



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

October 26, 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
Kathy Leslie
Dennie Marshall
Matt Smith
Brian Tibbs
Councilmember Jennifer Gamble

Staff Present:

Todd Okolichany, Deputy Executive Director
Tara Ladd, Legal
Lisa Milligan, Assistant Director of Land Development
Anita McCaig, Planner III
Olivia Ranseen, Planner I

Commissioners Absent:

Greg Adkins, Chair

Lucy Alden Kempf

Secretary and Executive Director, Metro Planning Commission
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Notice to Public

Please remember to turn off your cell phones.

Nine of the Planning Commission's ten members are appointed by the Metropolitan Council; the tenth member is the Mayor's representative. The Commission meets on the second and fourth Thursday of each month at 4:00 pm, in the Sonny West Conference Center on the ground floor of the Howard Office Building at 700 President Ronald Reagan Way. 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 President Ronald Reagan Way. [Subscribe to the agenda mailing list](#)

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Writing to the Commission

Comments on any agenda item can be mailed, hand-delivered, faxed, or emailed to the Planning Department by 3pm 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 President Ronald Reagan Way, P.O. Box 196300, Nashville, TN 37219-6300
Fax: (615) 862-7130
E-mail: planning.commissioners@nashville.gov

Speaking to the Commission

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

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

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

Legal Notice

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



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MEETING AGENDA

A: CALL TO ORDER

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

Vice Chair Farr welcomed Councilmember Jennifer Gamble to the Planning Commission.

B: ADOPTION OF AGENDA

Mr. Tibbs moved and Mr. Marshall seconded the motion to adopt the agenda. (9-0)

C: APPROVAL OF SEPTEMBER 28, 2023 MINUTES

Mr. Henley moved and Ms. Johnson seconded the motion to approve the meeting minutes of September 28, 2023. (9-0)

D: RECOGNITION OF COUNCILMEMBERS

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

Councilmember Horton spoke in favor of Item 21.

Councilmember Spain spoke in favor of Item 11.

Councilmember Kimbrough stated she will not be carrying Items any further that the community has not supported.

E: ITEMS FOR DEFERRAL / WITHDRAWAL 2, 6, 7, 8, 13, 15, 17, 18, 19, 22, 23, 25

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

F: CONSENT AGENDA ITEMS 27, 28, 29, 30, 35

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

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

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

G: ITEMS TO BE CONSIDERED

- 2023CP-013-001**
COUCHVILLE PIKE STUDY AREA
Council District 13 (Russ Bradford)
Staff Reviewer: Anita McCaig

A request to amend the Antioch-Priest Lake Community Plan and Donelson-Hermitage-Old Hickory by changing from District Employment Center (D EC) policy and District Impact (D I) policy to a combination of T3 Suburban Neighborhood Evolving (T3 NE) policy, District Industrial (D IN) policy, T3 Suburban Neighborhood Center (T3 NC) policy, T3 Suburban Mixed Use Corridor (T3 CM) policy, Civic (CI) policy, and District Impact (D I) policy for various properties located in the Couchville Pike Study Area, approximately 1,405.99 acres, requested by the Metro Planning Department, applicant; various owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend Community Plans to change Community Character Policy for the Couchville Pike Study Area.

Major Plan Amendment

A request to amend the Antioch-Priest Lake Community Plan and Donelson-Hermitage-Old Hickory Community Plan by changing from District Employment Center (D EC) policy and District Impact (D I) policy to a combination of T3 Suburban Neighborhood Evolving (T3 NE) policy, District Industrial (D IN) policy, T3 Suburban Neighborhood Center (T3 NC) policy, T3 Suburban Mixed Use Corridor (T3 CM) policy, Civic (CI) policy, and District Impact (D I) policy for various properties located in the Couchville Pike Study Area, approximately 1,405.99 acres.

ANTIOCH-PRIEST LAKE AND DONELSON-HERMITAGE-OLD HICKORY COMMUNITY PLANS

Current Policy

District Employment Center (D EC) policy 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.

District Impact (D I) policy is intended to enhance and create areas that are dominated by one or more activities with the potential to have a significant, adverse impact on the surrounding area, so that they are strategically located and thoughtfully designed to serve the overall community or region but not at the expense of the immediate neighbors.

Civic (CI) policy is applied to government-owned property, recognizing that it serves a public purpose. Currently, CI policy is applied to NDOT's road salt facility. CI policy will remain in place.

Open Space (OS) policy is applied to government-owned park lands. In this instance, OS policy recognizes the Una Park in the study area and the adjacent Hamilton Creek Park and land owned by the Army Corps of Engineers. OS policy will remain in place.

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/floodplains and steep slopes running throughout the study area. CO policy will remain in place.

Requested Policy (Note: Conservation (CO), Civic (CI) and Open Space (OS) policies remain.)

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. Successful infill and redevelopment in existing neighborhoods need to take into account considerations such as timing and some elements of the existing developed character, such as the street network, 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. A supplemental policy for this area is recommended to recognize the variety of large lot sizes throughout the study area and the focus on preserving natural features and the low-density residential pattern.

Suburban Neighborhood Center (T3 NC) policy is intended to enhance and create suburban neighborhood centers that serve neighborhoods generally within a five-minute drive. They are pedestrian friendly areas, generally located at the intersections of suburban streets that contain commercial, mixed use, residential, and institutional land uses. T3 NC areas are served with well-connected street networks, sidewalks, and mass transit leading to surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity. A supplemental policy for this area is recommended due to its unique location and focus on businesses.

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

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

District Impact (D I) policy is intended to enhance and create areas that are dominated by one or more activities with the potential to have a significant, adverse impact on the surrounding area, so that they are strategically located and thoughtfully designed to serve the overall community or region but not at the expense of the immediate neighbors. D I policy is being proposed for one property within the study area that is now owned by the Airport (consistency with the policy for the Airport's other properties).

Civic (CI) policy is applied to government-owned property, recognizing that it serves a public purpose. Currently, CI policy is applied to NDOT's road salt facility. CI policy is proposed for a NES substation property in one of the secondary study areas.

BACKGROUND

In the 2012 update of the Antioch-Priest Lake Community Plan, District Employment Center (D EC) policy was applied to the study area. The thinking at that time was since this area is adjacent to (directly east of) the Nashville International Airport (Airport) there was an opportunity to shape this area into a mixture of businesses that provided thousands of jobs, like the MetroCenter area. However, D EC policy has proved challenging to implement in this location as projects came in one at a time for rezonings and not at a scale that would trigger the much-needed infrastructure improvements. Area residents in the past few years have disagreed with some development proposals of non-residential and higher density residential development in portions of the study area.

In fall 2021, District Councilmember Porterfield asked the Planning Department to study the D EC policy area to determine a more predictable policy approach that aligned with stakeholders' vision. The study area is mainly within the Antioch-Priest Lake Community Plan with a small portion of the northern area being within the Donelson-Hermitage-Old Hickory Community Plan. The study area is 1,406 acres extending from Pulley Road in the north, Bell Road in the east, Smith Springs Road in the south, Old Murfreesboro Pike in the southwest, and the Airport to the west. Additional streets within the study area include Pleasant Hill Road, Ned Shelton Road, Una Recreation Road, and Reynolds Roads.

The Planning Department began its study of the area in 2022. At that time, most of the study area fell within District 29, Councilmember Porterfield, with a small portion of the study area being in District 13, Councilmember Bradford. With the new Council district boundaries adopted with the August 2023 elections, the study area is now completely within Councilmember Bradford's district.

Also, within the study area is acquired right-of-way for the Harding Place Extension project. The project has been part of state and local long-range transportation plans for decades, and TDOT acquired right-of-way decades ago. Since that time, however, the Airport has expanded, and the planned alignment of Harding Place Extension now would be too close to the Airport's planned eastern runway. In meetings with TDOT, NDOT, and the Airport, it was decided that a future study is needed to determine the best alignment of the planned roadway. Both the Airport expansion and the roadway extension project have impacted and continue to impact the study area as exact timing has not been identified.

COMMUNITY PARTICIPATION

In recent years as various development projects were proposed, community members have emailed and spoken with the Commission and staff about their concerns regarding infrastructure and preserving existing residential areas and natural features. Staff also gleaned background information from conversations with Councilmembers Porterfield and Bradford.

In preparing for community meetings, notices were mailed to 1,400 property owners within and in a 1,300 foot buffer of the study area. Details of the community meeting were made readily available on the Planning Department's webpage, and Councilmembers Porterfield and Bradford also shared details with their constituents.

On July 12, 2023, staff conducted an in-person community meeting to discuss policy, zoning, and the vision for the area. Approximately 80 people attended the meeting. The two Councilmembers and staff listened to concerns and answered many questions. Area residents voiced concerns going back decades regarding the uncertainty and lack of details and timing about the Airport's expansion and the Harding Place Extension project. Residents also discussed their desire to preserve the existing residential and natural areas, the need for infrastructure upgrades, the dangers of heavy truck traffic on residential streets, and the need to properly locate requests for additional industrial warehousing uses.

On August 28, 2023, a follow-up meeting was held to fine-tune the community's vision and to discuss the draft land use policies in small groups. Approximately 60 people attended that meeting. In the weeks following that meeting, an

additional question regarding the extent of the neighborhood center boundary necessitated follow-up discussion via email with study participants.

Most participants agree with the staff's recommended draft land use policy map and the breakdown of lower density residential areas and industrial warehousing areas. The one geographic location with some disagreement is the future direction of the north side of Couchville Pike – some want it to be all residential in the future (holding the line for non-residential uses), while others want the option for small-scale mix of uses as a transition between industrial and residential uses.

ANALYSIS OF LAND USE POLICY APPLICATION FOR THE STUDY AREA

In this analysis, the study area, currently mainly in District Employment Center (D EC) policy, has been examined to apply a combination of residential, industrial, and mixed use policies.

Preserving Natural Features and Green Spaces

This area's location is unique; it is between the city's large, growing Airport and the natural, recreation area of Percy Priest Lake. Historically, the development pattern has been single-family residences and farms on large lots. To the north and to the south are more densely populated suburban residential areas. Today, the area contains sensitive waterway, floodplain, and steep slope features. The area also enjoys large areas of native vegetation, groves of mature trees, and wildlife corridors. Adjacent to the east are Hamilton Creek Park, Percy Priest Lake, and the tree covered lands owned by the Army Corps. The Harding Place Extension right-of-way also remains covered in native vegetation and trees. See Figure 1.

As future developments, especially rezonings, occur, the community would like to see groves of trees, native vegetation, and wildlife corridors preserved as much as possible. Conservation (CO) policy has been applied to areas in floodplains along waterways and steep slopes. In some cases, rezonings may need to be Specific Plan in order to preserve tree groves.

Lack of Infrastructure to Accommodate Additional Growth

For the northern portion of the study area, north of Couchville Pike, infrastructure is limited. Although Couchville Pike is classified as an arterial-boulevard by the Major & Collector Street Plan (MCSP), the area along its north side lacks sewer service and is in the General Services District. Residents in this area have begun discussion with Councilmember Bradford about becoming part of the Urban Services District to increase the availability of city services, including trash pick-up, streetlights, water, and sewer. Today, however, residents share the road with various vehicles, both local and industrial, including large tractor-trailer trucks, dumptrucks hauling gravel, cement trucks with ongoing Airport and new industrial development, and farm equipment. As such, residents and property owners feel strongly that new development should be limited until existing infrastructure is improved and additional infrastructure is built to improve public safety.

Residents also are concerned that as traffic often backs up on Murfreesboro Pike and Bell Road, more heavy truck traffic is using small local streets to cut through, causing even more dangerous conditions for smaller vehicles. Pleasant Hill Road is a narrow, two-lane residential street with two sharp curves that parallels Bell Road. Pleasant Hill Road residents have requested to have their street's designation as a collector-avenue removed in the MCSP. Staff will share that request with NDOT who is working on a Multimodal Mobility Plan.

Balancing Residential and Non-Residential Uses

Several property owners/families in the study area go back generations in living here, and their history is shown in eight family cemeteries with graves dating back to the early 1800s. See Figure 2. At the first community meeting, several people identified themselves as living in the area for over 70 years.

In community meetings, residents reiterated the desire to keep certain streets residential in use, including Pulley Road, Pleasant Hill Road, Ned Shelton Road, Una Recreation Road, Reynolds Road, and Smith Springs Road. These areas are zoned low-density residential today. Residents wish to preserve their large lot, varying, residential pattern, that ranges from more rural development patterns in the northern half of the study area to more suburban lot patterns in the southern portion.

