Planning Commission meeting. (6-0)

39. 2023S-045-001
TEMPLE HEIGHTS
Council District 22 (Gloria Hausser)
Staff Reviewer: Eric Matravers

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; Vidya Bethi, owner.

Staff Recommendation: Approve with conditions, including a variance to the standards of 3-8.1.

APPLICANT REQUEST

Concept plan approval to create 6 residential lots.

Concept Plan

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 One and Two-Family Residential (R15) (4 acres), requested by Dewey Engineering, applicant; Vidya Bethi, owner.

SITE DATA AND CONTEXT

Location: The site is located on Old Charlotte Pike, approximately 800 feet west of Sawyer Brown Road.

Street Type: The site has frontage on Old Charlotte Pike, which is a residential collector arterial.

Approximate Acreage: The proposed area for subdivision is approximately 4 acres or 174,122 square feet.

Parcel/Site History: This site is comprised of one lot that was platted in its current configuration in 1973.

Zoning History: The property is zoned R15 and this zoning has existed since 1974.

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

Surrounding land use/zoning:

North: Residential/One and Two-Family Residential (R40 and R80)
South and East: Residential/One and Two-Family Residential (R15)
West: Residential/One and Two-Family Residential (R80)

Zoning: One and Two-Family Residential (R15)

Min. lot size: 15,000 square feet
Max. height: 3 stories
Min. front setback: 20'
Min. rear setback: 20'
Min. side setback: 10'
Maximum Building Coverage: 0.35

PROPOSAL DETAILS

This proposal is for subdivision development under existing zoning entitlements. No rezoning is proposed with this application.

Number of lots: 6 lots (6 single-family, 0 duplex).

Lot sizes: Lot sizes range from 0.28 acres (12,011 square feet) to 0.71 acres (30,925 square feet). Conservation Development Standards grant a percentage reduction in lot size relative to the amount of natural area being

preserved. The proposal sets aside 20% of the site for undisturbed natural area, therefore the minimum lot size of 15,000 square feet may be reduced by 20% to 12,000 square feet (see Conservation Development Standards below).

Access: The proposal would create a new public street, Alaya Court, along Old Charlotte Pike. The six lots proposed would all front onto Alaya Court with individual driveways.

Conservation Development Standards (17.12.090)

A. Purpose and Intent. Conservation development is a set of standards that shall be utilized in the design of subdivisions as provided in this section. The purpose of these standards is to:

- 1. Preserve unique or sensitive natural resources such as steep slopes; hillsides; streams, wetlands, floodways, and floodplains; problem soils; archaeological resources; and native forests or unique vegetation through the creation of natural open space.*
- 2. Encourage the creation of lots on less environmentally sensitive areas of the site.*
- 3. Provide flexibility in design of subdivisions within existing zoning districts to promote environmental resource protection.*

B. Applicability. Subdivisions proposed in the R/R-A and RS/RS-A zoning districts that meet both of the following standards shall utilize the provisions of this section.

- 1. Minimum Site Area. The minimum site area of no less than ten times the minimum lot area for the base zoning district as established by Table 17.12.020A. For example, in the R10 district the minimum area for the subdivision would be one hundred thousand square feet. (Ten thousand square feet minimum lot size times ten).*

Complies. The site is zoned R15 with a total area that is 11.6 times the minimum lot area (4.00 acres or 174,240 square feet).

- 2. Minimum Natural Area. A minimum of ten percent of the site contains any, or a combination of, the following:*
 - a. Areas shown on FEMA maps as part of the 100-year floodplain or identified in local studies as confirmed by Metro Stormwater;*
 - b. All perennial and intermittent streams, floodways, and associated buffers, as determined by Metro Stormwater or the State;*
 - c. Areas of natural slopes of twenty percent or greater of at least ten thousand square foot contiguous area;*
 - d. Areas containing problem soils as established by Section 17.28.050; wetlands, as determined by metro stormwater;*
 - e. Known habitat for federally or state listed or proposed rare, threatened, or endangered species;*
 - f. Areas containing a protected Cedar Glade plant species as established by Section 17.28.060;*
 - g. Archaeological or historic sites, cemeteries, and burial grounds; or*
 - h. Protected, heritage and historic and specimen trees, as defined by Section 17.40.450 of the Metro Zoning Code.*

The site contains features described in parts c and h.