As part of the Planning team's study, the Historical Commission identified several bungalows/farmhouses and ranch houses that they have designated at Worthy of Conservation. The Historical Commission also notes that the Trail of Tears lies along the southwest boundary of the study area. Additionally, there are prehistoric and historic sites near the study area. There is a likelihood that additional archaeological sites may be present. As future development projects are reviewed in this area, it is likely that archeological studies will be recommended.

Policy application to align policy with stakeholders' vision also considered current zoning as a starting point. Today, large areas of residential and industrial zoning are in the study area.

Residents wish to preserve their large lot residential pattern, so staff is recommending Suburban Neighborhood Evolving (T3 NE) policy. Staff prefers to apply T3 NE policy instead of Suburban Neighborhood Maintenance (T3 NM) policy. The area's lot sizes and patterns vary greatly from street to street. T3 NE also allows more flexibility in creating lots that avoid sensitive natural features found throughout the area. T3 NE policy is recommended for areas along Pulley Road, Pleasant Hill Road, Ned Shelton Road, Reynolds Road, Una Recreation Road, and Smith Springs Road, most all of which is zoned residential or agricultural/residential today. See Figure 4 and Figure 5 below. Staff is

also recommending a supplemental policy (details are provided later in the report) that limits housing types to single- and two-family residential with the potential for limited townhouses along Smith Springs Road and for other housing types for properties directly accessing Bell Road.

In a bird's eye view, industrial uses and residences are present along Reynolds Road and Ned Shelton Road. However, most of the industrial uses do not have direct access onto these residential streets. To reinforce the importance of limiting industrial use and truck access on residential streets, staff is recommending a band of T3 NE policy along these two streets, Reynolds Road and Ned Shelton Road, where industrial uses are present.

An area of industrial warehousing and distribution uses has emerged along the south side of Couchville Pike and on land adjacent to the Airport. Existing industrial uses, mostly warehousing and distribution businesses, access Couchville Pike and Old Murfreesboro Pike for the most part. However, residents have complained that more heavy trucks are accessing residential streets to avoid traffic congestion on Murfreesboro Pike and Bell Road and causing safety issues. Most of the areas recommended for D IN policy are already zoned industrial. On the north side of Couchville Pike, residents are sensitive to increasing industrial uses. Staff used the existing Harding Place Extension right-of-way as the dividing line between residential policy and industrial policy.

In the northern portion of the study area, residents and property owners have different opinions about what uses should occur along the north side of Couchville Pike. Some residents think that non-residential uses should be limited to the south side of Couchville Pike. However, several property owners along the north side of Couchville Pike have asked for non-residential options for their properties. To balance these requests, staff is recommending a small area of Suburban Neighborhood Center (T3 NC) policy along the north side of Couchville Pike, centered around the intersection with Pleasant Hill Road, where three properties are already zoned non-residential, and ending to the east near the intersection with Bell Road. North of the T3 NC area, staff is proposing residential policy for residential and agricultural/residential zoned land. District Industrial (D IN) policy is recommended for industrially zoned land including land adjacent to the Airport west of the Harding Place Extension right-of-way.

There are three other small areas of policy application. The Airport has purchased one property along Pulley Road, currently surrounded by other single-family houses. Planning staff recommends District Impact (D I) policy for this property in order to be consistent with the same policy designation for all the property owned by the Airport. Civic (CI) policy is recommended for a NES substation facility along Pulley Road to be consistent in policy application for government-owned properties, such as the CI policy already applied to the NDOT salt facility on Smith Springs Road. Suburban Mixed Use Corridor (T3 CM) policy is recommended for a small area along the north side of Old Murfreesboro Pike to match the policy designation on the south side of the street. Open Space (OS) policy is already applied to the Una Park and will remain. Conservation (CO) policy recognizing sensitive natural features also will remain in place.

Secondary Study Areas

The Airport's property today is in District Impact (D I) policy. While conducting this study, staff noticed two areas of properties currently in D I policy that are not owned by the Airport. One area is along Pulley Road. While the Airport property borders this area on the north, the other boundaries are residential properties. Today, the area's zoning is agricultural/residential (AR2a). As such, staff recommends this area's policy be changed to Suburban Neighborhood Evolving (T3 NE) policy to match the adjacent area to the east and south and the policy proposed to the southwest. To allow a non-residential use means that trips generated would have to travel through residential areas to reach another road; as such, the recommended policy is T3 NE. The second area is adjacent to the Airport to the west of the Harding Place Extension right-of-way. The second area's zoning is a mix of industrial, agricultural, and residential. Staff recommends this area's policy be changed to District Industrial (D IN) policy due to its location. See Figure 8 below.

Impacts of the Future Harding Place Extension and Airport Expansion

The Harding Place Extension project is a planned four-lane, divided, access-controlled roadway that has been in transportation plans for decades. The project would begin where Harding Place currently turns north and becomes Donelson Pike and continues to the east and north until it meets the interchange with Interstate 40. The extension's goal is to provide continuous movement from Interstate 24 to Interstate 40 with immediate access to the Nashville International Airport via an interchange with Couchville Pike.

As previously mentioned, in past decades TDOT has acquired right-of-way. However, with the Airport's continued expansion, the Airport discussed with staff during this study that now the planned route for the Extension is too close to their future eastern runway. As such, the planned path of the Harding Place Extension needs to be studied in the future by TDOT/NDOT to determine the best roadway location. This uncertainty, coupled with the continued Airport expansion creates uncertainty about future land uses in this area and causes concerns for residents.

Several participants in the planning process stated that they remember meetings forty years ago with TDOT and the State discussing the Harding Place Extension project and reminded planners today that the project has yet to move forward. Residents also expressed frustration that the Airport has repeatedly discussed expansion projects but the exact timeline for some of those projects remains undefined. Planning staff reached out to TDOT and the Airport and both the Extension and the Airport's eastern runway expansion are years, likely even decades, in the future. As such, staff concludes that residents who chose to live in this area can continue to do so for years to come. At such time that

the area is impacted by the implementation of the Airport's eastern runway and the imminent construction of the Harding Place Extension project, the land use policies in this area can be revisited.

Recommended Supplemental Policy

As mentioned previously, the recommended T3 NE policy needs additional refinement through a supplemental policy.

Exact wording for the Supplemental Policy Area is as follows:

SPA 13-T3-NE-01 – Couchville Pike

Antioch-Priest Lake's T3 Suburban Neighborhood Evolving (T3 NE) Supplemental Policy Area (SPA) 13-T3-NE-01 applies to residential areas in the Couchville Pike Study Area. The areas today contain primarily single-family houses on large lots that vary in size and pattern from more rural-type properties in the northern portion to suburban lots in the southern portion. Due to the variety of lot sizes and the presence of sensitive environmental features, including mature groves of trees, throughout the area, T3 NE is applied instead of T3 NM. In this SPA, the following policies apply. Where the SPA is silent, the guidance of the T3 NE policy applies.

Building Types

Appropriate building types throughout the residential area are single-family houses, two-family houses, and institutional uses. Along Smith Springs Road (classified as a collector-avenue by the MCSP), townhouses, with two units attached (essentially looking in appearance like two-family), may be appropriate in certain locations. If properties have direct access to Bell Road (classified as an arterial-boulevard by the MCSP), additional building types may be considered on their merits.

Design Principles – Building Form and Site Design

Infrastructure in part of this area is limited. T3 NE policy is applied due to the variety of lot sizes and prevalent natural features, including groves of trees, that need to be preserved. This SPA will continue to have lower density residential patterns than other T3 NE areas.

Design Principles – Density

Density in the SPA will be lower and more aligned with the existing large lot residential development pattern.

End of supplemental policy text.

Analysis Summary

Amending the Community Character Policy from District Employment Center (D EC) to primarily Suburban Neighborhood Evolving (T3 NE), Suburban Neighborhood Center (T3 NC), and District Industrial (D IN) along with a small area of Suburban Mixed Use Corridor (T3 CM) and two additional policies (Civic (CI) policy for the NES substation and District Impact (D IN) for one Airport-owned property), while maintaining the Conservation (CO) policy for sensitive natural features, is appropriate for the following reasons:

- The currently adopted District Employment Center (D EC) does not match stakeholders' vision for this area.
- Keeping CO policy to emphasize maintaining the sensitive natural features throughout the study area is important. In addition, there are mature tree groves that need to be protected.
- The recommended policies provide more predictable outcomes for community members.
- Applying T3 NE policy along with a supplemental policy is appropriate to continue the existing low density, varying size, residential pattern and preserve the natural features in this area. T3 NE complements the adjacent suburban residential policies to the north, east, and south of the study area.
- Applying a small area of T3 NC policy for the north side of Couchville Pike is appropriate to serve as a transition between residential uses to the north and industrial uses to the south and to house businesses and services.
- Applying D IN policy is appropriate to recognize the existing industrial warehousing uses and industrial zoning south of Couchville Pike and adjacent to the Airport.
- Infrastructure in this area is limited, especially north of Couchville Pike.
- The future study of the Harding Place Extension and the Airport's eastern runway are years, potentially decades away. When those projects are more definitive, land use policies can be revisited.

Ms. McCaig presented the staff recommendation to approve.

Clay Faircloth, 2578 Pulley Road, spoke in opposition to the application.

Rusty Rust, 3410 Hobson Pike, spoke in opposition to the application.

Patrick Napier, 710 Freda Villa Drive, Madison, spoke in opposition to the application.

Mitchell Whitson, 2148 Smith Springs Road, spoke in opposition to the application.

Vice Chair Farr closed the Public Hearing.

Vice Chair Farr asked Ms. Ladd about the new law regarding the airport authority and eminent domain that was mentioned by Mr. Faircloth.

Ms. Ladd advised the Metro Legal Department is currently litigating the Constitutionality of the Board itself. She said it is an influx area of law right now and there is not guidance she can give as to whether this would be impacted or not.

Mr. Tibbs asked Ms. McCaig to reiterate about the community meetings that were held.

Ms. McCaig explained that notices were sent out to all the property owners within the 1,400 acres, as well as a 1,300 foot buffer around, which totaled over 1,000 notices. She said there were two community meetings and then both Councilmembers Porterfield and Bradford put it in newsletters to help get the word out. Ms. McCaig advised this case was deferred several times over the summer months as they were still getting input.

Mr. Tibbs asked if the new Councilmember has the updated information on this issue.

Ms. McCaig responded in the affirmative.

Mr. Tibbs said this is a change of policy and understood the follow through of it all. He stated because of the proximity to the airport, he sees the issue of needing a good industrial area and sees some of the parcels having value in that. Mr. Tibbs asked for feedback on the parts close to the airport that were changed from industrial.

Ms. McCaig stated the District Employment Center is the mixed business policy and does not mean industrial. She said they are trying to find a more predictable policy outcome until the airport is ready to put their pen to paper for what that runway expansion really means to this area and then determine how invested State and Federal are on that Harding Place extension project.

Ms. Johnson said considering what happened in the past and what will happen in the foreseeable future, keeping the industrial district in a smaller area and then keeping the northside of Couchville Pike a residential gives some flexibility. She reminded this is a policy recommendation and not encouraging a zone change.

Councilmember Gamble asked if this policy change review came as a result of the resolution.

Ms. McCaig indicated this is separate.

Councilmember Gamble agreed with Ms. Johnson and Mr. Tibbs and said it makes sense to keep the district industrial and make the northern part of the area T3 Neighborhood Evolving.

Mr. Henley said one of the landowners who spoke in opposition had a request for their property to be removed. He asked if this is similar to some of the changes they do when there is so much road frontage or properties in succession that are required in order to make those changes. Mr. Henley also asked if that applied in a community plan aspect here, as well in terms of not wanting to develop those pockets.

Ms. McCaig stated the property they are talking about wanting to be removed is zoned residential today and they would still have to go through a rezoning.

Mr. Henley thought it is a challenge because it is a large area with a lot of variables. He said it is important to have industrial areas near the airport and suggested to really look at that mixture and balance and be mindful of what traffic and travel patterns mean for the community.

Mr. Marshall asked if both Councilmembers Portfield and Bradford agreed with this proposal as it is.

Ms. McCaig responded in the affirmative.

Ms. Leslie said she would like to know if House Bill 1178 and Senate Bill 112 were passed, how would it affect the policy that is requested.

Ms. Ladd advised the Bill has passed and the current law is in effect. She explained the current law gives the airport authority and they are in litigation regarding the Airport Board. Ms. Ladd read aloud the verbiage of the Bill.

Ms. Milligan explained the airport impact overlay, a zoning overlay that covers property in a circle around the airport and expands to fly zones around the airport.

Mr. Smith asked if it is possible to talk to landowners who are contiguous and have a desire to be in a different policy.

Ms. McCaig stated anything is possible but then the conversation is started of where the balance comes in and felt that is tough with this one.