C. Maximum Lot Yield. The determination of the maximum lot yield shall be based on assigning twenty percent of the gross acreage of the site to open space and infrastructure. The remaining eighty percent of the gross acreage shall be divided by the minimum lot size of the base zoning district to determine the maximum yield. Yield shall not be based on the minimum lot size as described in Section D Lot Size Flexibility.

Complies. Total site area is 4.00 acres or 174,240 square feet. 80% of gross acreage is 3.2 acres or 139,392 square feet. The maximum lot yield is 9 lots based on a minimum of 15,000 square feet for an R15 residential lot.

D. Conservation and Design Flexibility. In order to accomplish the purposes of this section, flexibility in lot sizes may be proposed in exchange for protection of the natural areas present on the site in natural open space according to the following standards:

Complies. The proposal sets aside 20% of the site for undisturbed natural area (0.8 acres), therefore the minimum lot size of 15,000 square feet has been reduced by 20% to 12,000 square feet. Additional open space, including areas for stormwater management, total 0.23 acres.

The concept plan notes that a number of trees outside the protected Natural Open Space are to be removed. Tree preservation or removal proposed in a conservation development shall follow the standards of Section 17.28.065. If the tree or natural area preservation required in that section is greater than the area required here, then the requirements of that section shall prevail. In no case shall the required natural area preservation be less than that required in this section. A tree removal permit is also required prior to any removal of existing trees.

E. Natural Open Space. Open space provided for the purposes of protecting natural areas and in exchange for flexibility of design, as described above, shall be called natural open space and subject to the standards below. These standards are not applicable to common areas or open spaces that may be provided for other purposes.

Complies. Protected Natural Open Space is identified at the rear southern portion of the site and is accessible by a

4 foot walking trail from Alaya Court. Clearing, grading, or disturbances of the Natural Open Space is noted as being prohibited. A homeowners association will be responsible for management and maintenance of open spaces and landscape buffers.

F. Application Requirements

The concept plan clearly indicates that a conservation development is proposed. A site analysis map identifies natural areas, and a preliminary grading plan demonstrates the limits of disturbance and overall impacts to natural areas.

Hillside Development Standards (Section 17.28.030)

The hillside development standards apply to new construction on land in an undeveloped state where natural slopes are of fifteen percent or greater. The concept plan has designated all six residential lots as critical. Natural slopes in excess of twenty-five percent are to be maintained in designated Natural Areas per the Conservation Development Standards.

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 consider the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is within the Suburban Neighborhood Evolving (T3 NE) policy. For T3 NE, the conventional regulations found in Chapter 3 are utilized.

SUBDIVISION REGULATIONS – CHAPTER 3

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

Does not apply to concept plans. Monuments will be set after final plat approval.

3-3 Suitability of the Land

The property includes natural areas as defined by the Conservation Development Standards in the zoning code. There are slopes in excess of 25% in the southern portion. The property is also heavily wooded with many specimen and heritage trees. The standards are intended to address these environmental factors therefore staff finds that the land is suitable for development consistent with this section.

3-4 Lot Requirements

All proposed lots comply with the minimum lot size of the zoning code.

3-5 Infill Subdivisions

Not applicable. New residential lots in this subdivision will front onto a new local street.

3-6 Blocks

Alaya Court is consistent with the standards of this section.

3-7 Improvements

Construction plans for any required public or private improvements (stormwater facilities, water and sewer, public roads, etc.) will be reviewed with the final site plan.

3-8 Requirements for Sidewalks and Related Pedestrian and Bicycle Facilities

The proposed subdivision includes one new public street, Alaya Court, which is consistent with Metro local street standards with one variance. A sidewalk was not provided on the eastern side of Alaya Court due to challenges and safety concerns related to the adjacent retaining walls on the edge of the property. See below for variance analysis.

3-9 Requirements for Streets

All streets as shown on the concept plan meet the minimum requirements for a public street.

3-10 Requirements for Dedication, Reservations, or Improvements

Right-of-way and easements for this project will be dedicated with final plat.