Vice Chair Farr mentioned the Neighborhood Maintenance, which is right above the cemetery, and asked if it was left residential because it was existing residential.

Ms. McCaig advised the whole area along Reynold's Road is a cemetery, so it was put in residential policy.

Mr. Smith asked if there is any land that is going from industrial to residential with this policy.

Ms. McCaig responded in the negative.

Ms. Milligan reiterated this is not changing any zoning but is changing land use policy.

Ms. Leslie asked if this policy would impact the property value of landowners.

Ms. Milligan stated they are not the department that makes determinations on values of property. She said the value of property is generally not based on land use policy but based on use of the land.

Vice Chair Farr stated if they adopt this change and if someone comes in with a project that was not consistent with policy, they will have to apply for a policy change along with a zone change. She asked, given the understanding of this area and the uncertainties that are in the future, would it be something staff would take into consideration.

Ms. McCaig answered, yes, and explained if today someone proposed a rezoning that was higher density residential or industrial in one of these residential areas, they would face just as much opposition from residents today as they would to have this policy discussion at the same time.

Ms. Johnson moved and Mr. Clifton seconded the motion to approve. (9-0)

Resolution No. RS2023-327

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023CP-013-001 is approved. (9-0)

**2. 2023Z-003TX-001
DOWNTOWN CODE BONUS HEIGHT PROGRAM AMENDMENT
Staff Reviewer: Jared Islas**

A request to amend Section 17.37 of the Metropolitan Code of Laws to update the Downtown Code's Bonus Height Program, all of which is described herein.

Staff Recommendation: Defer to the June 27, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023Z-003TX-001 to the June 27, 2024, Planning Commission meeting. (9-0)

**3. 2023SP-057-001
611 COWAN STREET
Council District 19 (Jacob Kupin)
Staff Reviewer: Dustin Shane**

A request to rezone from IG to SP zoning for property located at 611 Cowan Street, approximately 245 feet north of River North Blvd and located within the River North Urban Design Overlay (0.41 acres), to permit a hotel and retail uses, requested by Kimley-Horn, applicant; Donna & Charles. Ewing, Sr, owners.

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

**APPLICANT REQUEST
Preliminary SP to permit a hotel and retail uses.**

Zone Change

A request to rezone from Industrial General (IG) to Specific Plan (SP) zoning for property located at 611 Cowan Street, approximately 245 feet north of River North Blvd and located within the River North Urban Design Overlay (0.41 acres), to permit a hotel and retail uses.

Existing Zoning

Industrial General (IG) is intended for a wide range of intensive manufacturing uses.

River North Urban Design Overlay (UDO) is intended to establish a compact mixed use development pattern distributed along a system of streets that transitions in scale. This UDO focuses on ensuring an integrated new multi-modal street network, high quality open spaces, and an environmentally sensitive development pattern.

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 Specific Plan includes commercial uses.

SITE CONTEXT AND PLAN DETAILS

The site is located on the eastern side of Cowan Road approximately 250 feet north of the planned intersection of River North Boulevard with that road. This property and those adjacent to the north and south are all industrial uses zoned IG that back up to the Interstate 24 ROW. Across the street to the west is a heavy manufacturing use and vacant land zoned MUI-A. It is within the UZO and the River North UDO near two planned connections to the west and east.

Site Plan

The SP is intended to create a mixed use commercial development consisting of 216 hotel rooms (with 250 authorized), 1,647 square feet of retail (with 2,000 square feet authorized), and structured parking.

The SP includes a site plan as well as bulk standards, architectural renderings, and parking and preliminary landscaping. The hotel will be 17 stories tall and 213.4 feet in height. The interface with Cowan Street shows a 4-foot planting strip (with street trees) and 12-foot sidewalk within dedicated ROW per the MCSP. Active uses (including retail and the hotel lobby) will occupy most of the building's frontage along Cowan in line with the River North UDO requirements. The structured parking is provided above the active ground floor uses. The façade cladding displays a high level of finish and resembles an enclosed building space. The seam and transition from the architectural cladding to the hotel floors is seamless and upholds the architectural integrity of the façade. The decision to locate parking above ground in a podium structure is driving the need for parking lining and increased height, but with the high-quality finishes proposed, any negative design impact on the visual realm will be minimal. The maximum parking provision is not exceeded based on the UZO maximums. For the opening into the garage, bollards will be required to provide a separation between vehicular and pedestrian areas. The standard Metro architectural note is included on the plans.

The building will feature a rooftop courtyard area. The pool will be on an outdoor patio on the fifth floor. The architecture proposed is neo-modern.

EAST NASHVILLE 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.

ANALYSIS

The proposed plan meets many of the goals of the T5 MU policy, including featuring vertical mixed-use development in buildings that contain a mix of commercial land uses, situating buildings at the back edge of the sidewalk with minimal spacing between buildings, housing parking in structures, facilitating high levels of connectivity with complete street networks, and providing for the daily needs and services of the surrounding urban neighborhood through community-facing retail. The UDO calls for a maximum height of 15 stories in this area but allows for bonus height to be added if certain conditions are met. The application proposes to incorporate adaptable garage levels, which merits the two requested extra stories.

Staff recommends approval with conditions and disapproval without all conditions. The proposed SP allows an appropriately intense hotel, and retail development that achieves the intent of the requested policy area and the UDO. The SP and the proposed conditions include design standards that will minimize the negative aesthetic qualities that usually result from incorporating above-ground parking into building design. The proposal will fit with the emerging

intense urban built form of River North while also providing more opportunities to meet the needs of the surrounding community.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Fire apparatus access must extend to within 250', when fully sprinklered, of all portions of the building.
- 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. Site plans or construction may require changes to meet adopted fire and building codes.

STORMWATER RECOMMENDATION

Approve with conditions

- Preliminary review only. Must comply with all regulations in the Stormwater Management Manual at the time of final submittal for approval.

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. Public and/or private Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. A minimum of 30% W&S Capacity must be paid before issuance of building permits. (Water & Sewer Capacity Fee Permit No's. T2022086654 & T2022086656).

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- In general, 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) or any corridor master plan study established during prelim.
- 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

- Prior to the recording of the final plat, the applicant shall establish a future cross-access easement with the neighboring parcel to the South to create a future shared drive. The cross-access easement shall be a minimum of 24' wide.
- The street scape requirements shall align with the necessary ROW dedication per the final build out of Cowan Street following the River North/East bank plans.
- Comply with NDOT Roads conditions.
- The applicant'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: **IG**

| 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 | 0.6 F | 10,715 SF | 62 | 1 | 2 |

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

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

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

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

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | - | +2,410 | +121 | +167 |

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to 250 hotel rooms and 2,000 square feet of non-residential uses as defined on the plan. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. On the corrected copy, updated the SP purpose note to indicated allowed non-residential uses shall be as per MUG-A, except for Automobile Service, Automobile Parking, and Short-term rental properties which are prohibited. Remove the reference to allowed retail uses.
3. The final building elevations shall show a seamless integration of all architecturally-lined parking areas with the non-parking fabric of the building.
4. The following design standards shall be added to the plan:
 - a. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 20% glazing.
 - b. Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers. Upper floor windows and other features shall be aligned with those of the ground floor.
 - c. Vertically orient materials, design elements and architectural details to emphasize the proportion of height to width.
5. All above grade parking shall be fully ventilated. Where garage parking is visible, the facades shall be designed to be harmonious with the other facades of the structure. This shall be accomplished by using appropriate cladding, using complementary materials, carrying fenestration and design patterns through the façade, and any other design practices that can meet the overall goal of minimizing the visual impact of the parking.
6. Applicant shall continue to work with Planning Staff to simplify material and color palette of the building elevations.
7. At final SP, show bollards at garage opening to provide a separation between vehicular and pedestrian areas.
8. 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.
9. 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.
10. 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.
11. Comply with all conditions and requirements of Metro reviewing agencies.
12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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. 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. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.

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

Resolution No. RS2023-328

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-057-001 is approved with conditions and disapproved without all conditions. (9-0)

CONDITIONS

1. Permitted uses shall be limited to 250 hotel rooms and 2,000 square feet of non-residential uses as defined on the plan. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. On the corrected copy, updated the SP purpose note to indicated allowed non-residential uses shall be as per MUG-A, except for Automobile Service, Automobile Parking, and Short-term rental properties which are prohibited. Remove the reference to allowed retail uses.
3. The final building elevations shall show a seamless integration of all architecturally-lined parking areas with the non-parking fabric of the building.
4. The following design standards shall be added to the plan:
 - a. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 20% glazing.
 - b. Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers. Upper floor windows and other features shall be aligned with those of the ground floor.
 - c. Vertically orient materials, design elements and architectural details to emphasize the proportion of height to width.
5. All above grade parking shall be fully ventilated. Where garage parking is visible, the facades shall be designed to be harmonious with the other facades of the structure. This shall be accomplished by using appropriate cladding, using complementary materials, carrying fenestration and design patterns through the façade, and any other design practices that can meet the overall goal of minimizing the visual impact of the parking.
6. Applicant shall continue to work with Planning Staff to simplify material and color palette of the building elevations.
7. At final SP, show bollards at garage opening to provide a separation between vehicular and pedestrian areas.
8. 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.
9. 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.
10. 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.
11. Comply with all conditions and requirements of Metro reviewing agencies.
12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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. 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. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.

4. 2023SP-070-001

206 N 1ST ST. HOTEL

Council District 19 (Jacob Kupin)

Staff Reviewer: Dustin Shane

A request to rezone from MUG to SP zoning for property located at 206 N. 1st Street, at the northwest corner of N. 1st Street and Oldham Street, (0.80 acres), to permit a mixed-use development with nonresidential uses, requested by Kimley-Horn, applicant; PBS EB Nashville, LLC, owner.

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

APPLICANT REQUEST

Preliminary SP to permit a mixed-use development with nonresidential uses.

Zone Change

A request to rezone from Mixed Use General (MUG) to Specific Plan (SP) zoning for property located at 206 North 1st Street, at the northwest corner of North 1st Street and Oldham Street (0.80 acres), to permit a mixed-use development with nonresidential uses.

Existing Zoning

Mixed Use General (MUG) is intended for a moderately high intensity mixture of residential, retail, and office 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 Specific Plan includes commercial and retail uses.*

SITE CONTEXT AND PLAN DETAILS

The site is located at the northwestern corner of the intersection of North 1st Street and Oldham Street in the Jefferson-Spring area of East Bank. It was included in the recently approved *Imagine East Bank* plan adopted by the MPC on October 6, 2022. This property is currently vacant. A one-story retail store zoned IR is adjacent to the north. Across North 1st Street to the east is a hotel zoned IR. Across Oldham Street to the south is an auto dealer zoned MUG-A, a food processing plant zoned MUG, and vacant land zoned IR.

Site Plan

The SP is intended to create a mixed use commercial development consisting of 235 hotel rooms, 8,000 square feet of non-residential uses, ancillary uses, and structured parking. The additional uses are limited to commercial uses of MUG-A with some exclusions as outlined in the SP document including automobile service, automobile parking, and park and ride lot.

The SP includes a site plan as well as bulk standards, architectural elevations, and parking and preliminary landscaping. The architecture proposed is neo-modern. The hotel is proposed to be 14 stories tall and 175 feet in height.

At the intersection of North 1st Street and Oldham Street is an activated plaza space for outdoor dining and similar programming. This is partially facilitated by the presence of existing overhead transmission lines along Oldham Street which necessitate a larger building setback along this frontage. Active retail uses will occupy the majority of the ground floor along the two street frontages. A step-back at level five allows for outdoor amenities in a balcony area on the fifth level. An additional amenity area is included on the uppermost level as well.

With the adoption of the *Imagine East Bank* vision plan, the supplementary document, Guidance for East Bank Complete Streets document was released. North 1st Street is classified in the Major and Collector Street Plan as an arterial boulevard. The Complete Streets document shows North 1st Street having a 15-foot-wide combined sidewalk and planting zone, 5-foot-wide bike lane, 3-foot-wide buffer, curb and gutter, and an 11-foot-wide vehicular travel lane. The proposed plan shows an 11-foot-wide sidewalk and six-foot-wide planting strip. This is based on the existing curb placement. The future bike lane as shown in the Complete Streets document is along North 1st Street, is intended to be installed in the future, with final build-out of the planned bike lanes to be accomplished by NDOT at a future date. Within the Complete Streets document, the cross section for Oldham Street shows a half right-of-way of 28.5 feet including a 10-foot-wide combined sidewalk and planting zone and a six-foot-wide curbside zone. The plan shows a six-foot-wide sidewalk and a planting strip that varies in width from four feet to ten feet along the Oldham frontage. A condition has been added to ensure that the sidewalks at the final SP phase meet the design and guidance in the Complete Streets document. The Oldham Street frontage includes a curb cut for vehicular access to the garage and a curb cut for a private drive along the western property which is intended for service vehicles. New crosswalk markings are shown across each adjacent street at the intersection.

The structured parking is provided above the active ground floor uses and is lined with hotel rooms, concealing the parking from public view. This is consistent with the supplemental policy guidance. A total of 144 parking spaces are proposed. This does not exceed the maximum parking permitted by Code which is 245 spaces. The decision to locate parking above ground in a podium structure is driving the need for parking lining, but with the habitable lining proposed and by providing less than the maximum, the visual impact of the design is minimal.

EAST NASHVILLE COMMUNITY PLAN

Current Policy

T6 Downtown Neighborhood (T6 DN) is intended to maintain and create diverse Downtown neighborhoods that are compatible with the general character of surrounding historic developments and the envisioned character of new Downtown development, while fostering appropriate transitions from less intense areas of Downtown neighborhoods to the more intense Downtown Core policy area. T6 DN areas contain high density residential and mixed use development.

Supplemental Policy

The *Imagine East Bank Vision Plan* covers 338 acres of the East Bank of the Cumberland River in an area bounded by I-24 to the east and south, the Cumberland River to the west, and Jefferson Street to the north. The plan was initiated to outline strategies for coordinated development and to better understand how Nashvillians want the area to evolve with these changes. Five major areas of focus are identified in the plan: equity and affordability, safe and simple multimodal connections, respect for the river, neighborhoods for Nashvillians, and guiding development for Metro-owned land.

ANALYSIS

The proposed plan meets many of the goals of the T6 DN policy, including featuring vertical mixed-use development in buildings that contain a mix of commercial land uses, situating buildings at the back edge of the sidewalk with minimal spacing between buildings, housing parking in structures, facilitating high levels of connectivity with complete street networks and access to mass transit, and providing for the daily needs and services of the surrounding urban neighborhood with ground floor retail.

The proposed plan also meets the goals of the East Bank vision plan. Development guidance in the plan is provided which emphasizes that buildings should fit their context, contribute positively to the public realm, and act as good neighbors by promoting comfort, vibrancy, diversity, safety, and beauty. The plan accomplishes these goals by hiding parking behind habitable liner space, increasing setbacks from NES powerlines to allow for safer and more comfortable outdoor pedestrian space, and featuring community-facing retail along ground floors. The visual impact of the height of the building is reduced because of the fifth floor setbacks. Impacts to traffic and walkability are minimized by limiting parking to well below the UZO maximum standard. Safety is above all enhanced for pedestrians by adhering to the guidance in the East Bank Complete Streets document concerning both street frontages of the site, which will feature generous buffers between pedestrians and vehicles.

Staff recommends approval with conditions and disapproval without all conditions. The proposed SP allows an appropriately intense hotel and retail development that achieves the intent of the policy and supplemental policy. The SP and the proposed conditions include design standards that will minimize the negative aesthetic qualities that usually result from incorporating above-ground parking into building design. The proposal will fit with the intense urban built form and high-quality public realm planned for the East Bank.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Per applicant response, aerial fire apparatus access is to be provided from North 1st St. The existing overhead electrical lines located between the area of fire apparatus access and the building, and passing over the area of aerial fire apparatus access will be removed.

STORMWATER RECOMMENDATION

Approve with conditions

- Preliminary review only. Must comply with all regulations in the Stormwater Management Manual at the time of final submittal for approval.

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only, Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. Submittal of an availability study is required before the Final SP can be reviewed. Once this study has been submitted, the applicant will need to address any outstanding issues brought forth by the results of this study. A minimum of 30% W&S Capacity must be paid before issuance of building permits. (Water & Sewer Capacity Fee Permit No's. T2023038880 & T2023038894).

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- General final comments/conditions: 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 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 cross access easement to adjacent parcels that abut proposed private service loading/unloading drive aisle.
- Recess any doors that potentially open into public sidewalks.
Relocate water meters to grass/furnishing zone off 1st Ave.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

Per Review of the TIS;

- The 'Private alley' along the Western side of the property, shall have a public access easement established to allow for future shared access for the neighboring parcels.
- N 1st St & Oldham St; Restripe the northbound approach for 2 southbound receiving lanes and one northbound lane. Provide hatched transition striping for the existing inner northbound lane through the intersection that is per MUTCD. Provide pedestrian refuge islands in the removed lane on the North and South legs of the intersection and provide an RRFB for the crossing(s). Coordinate with WeGo to relocate the bus stops along N 1st Street to the intersection so pedestrians can access stops on either side of the roadway with the new crosswalk. Provide crosswalks for the east and west legs at the intersection. Improve curb ramps and detectable warning mats as needed with the newly provided crosswalks. Additional coordination with NDOT and WeGo will be require prior to Final SP approval.
- Jefferson St at Cowan St; Install detectable warning mats on the north-east, south-east, and south-west curb ramps of the intersection.
- Jefferson St/Spring St at N 1st St; Install detectable warning mats on the north-east and south-east curb ramps of the intersection. Restripe crosswalk pavement marking on all legs of intersection.
- Woodland St at S 1st St; Install detectable warning mats on the north-west, south-east, and south-west curb ramps of the intersection. Restripe existing crosswalk pavement markings at the intersection.
- Oldham St at Cowan St; Install detectable warning mat on the north-east curb ramps of the intersection.
- The ROW dedication and necessary street-scape requirements on all frontages shall align with the final buildout of the East Bank Master plan. With exceptions to the curb-line along the frontage N 1st Street, which is to remain in it's existing location until the entire corridor is constructed.
- Parking shall be per UZO maximums.
- Comply with Roads Conditions.
- The applicant'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: MUG

| 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) | 0.4 | 3.0 F | 52 U | 282 | 18 | 23 |

Maximum Uses in Existing Zoning District: MUG

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Retail (820) | 0.2 | 3.0 F | 26,136 SF | 987 | 24 | 100 |

Maximum Uses in Existing Zoning District: MUG

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Restaurant (932) | 0.2 | 3.0 F | 26,136 SF | 2,932 | 260 | 255 |

Maximum Uses in Proposed Zoning District: SP

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Hotel (310) | - | - | 235 R | 2,226 | 112 | 151 |

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) | - | - | 8,000 SF | 302 | 8 | 31 |

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | - | -1,673 | -182 | -196 |

METRO SCHOOL BOARD REPORT

Given the mix of uses permitted by the MUG zoning district, the number of residential units currently possible on site may vary and an assumption as to comparative impact at this point is premature. The proposed SP zoning district is not expected to generate any students. Students would attend Ida B. Wells Elementary School, Jere Baxter Middle School, and Maplewood High School. Ida B. Wells Elementary School has been identified as having additional capacity, while Jere Baxter and Maplewood have been identified as being at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

- Permitted uses shall be limited to 235 hotel rooms, 8,000 square feet of non-residential uses permitted in the MUG-A with the exception of those identified as prohibited uses in the SP document, Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
- Shared access agreement for service drive on Oldham shall be recorded prior to the approval of the final SP or with a proposed plat.
- On the corrected plan set, update the prohibited use list on sheet C2-00 to include short term rental properties, owner occupied and short term rental properties, not-owner occupied.
- On the corrected plan set, replace "retail" on the site data table with "non-residential uses."
- With the final SP submittal, the road frontages will be required to meet the Major and Collector Street Plan and the East Bank Complete Streets document. Final design and streetscape details will be reviewed by Planning and NDOT with the Final SP.
- The final building elevations shall show habitable liner space around the parking garage along both street frontages. The final building elevations shall show a seamless integration of all architecturally-lined parking areas with the non-parking fabric of the building.
- Applicant shall continue to work with Planning Staff to simplify material and color palette of the building elevations.
- 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.
- 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.
- 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.
- Comply with all conditions and requirements of Metro reviewing agencies.
- If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
- 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.
- 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.
- With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.

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

Resolution No. RS2023-329

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-070-001 is approved with conditions and disapproved without all conditions. (9-0)

CONDITIONS

1. Permitted uses shall be limited to 235 hotel rooms, 8,000 square feet of non-residential uses permitted in the MUG-A with the exception of those identified as prohibited uses in the SP document, Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. Shared access agreement for service drive on Oldham shall be recorded prior to the approval of the final SP or with a proposed plat.
3. On the corrected plan set, update the prohibited use list on sheet C2-00 to include short term rental properties, owner occupied and short term rental properties, not-owner occupied.
4. On the corrected plan set, replace “retail” on the site data table with “non-residential uses.”
5. With the final SP submittal, the road frontages will be required to meet the Major and Collector Street Plan and the East Bank Complete Streets document. Final design and streetscape details will be reviewed by Planning and NDOT with the Final SP.
6. The final building elevations shall show habitable liner space around the parking garage along both street frontages. The final building elevations shall show a seamless integration of all architecturally-lined parking areas with the non-parking fabric of the building.
7. Applicant shall continue to work with Planning Staff to simplify material and color palette of the building elevations.
8. 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.
9. 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.
10. 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.
11. Comply with all conditions and requirements of Metro reviewing agencies.
12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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. 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. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.

5. 2023SP-075-001

CATO ROAD ACRES

Council District 01 (Joy Kimbrough)

Staff Reviewer: Donald Anthony

A request to rezone from RS15 to SP zoning for properties located at 4315, 4317, and 4321 Cato Road, approximately 700 feet west of Eatons Creek Road (12.76 acres), to permit two two-family residential units and one single-family residential unit, for a total of five units, requested by 5001 Properties, LLC , applicant; 5001 Properties, LLC and Cody & Kristin Walker, owners.

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

APPLICANT REQUEST

Preliminary SP to permit two two-family residential units and one single-family residential unit.

Preliminary SP

A request to rezone from Single-Family Residential (RS15) to Specific Plan (SP) for properties located at 4315, 4317, and 4321 Cato Road, approximately 700 feet west of Eatons Creek Road (12.76 acres), to permit two two-family residential units and one single-family residential unit, for a total of five units.

Existing Zoning

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 31 units, based solely on acreage and not accounting for infrastructure requirements or other standards established in the Zoning Code and Subdivision Regulations.*

Proposed Zoning

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

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

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

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

1. The purpose of the SP is to permit two, two-family residential units and one single-family residential unit on 12.76 acres at 4315, 4317, and 4321 Cato Road.
2. Uses within this SP shall be limited to two two-family residential units and one single-family residential unit.
3. Access for the SP shall be limited to a shared driveway in an existing 15-foot shared access easement.
4. Short-term rental property (STRP), not owner-occupied, is prohibited.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RS15 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering, or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. 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.
9. Landscaping and tree density requirements shall be per Metro Zoning Code.
10. Parking shall be provided per Metro Zoning Code.
11. Building height shall be limited to three stories or 35 feet. Height shall be measured from average elevation at finished grade to midpoint of primary roof pitch or top of parapet for a flat roof.
12. Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function.

SITE CONTEXT

The SP application is for three parcels totaling 12.76 acres, located along the west side of Cato Road and the east side of Briley Parkway. The properties are currently zoned RS15. All adjacent properties are zoned RS15. Adjacent properties on the northwest, west, and south are used for single-family residential. The adjacent property on the northeast is currently used for agricultural purposes. The Briley Parkway right-of-way, approximately 300 feet in width, lies to the west.

The subject properties includes two platted lots at the front of the site and a larger parcel at the back of the site with a total of 12.76 acres:

- 4321 Cato Road (Map 058, Parcel 048), 0.68 acres
- 4315 Cato Road (Map 058, Parcel 048.01), 0.80 acres
- 4317 Cato Road (Map 058, Parcel 255), 11.28 acres

Each property currently contains one single-family residential unit. Parcels 048 and 048.01 have frontage on Cato Road. Parcel 255 has 15 feet of frontage on Cato Road. As shown on the recorded plat below and the accompanying note (note 18) this frontage serves as an access easement for all properties, which all share a single driveway. The easternmost portion of the subject property lies within the 100-year floodplain. A small portion of the existing house on Parcel 048.01 lies within the floodplain. Any development within the 100-year floodplain will be subject to Metro's floodplain development standards. The westernmost portion of Parcel 255 includes a small stream and pond.

PLAN DETAILS

The proposed SP would permit two two-family residential units and one single-family residential unit on the subject properties. The lots on the subject properties would be required to be replatted, and each of the two smaller lots (Parcels 048 and 048.01) would be increased in area to accommodate a two-family residential unit. The 11.28-acre parcel (Parcel 255) would be reduced accordingly and would be platted as a single-family lot.