3-11 Inspections During Construction

This section is applicable at the time of construction, which for this proposed subdivision, will occur only after issuance of a building permit approved by Metro Codes and all other reviewing agencies.

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

NDOT will require the review and approval of streets with the submittal of the final site plan. Street names for new streets will be reserved at that time.

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

Not applicable to this case. The concept plan does not propose any new private streets.

3-14 Drainage and Storm Sewers

Drainage and storm sewer requirements are reviewed by Metro Stormwater. Metro Stormwater has reviewed the proposed concept plan and found it to comply with all applicable standards of this section. Stormwater recommends approval.

3-15 Public Water Facilities

Metro Water Services has reviewed this proposed concept plan for water and has recommended approval.

3-16 Sewerage Facilities

Metro Water Services has reviewed this proposed concept plan for sewer and has recommended approval with conditions.

3-17 Underground Utilities

Utilities are required to be located underground whenever a new street is proposed. The concept plan notes all new utilities will be placed underground as required.

1-11 Variances

1. General. If the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations, a variance from these regulations may be granted, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations. The Planning Commission shall make findings based upon the evidence presented to it in each specific case that:

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

Subdivision Variances or Exceptions Requested: Yes. Variance to the standards of 3-8.1 to provide sidewalks along the eastern length of the proposed public street.

Staff finds that this variance is appropriate given the configuration of the dead end road. A sidewalk is provided along the frontage of each lot which allows for the needed pedestrian network.

PLANNING STAFF COMMENTS

Staff finds the proposed subdivision consistent with the intent of Chapter 3 of the Subdivision Regulations and the standards of the Metro Zoning Code. This segment along Old Charlotte Pike is perceived to be a blind curve, and while a traffic study was not required nor is crash rate data available at this time, the applicant should work closely with Planning and NDOT staff on warning signage and/or other possible traffic calming methods prior to final site plan submittal.

Staff recommends approval with conditions, including a variance to the standards of 3-8.1.

POLICY CONSIDERATIONS

A recent appeals court decision (Hudson et al v. Metro) upheld a lower court decision which outlined that the Planning Commission has the authority to determine whether a concept plan complies with the adopted General Plan (NashvilleNext). Per the Court, the Planning Commission may not evaluate each concept plan to determine whether it is harmonious generally but may consider policy. Policy information is provided below for consideration.

The Community Character Manual (CCM) policy applied to the site is Suburban Neighborhood Evolving (T3 NE) and Conservation (CO). T3 areas are predominately residential areas with neighborhoods featuring shallow and consistent setbacks and closer building spacing. T3 NE areas with the suburban transect are intended to maintain and enhance existing suburban neighborhoods. CO policy is intended to preserve environmentally sensitive land features through protection and remediation.

Moderate to high levels of connectivity with street networks and sidewalks are a key feature of T3 NE areas. The policy speaks to vehicular connections with new development providing for multiple route options to destinations, reducing congestion on primary roads. Lot sizes within the broader policy can vary and zoning districts ranging from RS7.5 up to RM20-A are supported depending on context.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- NDOT approves of the concept plan with Alaya Court being a public street. New road should follow subdivision street design standards and specifications.
- Retaining wall is to be outside of the Old Charlotte Pike ROW.
- With ADA compliant crossing at intersection have a concrete landing pad after ramp on east side of Alaya Court.

TRAFFIC AND PARKING RECOMMENDATION

Approve

METRO WATER SERVICES RECOMMENDATION

Not Applicable – served by Harpeth Valley Utility District

HARPETH VALLEY UTILITY DISTRICT RECOMMENDATION

HVUD has reviewed and determined there is sufficient capacity for the proposal.

STAFF RECOMMENDATION

Staff recommends approval with conditions, including a variance to the standards of 3-8.1.

CONDITIONS

1. Comply with all conditions and requirements of Metro agencies.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Pursuant to 2-2.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.
4. Pursuant to 2-2.5.f of the Metro Subdivision Regulations, the approval of a concept plan shall be effective for four years from the date of Planning Commission approval to the recording of the final plat or a phase of the plat as described in Section 2-2.5.g.
5. Applicant shall work with Planning and NDOT staff on warning signage and/or other possible traffic calming methods prior to final site plan submittal.