Cato Road is a local street with a varying right-of-way. During the replatting process, dedication of additional right-of-way may be required. The rear of the site lies adjacent to Briley Parkway; no access to Briley Parkway is permitted. The existing 15-foot access easement would remain in place, and all units would share a single driveway connecting to Cato Road.

Building height would be limited to three stories in 35 feet. Existing, platted setbacks would continue to apply: 30-foot minimum street setback; 10-foot side setback; and 20-foot rear setback. Existing stream buffers would remain undisturbed.

ANALYSIS

The subject property lies within the T3 Suburban Neighborhood Evolving (T3 NE) and Conservation (CO) policy areas. The Community Character Manual characterizes the T3 NE policy in part by: moderate-density development patterns; moderate to high levels of connectivity; moderate lot coverage; buildings oriented to the street or open space; and a variety of building types including houses, low and mid-rise townhouses, and low and mid-rise flats.

The proposed density of 0.40 residential units per acre is more consistent with an estate or rural development pattern than a suburban development pattern. However, the density appears to be compatible with the surroundings; single-family residential lots as large as twelve acres lie within close proximity of the subject property. Building types in the proposed SP would be limited to one and two-family houses.

No additional connectivity is proposed with the SP. In Planning staff's review, staff determined that requiring additional connectivity through the property would have minimal benefits for the area based on the following reasons: the largest lot (Parcel 255, 11.28 acres) will be used for a single-family residence; the property is surrounded by other large residential lots; and Briley Parkway limits connections to the west.

The Conservation policy area applies to portions of the site that include floodplain and water features. Any development on the site will be required to follow Metro's floodplain development regulations. All streams, ponds, and associated buffers will be required to remain undisturbed.

The proposed SP is generally consistent with the surroundings as well as the T3 NE and Conservation policies. Therefore, staff recommends approval.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Rezoning only. Site and architectural details not provided for review.

HISTORIC ZONING RECOMMENDATION

Approve with conditions

- Phase I archaeology survey recommended.

STORMWATER RECOMMENDATION

Approve with conditions

- Preliminary review only. Must comply with all regulations in the Stormwater Management Manual at the time of final submittal for approval.

METRO WATER SERVICES RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, with a final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Dimension ROW pavement widths for clarity. Property not in Urban Services District.
- Note: A private hauler will be required for waste/recycle disposal. Access to Cato Rd. (plat 2021s-007-001) provided via 15 ft. joint access between parcels 4800 and 4801.
- For better line of sight at driveway onto Cato Rd., some vegetation may need to be cleared on parcel 4800.

TRAFFIC & 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.
- Site distance exhibit may be required at Final SP.
- Comply with Roads conditions.

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) | 12.76 | 2.47 D | 31 U | 354 | 27 | 33 |

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Single-Family Residential (210) | - | - | 5 U | 66 | 8 | 6 |

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | - | -288 | -19 | -27 |

METRO SCHOOL BOARD REPORT

Projected student generation existing RS15 district: 4 Elementary 2 Middle 3 High

Projected student generation proposed SP district: 1 Elementary 0 Middle 0 High

The proposed SP zoning district is anticipated to generate 8 fewer students than what would be generated under the current RS15 zoning district. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. Both Cumberland Elementary School and Haynes Middle School are identified as being at capacity. Whites Creek High School is identified as having additional capacity. This information is based upon the 2022-2023 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 2 two-family residential units and 1 single-family residential unit, for a total of 5 units. Short term rental property, not owner occupied, shall be prohibited.
2. A final plat shall be recorded prior to the issuance of building permits.
3. The regulatory SP shall be revised to indicate maximum height of 3 stories in 35 feet rather than 3 stories or 35 feet.
4. All residential units shall share access from a 15-foot access easement through parcel 255. Access shall be from Cato Road. No access to Briley Parkway shall be permitted.
5. The final plat and final site plan shall clearly identify all streams, ponds, and associated buffers and label them as "to remain undisturbed."
6. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
7. 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 RS15 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
8. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association
9. The final site plan/building permit 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 any 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 any required sidewalk. Vertical obstructions are only permitted within any required grass strip or frontage zone.
10. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
11. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
12. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
13. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.

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

Resolution No. RS2023-330

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-075-001 is approved with conditions and disapproved without all conditions. (9-0)

CONDITIONS

1. Permitted uses shall be 2 two-family residential units and 1 single-family residential unit, for a total of 5 units. Short term rental property, not owner occupied, shall be prohibited.
2. A final plat shall be recorded prior to the issuance of building permits.
3. The regulatory SP shall be revised to indicate maximum height of 3 stories in 35 feet rather than 3 stories or 35 feet.
4. All residential units shall share access from a 15-foot access easement through parcel 255. Access shall be from Cato Road. No access to Briley Parkway shall be permitted.
5. The final plat and final site plan shall clearly identify all streams, ponds, and associated buffers and label them as "to remain undisturbed."
6. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
7. 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 RS15 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
8. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association
9. The final site plan/building permit 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 any 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 any required sidewalk. Vertical obstructions are only permitted within any required grass strip or frontage zone.

10. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
11. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
12. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
13. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.

6. 2023S-110-001

SUBDIVISION FOR ELAINE ZEMER

Council District 35 (Jason Spain)

Staff Reviewer: Amelia Lewis

A request for final plat approval to create two lots on a portion of property located at 8056 Old Pond Creek Road, approximately 1,780 feet north of Old Charlotte Pike, zoned AR2A (4.39 acres), requested by Chapdelaine & Associates, applicant; Chad & Elaine Zemer, owners.

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

The Metropolitan Planning Commission deferred 2023S-110-001 to the November 9, 2023, Planning Commission meeting. (9-0)

7. 2023S-112-001

OAKWOOD PRESERVE

Council District 05 (Sean Parker)

Staff Reviewer: Laszlo Marton

A request for concept plan approval to create 19 lots on property located at Bethwood Drive (unnumbered), approximately 1,094 east of Oakwood Avenue, zoned RS7.5 (5.01 acres), requested by Dale & Associates, applicant; Main Street Land Trust, owner.

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

The Metropolitan Planning Commission deferred 2023S-112-001 to the November 9, 2023, Planning Commission meeting. (9-0)

8. 2023S-123-001

FRANKIE LEE MOORE

Council District 01 (Joy Kimbrough)

Staff Reviewer: Amelia Lewis

A request for final plat approval to create two lots on property located at 5350 and 5390 Rawlings Road, and Rawlings Road (unnumbered), approximately 2,559 feet southwest Old Clarksville Pike, zoned AR2A (8.89 acres), requested by B2L Land Surveyors, applicant; Frankie Lee Moore, owner.

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

The Metropolitan Planning Commission deferred 2023S-123-001 to the November 9, 2023, Planning Commission meeting. (9-0)

9. 2023S-149-001

SUBDIVISION OF THE ELLIS P. JAKES PROPERTY

Council District 01 (Joy Kimbrough)

Staff Reviewer: Amelia Lewis

A request for final plat approval to create two lots on property located at 3115 Morgan Road, at the southeast corner of Whites Creek Pike and Morgan Road, zoned RS40 (5.8 acres), requested by Chandler Surveying, applicant; Ellis P. Jakes Revocable Living Trust, owner.

Staff Recommendation: Approve with conditions including variances to Sections 4.2.5.a.1.a, 4.2.5.a.1.b, and 4.2.5.a.1.c.

APPLICANT REQUEST

Request for final plat to create two lots.

Final Plat

A request for final plat approval to create two lots on property located at 3115 Morgan Road, at the southeast corner of Whites Creek Pike and Morgan Road, zoned Single-Family Residential (RS40) (5.8 acres).

SITE DATA AND CONTEXT

Location: The property is located at the southeast intersection of Whites Creek Pike and Morgan Road.

Street type: Whites Creek Pike is classified by the Major and Collector Street Plan (MCSP) as a Scenic Arterial Boulevard with a minimum right of way of 86 feet. Morgan Road is a local road with a minimum right of way of 50 feet.

Approximate Acreage: 5.8 acres or 252,648square feet.

Parcel/Site History: This site is comprised of a single parcel. The subject parcel is comprised of Lots 6 and 7 from an unrecorded plat in 1967.

Zoning History: The property has been zoned RS40 since 1998. Prior to the RS zoning, it was zoned One and Two-Family Residential (R40).

Existing land use and configuration: The property is currently developed with a single-family structure located approximately 460 feet from Whites Creek Pike, oriented towards Morgan Road.

Bulk Standards:

Single-Family Residential (RS40)

Min. lot size: 40,000 square feet

Min. street setback: See section 4-2.5.a.1.a. below.

Min. rear setback: 20'

Min. side setback: 15'

Max. building coverage: 0.25

Max. height: 3 stories

Surrounding land use and zoning:

- North: Single-Family, Vacant (AR2a)
- South: Single-Family, Vacant (RS40)
- East: Single-Family, Vacant (RS40)
- West: Single-Family, Vacant (RS40)

PROPOSAL DETAILS

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

Number of lot(s): 2

Lot sizes: The proposed Lot 1 is 2.93 acres (127,652.53 square feet) and the proposed Lot 2 is 2.78 acres (121,047 square feet).

Access: Access will be from Morgan Road.

APPLICABLE SUBDIVISION REGULATIONS

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

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

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

4-2. Development Standards

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

Not applicable as no new streets or joint access easements are proposed.

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

Not applicable as no new streets or joint access easements are proposed.

4-2.3 Development Footprint. The remaining land outside of the boundary of the Primary Conservation Land shall be designed as the Development Footprint.

Not applicable as no new streets or joint access easements are proposed.

4-2.4 Building Placement. In subdivisions without new streets or joint access easements, any subdivision application shall note proposed building envelopes.

The proposed Lot 2 shows a proposed building envelope, which has been reviewed with the Metro Health Department for septic. This area is shown outside any area that would have been required to be shown as Primary Conservation Land. The existing structure on Lot 1 is intended to remain, therefore no proposed building envelope is shown on this lot.

4-2.5 Rural Character Design

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

Both proposed lots have frontage along existing streets and the subdivision was reviewed against below (a) through (d). For the proposed Lot 1, the properties along Morgan Road were used in the review. For the proposed Lot 2, the properties along Whites Creek Pike were used, with the exception of when both frontages were to be considered because it is a corner lot.

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

The proposed Lot 1 does not comply. The minimum setback required by the Subdivision Regulations is 190.5 feet, greater than the anticipated 170-foot contextual setback required by Codes. Lot 1 does not show the proposed

building setback line, as the existing structure is to remain. The current structure is set back 94.45 feet from Morgan Road.

The proposed Lot 2 does not comply along Morgan Road, but does comply along Whites Creek Pike. As the proposed Lot 2 is a corner lot, setbacks would be evaluated along the Whites Creek Pike frontage and the Morgan Road frontage. The proposed Lot 2 shows a 204-foot setback along Whites Creek Pike, which is the average setback of the abutting parcels and in line with the anticipated contextual setback required by Codes. Along Morgan Road, the Zoning required setback would be a minimum of 40 feet, which is less than the required setback required by the Subdivision Regulations. The required setback would be 190.5 feet. However, the location of the septic areas along the Morgan Road frontage coupled with the platted setback proposed along Whites Creek Pike would result in a building envelope that is in keeping with the existing residence at Lot 1. Therefore, a setback was not platted along Morgan Road. The proposed building envelope is shown on the plat, and beyond the minimum 40-foot required Zoning setback along Morgan Road and the 204-foot setback along Whites Creek Pike. A note was added to the plat that would require future development on Lot 2 to be oriented towards Whites Creek Pike.

b. *Lot Depth along existing public streets.*

The proposed plat does not comply. The minimum depth for lots along existing public streets shall be the building setback required by Sec 4-2.5(a) plus 300 feet. For the proposed Lot 1, the required lot depth for the is 490.5 feet. The proposed lot depth for Lot 1 is 299 feet and does not comply. The proposed depth for Lot 2 is approximately 407 feet (determined by the Code definition of lot depth, which is the distance from the midpoint of the front property line to the rear property line). This does not comply with the 504-foot lot depth requirement for Lot 2.

c. *Lot size along existing public streets.*

The proposed plat does not comply. A compatibility analysis was conducted per this requirement. Minimum lot size is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than the smallest of the surrounding parcels, whichever is greater. The outcome of the analysis is that the minimum lot size is 3.18 acres for Lot 1 and the minimum lot size for Lot 2 is 3.1 acres. The proposed Lot 1 is 2.93 acres and the proposed Lot 2 is 2.78 acres.

d. *Lot frontage abutting existing public streets.*

The proposed plat does comply. A compatibility analysis was conducted per this requirement. Minimum lot frontage is either equal to or greater than 70% of the frontage of the average frontage of surrounding parcels or equal to or larger than the frontage of the surrounding parcels, whichever is greater. The outcome of the analysis is that the minimum required lot frontage for Lot 1 is 150 feet and the minimum required lot frontage for Lot 2 is 175 feet. The frontage for the proposed Lot 1 is approximately 419.5 feet and the frontage for the proposed Lot 2 is 306.7 feet.

e. *Street lights.*

Not applicable for this case as the property is located in the GSD.

f. *Cluster lot option.*

Not applicable for this case as the cluster lot standards are not proposed to be used.

Subdivision Variances or Exceptions Requested: Yes. This request requires variances from Section 4.2.5.a.1.a. pertaining to setbacks, Section 4.2-5.a.1.b. pertaining to lot depth, and Section 4.2-5.a.1.c. pertaining to lot size.

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

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

Variance Analysis

As proposed, staff finds that the variance from the building setback, lot depth and lot size requirements is consistent with Section 1-11 of the Subdivision Regulations. The granting of the variances will not have any impact on public safety and is not inconsistent with the long-range plan.

Building Setback: For the proposed lot 1, the building setback was not platted as the existing structure is intended to remain. If redeveloped in the future, the building setback would be determined at the building permit. For the proposed Lot 2, the platted setback is proposed along Whites Creek Pike. However, the setback was not platted along Morgan Road. The proposed Lot 2 includes a building envelope, behind the platted septic areas and beyond the Zoning-required setback. The setback along Whites Creek Pike requires development to be located towards the rear of the lot, and in order to accommodate the septic areas, the resulting building site area is limited. By not platting the setback along Morgan Road, it permits some flexibility in the location within the area identified as the permitted building site area. Given that this area is beyond the Zoning-required setback, staff is comfortable without requiring the setback to be platted.

Lot Depth: Variations in lot depth can often be perceived when it impacts the building setback. For example, if a lot is not deep enough to accommodate the contextual street setback and result in the building being placed out of context with the existing structures along a street, it may be more noticeable. However, in this case, the proposed Lot 2 is still deep enough to permit a future development with a building setback that is contextual along the Whites Creek Parkway. Similarly, as the existing structure on Lot 1 is currently oriented towards Morgan Road, and proposed to remain, the lot depth is not necessarily being modified with this subdivision request.

Lot Size: The proposed lots exceed the minimum lot size of the RS40 zoning district. The Rural Subdivision Regulations call for individual lot sizes to vary in size to reflect the rural character. There are other lots along Whites Creek Pike to the south which are comparable if not smaller in size than the proposed Lot 2. A similar lot size variation exists along Morgan Road to the east of the subject site.

PLANNING STAFF COMMENTS

With the exception of building setbacks, lot depth, and lot size requirements, the proposed subdivision meets the standards of the Metro Subdivision Regulations and the standards of the Metro Zoning Code. Staff recommends approval with conditions.

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 subdivision complies with the adopted General Plan (NashvilleNext). Per the Court, the Planning Commission may not evaluate each subdivision to determine whether it is harmonious generally but may consider policy. Policy information is provided below for consideration.

NashvilleNext includes a Community Character Manual (CCM) which established character areas for each property within Metro Nashville. The community character policy applied to this property is Rural Maintenance (T2 RM). The intent of T2 RM policy is intended to maintain the character of rural neighborhoods as characterized by their development pattern, varying setbacks, building form, and land use. T2 RM areas have an established development pattern of very low-density residential development, with varying lot sizes. The primary purpose is to maintain the area's rural landscape. Staff finds that the proposed subdivision meets the intent of the T2 RM policy.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- Water is through a MWS 6inch water main. Sanitary Sewer is through a Septic System. Water Capacity fees must be paid before issuance of building permits for new lot.

STAFF RECOMMENDATION

Staff recommends approval with conditions, including variances to Sections 4.2.5.a.1.a, 4.2.5.a.1.b, and 4.2.5.a.1.c.

CONDITIONS

1. Revise note 16: "Unless shown on plat, setbacks shall be per Metro Code."
2. Add area of right of way dedication to the plat (example x sf or x acres)
3. The mylar shall be signed by the Metro Health Department prior to recording.
4. Name of property owner shall be printed under signature line.
5. Update CM name (Joy Kimbrough).
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
8. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

RECOMMENDED ACTION

Motion to approve proposed subdivision case number 2023S-149-001 with conditions, including variances to Sections 4.2.5.a.1.a., 4.2.5.a.1.b., and 4.2.5.a.1.c. based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Codes, and all other applicable laws, ordinances and resolutions as outlined in the staff report, subject to all of the staff recommended conditions.

Approve with conditions including variances to Sections 4.2.5.a.1.a, 4.2.5.a.1.b, and 4.2.5.a.1.c. (9-0)

Resolution No. RS2023-331

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023S-149-001 is approved with conditions including variances to Sections 4.2.5.a.1.a, 4.2.5.a.1.b, and 4.2.5.a.1.c. (9-0)

CONDITIONS

1. Revise note 16: "Unless shown on plat, setbacks shall be per Metro Code."
2. Add area of right of way dedication to the plat (example x sf or x acres)
3. The mylar shall be signed by the Metro Health Department prior to recording.
4. Name of property owner shall be printed under signature line.
5. Update CM name (Joy Kimbrough).
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
8. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

10. 2023DTC-025-001

1100 PORTER HOTEL

Council District 19 (Jacob Kupin)

Staff Reviewer: Eric Hammer

A request for overall height modification on property located at 1101 Grundy Street, at the northwest corner of Porter Street and 11th Ave. N., to permit a mixed use development, zoned DTC (0.74 acres), requested by, ESa, applicant; 1101 Grundy Property Owner LLC, owner.

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

APPLICANT REQUEST

Modification of overall height standards of the DTC, Gulch South Subdistrict, to allow twenty-eight stories of building height where ten are permitted by-right and sixteen are allowed with bonus height.

DTC Overall Height Modification

A request for overall height modification on property located at 1101 Grundy Street, at the northwest corner of Porter Street and 11th Ave. N., to permit a mixed use development, zoned Downtown Code (DTC) (0.74 acres).

Existing Zoning

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

PROJECT OVERVIEW

This project is located west of 11th Avenue North and between Porter Street and Grundy Street. The proposal is for a mixed-use development consisting of 72 condominium branded residence units, 272 hotel rooms, 10,000 SF of restaurant space, and 126 parking spaces across two levels of underground parking.

A similar Overall Height Modification (2018DTC-035-001) was approved in January of 2019 for a building totaling 20 stories. Elements such as the location of the porte cochere and loading have not changed, but adjacent property, including the property directly at the corner of 11th Avenue and Porter Street, was added to the project, necessitating changes in the design. Since the submittal of that application, several other large-scale projects have been approved or are under construction adjacent to this site.

PLAN DETAILS

The project site has frontage on three streets, 11th Avenue North (secondary street), Porter Street (tertiary street) and Grundy Street (tertiary street). Pedestrian entrances to the hotel and residences face Porter Street, while entrances to the main restaurant are from the corner of 11th Avenue and Grundy Street. The building's underground parking is accessed from an entrance on Grundy Street with an adjacent separate entrance into the loading dock. Frontage on Porter Street includes a porte cochere, which handles the drop-off sequence for the hotel. The project will implement the complete cross-section noted by the 11th Avenue Corridor Study.

OVERALL HEIGHT MODIFICATION PROCESS

The process for an Overall Height Modification is outlined in the DTC as follows:

- 1) *The Executive Director of the Planning Department shall determine whether the development has made reasonable efforts to pursue all appropriate bonuses available in the Bonus Height Program.*
- 2) *The applicant shall hold a community meeting providing notices to all property owners within 300 feet.*
- 3) *The Planning Commission shall review the modification request and may grant additional height for exceptional design, including but not limited to unique architecture, exceptionally strong streetscape, contribution to the skyline, improvement of the project's relationship to surrounding properties, and improvement to the character of the neighborhood. In some instances, consideration may be given where a project results in implementation of significant community improvements (e.g. quality open space, upgrading public infrastructure, or others determined by the policies of Metro departments) and/or contributes to the implementation of community improvements determined by the policies of Metro departments.*

OVERALL HEIGHT MODIFICATION ANALYSIS

Bonus Height Program

A Determination Letter, signed by the Executive Director of the Planning Department, is attached to this staff report, and states the development has made reasonable efforts to use all appropriate bonuses available in the Bonus Height Program. The LEED bonus has been earned by pursuing LEED accreditation for a silver or higher level. Additional bonuses being utilized include Underground Parking and Pervious Surfaces on multiple levels of the building.

Community Meeting

The applicant held a community meeting on Monday, August 30, 2023 at 6:00 P.M. and sent notices to property owners within 300 feet. No members of the public attended the event.

Downtown Code Design Review Committee Meeting

The Downtown Code Design Review Committee (DTC DRC) convened on September 9, 2023. The Committee voiced support of the project, inquired about the materiality of the western façade, implementation of the 11th Avenue Corridor Study and step-back modification request. The Committee voted (with none opposed) to approve the concept design and proposed DTC modifications, and to recommend approval of the proposed Overall Height Modification with staff conditions.

Exceptional Design

The tower of the project uses facades primarily comprised with masonry, precast concrete and glazing. While the parcel is fairly narrow, the base of the project activates 11th Avenue North with a variety of outdoor terraces and seating. The project comprises the majority of the block bounded by 11th Avenue North, Porter Street, Grundy Street, and 12th Avenue North but does not include a single parcel to the west side of the block. The proposed design responds to this challenge by designing the building with all four sides of the tower in mind, allowing the general architectural expression to be similar throughout the composition.

The tower exhibits exceptionally strong streetscape. NDOT completed the 11th Avenue Corridor Study in 2019, which contemplated a full 3 lane cross-section for 11th Avenue through the Gulch. The project has anticipated this change and is complying with all aspects of the 11th Avenue Corridor Study.

NDOT RECOMMENDATION

Approve with conditions

- Prior to building permit submittal, the traffic impact study and recommendations shall be finalized with NDOT. Off-site improvements are anticipated.

STAFF RECOMMENDATION

The project aligns with the goals and objectives of the Downtown Code. Staff recommends approval with the following conditions and deferral without all conditions.

CONDITIONS

1. Sidewalk condition on Porter Street between hotel entry entrance and hotel entry exit shall be designed to minimize disruption to pedestrians and physically prevent vehicles from occupying using the sidewalk corridor. Final treatments and configurations shall be reviewed by Planning and NDOT prior to final site plan approval.
2. Prior to building permit approval, all bonus height actions identified in this application must be approved, including those that require a deed or restrictive covenant.
3. The applicant shall comply with NDOT’s recommendations and with any proposed traffic improvements that result from the project TIS.
4. If implementation of final TIS recommendations has a substantial effect on the building or site design, revisions to these plans shall be reviewed by the DTC DRC.
5. Any encroachments shall be reviewed and approved by the Metropolitan Council through the mandatory referral process.

Approve with conditions. (9-0)

Resolution No. RS2023-332

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023DTC-025-001 is approved with conditions. (9-0)

11. 2023M-003SR-001

RENAMING OF 4 SEGMENTS OF OLD HARDING PIKE

Council District; 35 (Jason Spain)

Staff Reviewer: Lisa Milligan

A request to rename Segment 1 (7900-8082): From Old Harding Pike to Smith Farm Road; Segment 2 (8101-8131): From Old Harding Pike to Pink Tower Road; Segment 3 (8200-8296): From Old Harding Pike to Linton Lane; and Segment 4 (8405-8423): From Old Harding Pike to Old Harding Grove, requested by Councilmember Jason Spain.

Staff Recommendation: Approve.

APPLICANT REQUEST

Rename 4 segments of Old Harding Pike.

Street Renaming

A request to rename segments of Harding Pike as follows: Segment 1 (7900-8082): From Old Harding Pike to Smith Farm Road; Segment 2 (8101-8131): From Old Harding Pike to Pink Tower Road; Segment 3 (8200-8296): From Old Harding Pike to Linton Lane; and Segment 4 (8405-8423): From Old Harding Pike to Old Harding Grove.

The following portion of rights-of-way are requested to be renamed:

- Segment 1 (7900-8082): From Old Harding Pike to Smith Farm Road
- Segment 2 (8101-8131): From Old Harding Pike to Pink Tower Road
- Segment 3 (8200-8296): From Old Harding Pike to Linton Lane
- Segment 4 (8405-8423): From Old Harding Pike to Old Harding Grove

STREET RENAMING PROCEDURE

Metro Council changes street names through the adoption of an ordinance. The Planning Department is required to notify all property owners on the portion of the street proposed for renaming and to give owners the opportunity to provide written comments in support of or in opposition to the proposed name change. Properties with mailing addresses on the section of roadway to be renamed will continue to receive mail using the old street name for one year, giving residents and businesses time to notify persons and entities they correspond with of the change in address.