RECOMMENDED ACTION

Motion to approve with conditions proposed subdivision Case No. 2023S-045-001, including a variance to the standards of 3-8.1.

Mr. Matravers presented the staff recommendation to approve with conditions, including a variance to the standards of 3-8.1.

Doug Sloan, 44 Berrywood Drive, spoke in favor of the application.

Michael Dewey, Dewey Engineering, 2925 Berry Hill Drive, spoke in favor of the application.

Rachel Davis, 7447 Old Charlotte Pike, spoke in opposition to the application.

Lauren Miles, 5106 Illinois Avenue, spoke in opposition to the application.

Matthew Davis, 7447 Old Charlotte Pike, spoke in opposition to the application.

Christina Wright, 3041 Morgan Road, spoke in opposition to the application.

Edward Nelson, 7560 Old Charlotte Pike, spoke in opposition to the application.

Carson Smart, 7469 Old Charlotte Pike, spoke in opposition to the application.

Linda Dudash, 7400 Old Charlotte Pike, spoke in opposition to the application.

James Wright, 3041 Morgan Road, spoke in opposition to the application.

Doug Sloan spoke in rebuttal.

Michael Dewey spoke in rebuttal.

Councilmember Hausser spoke in favor of the application.

Vice Chair Farr closed the Public Hearing.

Mr. Tibbs said he is inclined to go with staff recommendation, especially if the Councilmember will take steps to make the hazardous area safer.

Ms. Johnson stated she appreciates the changes that were made to this site, but Old Charlotte Pike cannot be changed, as it is a two lane road with no right shoulder, and the hazardous conditions remain. She expressed concerns regarding the elevation of the lots.

Mr. Henley said it has been acknowledged the site is suitable for this type of development and asked what else can they articulate on this site that the applicant has not already said they would be willing to work with NDOT to do.

Vice Chair Farr asked Ms. Kempf what was in their purview when it comes to subdivisions.

Ms. Kempf responded the state requires the Planning Commission create and implement subdivision regulations which is simply the division of land, not an entitlement increase. She advised this property is zoned R-15 which is a moderately intense suburban zoning district. Ms. Kempf asked Ms. Milligan to speak to the street width of the new constructed internal road.

Ms. Milligan stated it is a standard public city street 46 foot right of way.

Ms. Kempf asked if the street allows for on street parking.

Ms. Milligan answered that something of that width, there is a standard pavement width with eleven or twelve foot lanes. There is the ability to park on one side of the street and still maintain traffic.

Mr. Henley stated this is aligned with policy and the only thing outside of policy is a variance they added to say it makes it even safer, which he felt shows an effort to continue to improve the plan.

Mr. Clifton said he understood the neighbors' opposition but to take away the right to build this, which seems to comply, is beyond what he is willing to be for.

Mr. Clifton moved and Mr. Henley seconded the motion to approve with conditions, including a variance to the standards of 3-8.1. (5-1) Ms. Johnson opposed.

Resolution No. RS2023-209

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023S-045-001 is approved with conditions including a variance to the standards of 3-8.1. (5-1)

H: OTHER BUSINESS

40. Election of Officers
 - Chair
 - Vice Chair
 - Historic Zoning Commission

Representatives

- Parks Board Representative
- Executive Committee Representative

Resolution No. RS2023-210

"BE IT RESOLVED by The Metropolitan Planning Commission that the election of offices is approved. (6-0)

41. Employment contract amendment for Abbie Rickoff & Katie Kemezis

Resolution No. RS2023-211

"BE IT RESOLVED by The Metropolitan Planning Commission that the employee contract amendments for Abbie Rickoff and Katie Kemezis is approved. (6-0)

42. Historic Zoning Commission Report
43. Board of Parks and Recreation Report
44. Executive Committee Report
45. Accept the Director's Report

Resolution No. RS2023-212

"BE IT RESOLVED by The Metropolitan Planning Commission that the director's report is approved. (6-0)

46. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

June 8, 2023

MPC Meeting

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

June 22, 2023

MPC Meeting

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

J: ADJOURNMENT

The meeting adjourned at 9:35 p.m.