APPLICATION INFORMATION

This application was filed by Sara Cain, Nashville Department of Transportation (NDOT), in consultation with the prior Councilmember. Notification of the proposed change was sent to all properties with addresses along the portions of the street to be renamed. The Planning Department has received opposition to the request. Given that there was opposition, the item will have a public hearing at Planning Commission.

The construction of Highway 100 overlapped portions of Old Harding Pike which created several disconnected segment roadways with the name of Old Harding Pike. These disconnected segments with the same street name have caused emergency response problems when trying to find a location on Old Harding Pike. NDOT states that the Department of Emergency Communications has requested that these duplicate Old Harding Pike segments be renamed.

STAFF RECOMMENDATION

Given the confusion related to the multiple uses of Old Harding Pike, Planning staff recommends approval.

Approve. (9-0)

Resolution No. RS2023-333

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023M-003SR-001 is approved. (9-0)

12. 2023Z-061PR-001

Council District 21 (Brandon Taylor)

Staff Reviewer: Celina Konigstein

A request to rezone from CS to MUL-A-NS for properties located at 1502, 1600, 1602, 1604, 1607, 1609, 1616, 1618, 1620, 1622 and 1624 Jefferson Street, east of 17th Avenue North (1.27 acres), within the Jefferson Street Redevelopment District and partially within the Fisk University Institutional Overlay District, requested by Fulmer Lucas Engineering, applicant; Scott Chambers and Johnson Family Properties, LLC, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from CS to MUL-A-NS.

Zone Change

A request to rezone from Commercial Service (CS) to Mixed Use Limited-Alternative No Short-Term Rental (MUL-A-NS) for properties located at 1502, 1600, 1602, 1604, 1607, 1609, 1616, 1618, 1620, 1622 and 1624 Jefferson Street, east of 17th Avenue North (1.27 acres), within the Jefferson Street Redevelopment District and partially within the Fisk University Institutional Overlay District.

Existing Zoning

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

Institutional Overlay District (IO) provides a means by which colleges and universities situated wholly or partially within areas of the community designated as residential by the general plan may continue to function and grow in a sensitive and planned manner that preserves the integrity and long-term viability of those neighborhoods in which they are situated. The institutional overlay district is intended to delineate on the official zoning map the geographic boundaries of an approved college or university master development plan, and to establish by that master development plan the general design concept and permitted land uses (both existing and proposed) associated with the institution.

Two of the parcels, 1607 and 1609 Jefferson Street, are located within the Fisk University Institutional Overlay.

Proposed Zoning

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

NORTH NASHVILLE COMMUNITY PLAN

T4 Urban Mixed Use 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.

Supplemental Policy Area

The site is within a supplemental T4 CM policy area (08-T4-CM-01) which applies to the portions of Jefferson Street from 26th Avenue east to 9th Avenue, where some properties do not have enough depth to accommodate development as envisioned. The SPA provides development guidance for these properties by addressing building form and site design. Where the supplemental policy is silent, guidance from the base T4 CM policy applies.

D Major Institutional (D MI) is intended to maintain, enhance, and create Districts where major institutional uses are predominant and where their development and redevelopment occurs in a manner that complements the character of surrounding communities. Land uses include large institutions such as medical campuses, hospitals, and colleges and universities as well as uses that are ancillary to the principal use.

ANALYSIS

The application consists of several parcels located at 1502, 1600, 1602, 1604, 1607, 1609, 1616, 1618, 1620, 1622 and 1624 Jefferson Street. Three parcels have unoccupied commercial uses, three are parking lots, and five parcels, are vacant. The properties at 1607 and 1609 Jefferson Street are on the southern side of the street while the rest are to the north. Kossie Gardner Sr Park, located on the northern side of the street and owned by Metro Parks, is in the middle of the northern portion.

The site is located within a larger area of T4 CM policy, which spans both sides of Jefferson Street. The T4 CM policy prioritizes higher-intensity mixed use and commercial uses along prominent corridors where additional intensity may be supported. The MCSP identifies Jefferson Street as an arterial-boulevard and a long-term need, high-capacity transit corridor, where there is a focus on enhancing transportation infrastructure with improved access management. The site is serviced by an existing WeGo bus route and several bus stops in proximity to the site.

The proposed MUL-A-NS district supports uses that are consistent with the goals of the policy to create vibrant mixed-use areas with an urban, pedestrian-friendly form. Uses permitted by MUL-A-NS zoning include residential and mixed-use development, which will help to support existing and future transit services. Additionally, the Alternative district standards will provide building placement and design standards intended to achieve an urban character and enhance the pedestrian realm.

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

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

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|-------------------------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Multi-Family Residential 3-10 (221) | 0.63 | 1.0 F | 27 U | 145 | 9 | 13 |

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Retail (820) | 0.32 | 1.0 F | 13,939 SF | 526 | 13 | 53 |

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Restaurant (932) | 0.32 | 1.0 F | 13,939 SF | 1,564 | 138 | 136 |

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | - | +982 | +129 | +75 |

METRO SCHOOL BOARD REPORT

MUL-A-NS zoning includes a mix of uses which could vary and assumption of impact at this point is premature. Students would attend Park Avenue Elementary School, McKissack Middle School, and Pearl-Cohn High School. All three schools have been identified as having additional capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (9-0)

Resolution No. RS2023-334

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-061PR-001 is approved. (9-0)

13. 2023Z-066PR-001

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

A request to rezone from RS7.5, RM20-A-NS and CL to MUG-A for properties located at 405 W. Trinity Lane and Monticello Drive (unnumbered), and a portion of property located at Monticello Drive (unnumbered), approximately 130 feet west of the intersection of Monticello Drive and W. Trinity Lane and partially located in a Corridor Design Overlay District (2.35 acres), requested by Dale & Associates, applicant; JMJ Enterprises Inc, owner.

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission deferred 2023Z-066PR-001 indefinitely. (9-0)

14. 2023Z-088PR-001

Council District 01 (Joy Kimbrough)
Staff Reviewer: Amelia Lewis

A request to rezone from RS40 to R40 zoning for property located at 3244 Kings Lane, approximately 320 feet west of the intersection of Kings Lane and Boyd Drive (1.61 acres), requested by TA Real Estate Solution, applicant; Erika Elaine Davis-Patterson & Walter Davis, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS40 to R40.

Zone Change

A request to rezone from Single-Family Residential (RS40) to One and Two-Family Residential (R40) zoning for property located at 3244 Kings Lane, approximately 320 feet west of the intersection of Kings Lane and Boyd Drive (1.61 acres).

Existing Zoning

Single-Family Residential (RS40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre. *RS40 would permit a maximum of one lot and one unit, based on acreage alone.*

Proposed 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 one duplex lot based on the acreage. Metro Codes would determine duplex eligibility.*

BORDEAUX—WHITES CREEK—HAYNES TRINITY COMMUNITY PLAN

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

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

SITE AND CONTEXT

The subject site consists of one parcel on approximately 1.61 acres located on the north side of Kings Lane. The parcels to the east and south are zoned RS10 and the parcels to the west and north are zoned RS40. The surrounding parcels consist primarily of single-family properties and some vacant properties. The subject site is to the west of Robert E Lillard School.

ANALYSIS

The property is within the Suburban Neighborhood Maintenance (T3 NM) Policy. The intent of this policy is to maintain the general character of suburban neighborhoods as characterized by their development pattern, building form, land use, and associated public realm. The T3 NM policy is applicable to areas that are zoned residential, where the primary land use is residential, or that are envisioned to remain primarily residential. The current land use of the parcel and the surrounding land uses are residential. The proposed R40 zoning district will maintain the residential land uses.

The policy guidance states that the following factors should be considered with rezoning: the site's location in relation to centers and corridors, size of the size, the existing neighborhood character and the character of the adjacent transect areas. The property has frontage along Kings Lane which is classified as a collector in the Major and Collector Street Plan (MCSP). The surrounding properties to the north, east, and west are also within the T3 NM Policy. The subject site is adjacent to RS10-zoned properties to the east, which are characterized by a more dense residential development pattern, and is across the street from properties in the T3 NE policy on the south side of Kings Lane. As the site is larger than the minimum zoning district, located adjacent to a higher density area, and is located along a collector, it may be appropriate to provide density through a small increase in units while maintaining the existing development pattern along the corridor.

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Single-Family Residential (210) | 1.61 | 0.93 D | 1 U | 15 | 5 | 1 |

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 |
|---------------------------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| One and Two-Family Residential* (210) | 1.61 | 1.16 D | 2 U | 28 | 7 | 2 |

*Based on two-family lots

Traffic changes between maximum: **RS40 and R40**

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

METRO SCHOOL BOARD REPORT

Projected student generation existing RS40 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed R40 district: 0 Elementary 0 Middle 0 High

The proposed zoning is not expected to generate any additional students. Students would attend Cumberland Elementary, Haynes Middle School, and Whites Creek High School. Cumberland Elementary and Haynes Middle School have been identified as being at capacity while Whites Creek High School has been identified as having additional capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Mr. Tibbs moved and Mr. Marshall seconded the motion to put Item 14 back onto the Consent Agenda. (9-0)

Approve. (9-0)

Resolution No. RS2023-335

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-088PR-001 is approved. (9-0)

15. 2023Z-078PR-001

Council District 11 (Jeff Eslick)

Staff Reviewer: Laszlo Marton

A request to rezone from CS to OR-20 zoning for property located at 99 Bridgeway Avenue, at the northeast corner of Bridgeway Avenue and Rayon Drive, (0.46 acres), requested by Cream City Development, LLC, applicant and owner.

Staff Recommendation: Disapprove OR20 and approve MUN-A-NS.

The Metropolitan Planning Commission deferred 2023Z-078PR-001 to the November 9, 2023, Planning Commission meeting. (9-0)

16. 2023Z-090PR-001

Council District 01 (Joy Kimbrough)

Staff Reviewer: Amelia Lewis

A request to rezone from RS10 to R10 zoning for property located at 1812 Ashton Avenue, approximately 265 feet east of Hydes Ferry Road, (0.46 acres) requested by C&H Properties, LLC, applicant; Carrie Todd, 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) zoning for property located at 1812 Ashton Avenue, approximately 265 feet east of Hydes Ferry Road, (0.46 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 lots and 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 two duplex lots, for a total of four units, based on the acreage alone. This does not account for compliance with the Metro Subdivision Regulations. Metro Codes would determine duplex eligibility.*

BORDEAUX—WHITES CREEK—HAYNES TRINITY COMMUNITY PLAN

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

SITE AND CONTEXT

The subject site consists of one parcel, 0.46 acres, located on the south side of Ashton Avenue, near the intersection of Ashton Avenue and Hydes Ferry Road. The site has been developed with a single-family use. The surrounding parcels are zoned R10 and RS10. The surrounding land uses are a mix of single-family and two-family residential.

ANALYSIS

The application proposes to rezone the property from RS10 to R10. The R10 zoning district is supported by the T3 NE policy. The requested R10 zoning district would permit the future subdivision of this property to create two duplex lots for a total of up to four potential units.

The R10 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 properties were rezoned from RS10 to R10 although there are some SPs and other two-family zoning districts as well. While the Neighborhood Evolving policy likely anticipated a change in zoning districts within this area, staff and the community are becoming aware of an increase in rezoning activity. Although the T3 NE policy supports change in housing type and increased density within the policy area, it also intends to provide housing variety by considering and responding to the existing context.

To balance the needs of the current residents and the existing infrastructure, to protect the existing housing stock, and to provide 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. 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, per the standards of the Zoning. The 25% limitation results in 71 lots being duplex eligible. This would allow for the rezoning of 22 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. While the 25% limit may not be the perfect tool, this is a measure that can provide for some change to occur while also being sensitive to the concerns of existing residents.

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) | 0.46 | 3.7 D | 2 U | 28 | 7 | 2 |

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| One and Two-Family Residential* (210) | 0.46 | 4.63 D | 4 U | 54 | 8 | 5 |

*Based on two-family lots

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | | +26 | +1 | +3 |

METRO SCHOOL BOARD REPORT

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

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

The proposed zoning is not expected to generate any additional students. Students would attend Cumberland Elementary, Haynes Middle School, and Whites Creek High School. Cumberland Elementary and Haynes Middle School have been identified as being at capacity, while Whites Creek High School has been identified as having additional capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (9-0)

Resolution No. RS2023-336

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-090PR-001 is approved. (9-0)

17. 2023Z-092PR-001

Council District 05 (Sean Parker)
Staff Reviewer: Celina Konigstein

A request to rezone from IR and MUN-A-NS to MUL-A-NS zoning for properties located at 828, 830, 832 and 834 W. McKennie Ave., approximately 150 feet west of McFerrin Ave. (0.59 acres) requested by Fulmer Lucas Engineering, applicant; Douglas Village, LLC, owner.

Staff Recommendation: Defer to the December 14, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023Z-092PR-001 to the December 14, 2023, Planning Commission meeting. (9-0)

18. 2023Z-093PR-001

Council District 05 (Sean Parker)
Staff Reviewer: Oscar Orozco

A request to rezone from CS-NS to MUG-A-NS zoning for properties located at 5 Ligon Ave. and 1236 Dickerson Pike, at the southwest corner of Ligon Ave. and Dickerson Pike, within the Skyline Redevelopment District and partially within the Dickerson Pike Sign Urban Design Overlay District, (0.48 acres) requested by Forstone Capital, applicant; 1218 Dickerson, LLC, owner.

Staff Recommendation: Withdraw.

The Metropolitan Planning Commission withdrew 2023Z-093PR-001. (9-0)

19. 2023Z-096PR-001

Council District 11 (Jeff Eslick)
Staff Reviewer: Celina Konigstein

A request to rezone from CS to MUN-A-NS zoning for property located at 117 Bridgeway Ave., approximately 275 feet east of Keeton Ave., (0.43 acres) requested by Kimley-Horn, applicant; 117 Bridgeway, LLC, owner.

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

The Metropolitan Planning Commission deferred 2023Z-096PR-001 to the November 9, 2023, Planning Commission meeting. (9-0)

20. 2023Z-097PR-001

Council District 01 (Joy Kimbrough)
Staff Reviewer: Amelia Lewis

A request to rezone from RS10 to R10 zoning for property located at 1705 River Drive, approximately 390 feet east of Hydes Ferry Road, (0.75 acres) requested by Building Bordeaux, LLC, applicant & 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) zoning for property located at 1705 River Drive, approximately 390 feet east of Hydes Ferry Road, (0.75 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 could permit a maximum of three single-family lots for a maximum of three units, based on acreage alone. This does not account for compliance with the Metro Subdivision Regulations.*

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 could permit three duplex lots, for a maximum of six units, based on the acreage alone. This does not account for compliance with the Metro Subdivision Regulations. Metro Codes would determine duplex eligibility.*

BORDEAUX—WHITES CREEK—HAYNES TRINITY COMMUNITY PLAN

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

SITE AND CONTEXT

The subject site consists of one parcel, 0.75 acres, located on the north side of River Drive, east of Hydes Ferry Road. The site has been developed with a single-family use. The surrounding parcels are zoned R10, RS10, and Specific Plan (SP). The surrounding land uses are a mix of single-family and two-family residential. The SP to the north includes a plan for 14 multi-family residential units. Another SP to the southeast and east of the property is intended to permit base zoning entitlements with additional provisions for the design of the units. The land uses on the surrounding properties are primarily one and two-family residential with limited multi-family residential.

ANALYSIS

The application proposes to rezone the property from RS10 to R10. The R10 zoning district is supported by the T3 NE policy. The requested R10 zoning district would permit the future subdivision of this property to create three duplex lots for a total of up to six potential units.

The R10 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 properties were rezoned from RS10 to R10 although there are some SPs and other two-family zoning districts as well. While the Neighborhood Evolving policy likely anticipated a change in zoning districts within this area, staff and the community are becoming aware of an increase in rezoning activity. Although the T3 NE policy supports change in housing type and increased density within the policy area, it also intends to provide housing variety by considering and responding to the existing context.

To balance the needs of the current residents and the existing infrastructure, to protect the existing housing stock, and to provide 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. 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, per the standards of the Zoning. The 25% limitation results in 71 lots being duplex eligible. This would allow for the rezoning of 21 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. While the 25% limit may not be the perfect tool, this is a measure that can provide for some change to occur while also being sensitive to the concerns of existing residents.

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) | 0.75 | 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) | 0.75 | 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 |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | +3 U | +37 | +2 | +4 |

METRO SCHOOL BOARD REPORT

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

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

The proposed zoning is not expected to generate any additional students. Students would attend Cumberland Elementary, Haynes Middle School, and Whites Creek High School. Cumberland Elementary and Haynes Middle School have been identified as being at capacity, while Whites Creek High School has been identified as having additional capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (9-0)

Resolution No. RS2023-337

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-097PR-001 is approved. (9-0)

21. 2023CP-007-002

WEST NASHVILLE COMMUNITY PLAN AMENDMENT

Council District: 20 (Rollin Horton)

Staff Reviewer: Olivia Ranseen

A request to change policy from T4 NE, T4 NM, and T4 NC to T4 MU and T4 NE to T4 NC for several properties located along Robertson Avenue, Vernon Avenue, Duluth Avenue, Deal Avenue, and Nall Avenue (61 acres) requested by Metro Planning, applicant; various owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend West Nashville Community Plan to change the policy.

Major Plan Amendment

A request to change policy from T4 Urban Neighborhood Maintenance (T4 NM), T4 Urban Neighborhood Evolving (T4 NE), and T4 Urban Neighborhood Center (T4 NC) policies to T4 Urban Mixed Use Neighborhood (T4 MU) policy and from T4 Urban Neighborhood Evolving (T4 NE) policy to T4 Urban Neighborhood Center (T4 NC) policy, and to add a supplemental policy for several properties along Robertson Avenue, Vernon Avenue, Duluth Avenue, Deal Avenue, and Nall Avenue, zoned CS, IR, OR20, SP, R6, R8, and RS7.5 (61.1 acres).

WEST NASHVILLE COMMUNITY PLAN

Current Policy

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

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

Urban Neighborhood Center (T4 NC) policy is intended to maintain, enhance, and create urban neighborhood centers that provide daily needs and services for surrounding urban neighborhoods generally within a five-minute walk. T4 NC areas are pedestrian friendly and generally located at intersections of urban streets. Infrastructure and transportation networks may need to be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

Conservation (CO) policy is intended to preserve undisturbed environmentally sensitive land features in a natural state and remediate environmentally sensitive features that previously have been disturbed when new development or redevelopment takes place. This policy is applicable to areas 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 location, CO policy recognizes small areas of steep slopes. CO policy is not proposed to change.

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

Urban Mixed-Use Neighborhood (T4 MU) policy is intended to maintain, enhance, and create urban, mixed use neighborhoods with a 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. T4 MU policy is being proposed for the area along Robertson Avenue, Duluth Avenue, and Deal Avenue near Charlotte Park, along with a supplemental policy.

Urban Neighborhood Center (T4 NC) policy is intended to maintain, enhance, and create urban neighborhood centers that provide daily needs and services for surrounding urban neighborhoods generally within a five-minute walk. T4 NC areas are pedestrian friendly and generally located at intersections of urban streets. Infrastructure and transportation networks may need to be enhanced to improve pedestrian, bicycle, and vehicular connectivity. T4 NC policy is being proposed for a small gateway area along Robertson Avenue near Briley Parkway.

Supplemental Policy Area (SPA) is applied to the T4 MU area of this policy change and limits building height to 4 stories.

UPDATE

This item was heard at the August 24, 2023, Planning Commission hearing and was deferred. The Commission asked staff for additional information and clarity regarding sidewalks and transit. Staff have the following additional information to provide:

- Prior to the August 24, 2023, MPC hearing, staff met with NDOT to discuss mobility opportunities for the Robertson area. Currently, the study area is not a priority area for sidewalks and bikeway improvements. NDOT emphasized that additional private development in the neighborhood could help contribute to bike and pedestrian infrastructure, and increased density could improve the area's prioritization for public improvements.
- The Robertson neighborhood does not have a bus stop; however, the WeGo Link offers a reusable voucher for rideshare to the closest bus stop. Additional population in the area could help support a bus stop and increased transit within the neighborhood.

BACKGROUND

The two plan amendment areas are in West Nashville primarily along Robertson Avenue, south and west of Briley Parkway. In recent years, the area has experienced one-off changes to land use policy along with Specific Plan rezonings for mixed use development and different housing types, including multi-family in the form of townhomes. The current zoning in the study area consists of a mix of residential, office, commercial, mixed use, and industrial, but not in a strategic pattern.

Today, the proposed T4 NC policy gateway area (approximately three acres) along Robertson Avenue, west of Briley Parkway, includes the former Richland Baptist Church as well as the two residential properties directly across from the church. The proposed central T4 MU policy area is approximately 58 acres. Located on the eastern edge of the T4 MU policy study area along Robertson Avenue, near Sterling Street/Elaine Drive, are several single-family homes as well as commercial uses, including self-storage, an electric contractor, and a shredding service. On the western edge where Robertson Avenue meets Nall Avenue/Waco Drive are a mixed-use development (Breeze Block), single family homes, Ebenezer Methodist Church, and a construction company. Where Robertson Avenue meets Duluth Avenue, properties with industrial zoning along Duluth Avenue and Vernon Avenue are also captured within the proposed T4 MU policy change. These properties today include a curling facility, an electric motor repair shop, commercial bakery, and an audio-visual equipment supplier.

During her tenure, Councilmember Roberts observed some of these development changes, and in the fall of 2022, she requested that the Community Plans team study and propose a more cohesive strategy for mixed use development along this important neighborhood street. Using current land use and zoning as a guide, Planning staff collaborated with the former Councilmember to provide an initial study area and then refined the area based on several rounds of public feedback and further analysis. Ultimately, the final study area boundaries were selected to create a neighborhood-scale gateway and mixed-use neighborhood along Robertson Avenue and to assist in fostering a complete community with a sense of place.

COMMUNITY PARTICIPATION

Meeting 1 – 11/17/2022

On November 17, 2022, Planning presented the first draft map of the study area and proposed policy amendment at the Charlotte Park-Robertson Neighborhood Association's (CRNA) monthly meeting at Ebenezer Methodist Church. This initial draft proposed the application of T4 Urban Mixed-Use Corridor (T4 CM) policy for properties fronting Robertson Avenue from Midland Avenue/Lozier Street to Basswood Avenue, approximately 91 acres, as well as T4 Urban Mixed Use Neighborhood policy within the Duluth Avenue area (Figure 1). Exploring the application of T4 CM along the length of Robertson Avenue relied, in part, on the recent experience of applying the same policy on 51st Avenue in the nearby Nations neighborhood.

Notices were mailed to 2,192 property owners and residents within 1,300 feet of the potential plan amendment area. Approximately 100 people attended the meeting, including residents, property owners, the former Councilmember, and staff. Planning staff provided an overview of the plan amendment proposal and then moved into Q&A period. During the meeting the following topics were discussed:

- Interest in a more condensed/targeted mixed use policy model, similar to Sylvan Park;
- Concern for height and density allowed by policy;
- Need for traffic/safety improvements along Robertson Avenue;
- Process for rezonings after a policy change; and
- Desire for park activation via mixed use development.

After answering questions, Planning staff said they would coordinate an additional meeting with the neighborhood association.

Staff collected 44 comment cards at the meeting. Comment cards showed that most attendees (77%) were generally supportive, and 59% of those folks were in strong support; 23% of attendees were opposed with 16% of those

indicating strong opposition. In their comments, several attendees emphasized their support of a Sylvan Park model along with the need for traffic calming measures along Robertson Avenue. Those in opposition voiced concerns about parking and traffic. Some comment cards in opposition mentioned support of a smaller area for mixed use development.

Meeting 2 – 1/19/2023

After the first meeting, Planning staff made the following revisions based on community feedback:

- Split the boundary to focus on several clusters of existing commercial, industrial, residential, and mixed-use zoning.
- Extended mixed-use policy to properties along the north side of Deal Avenue that face Charlotte Park.

Staff presented this revised version at CRNA's January 19, 2023, meeting. This meeting was not noticed by a large mailing; however, attendees at the November meeting who signed in and provided an email address were added to the neighborhood association email list and notified. Around 45 people attended. Several people expressed support for the policy change; however, some community members were concerned about short term rentals, building heights, and the possibility of developers assembling residential properties resulting in a larger-scale mixed use development.

Staff collected 39 comment cards at the meeting. Comments indicated that most attendees (58%) were supportive with 45% of those in strong support; 16% indicated they were neutral, and 26% indicated strong opposition.

Meeting 3 – 3/16/2023

Based on feedback from the January 19th meeting, staff made the following additional adjustments:

- Changed the "mixed use district" policy category from T4 Urban Mixed Use Corridor (T4 CM) to T4 Urban Mixed Use Neighborhood (T4 MU) to reduce intensity allowed under policy per community concerns about height and intensity.
- Introduced three proposed neighborhood center areas and removed District Impact (D I) properties on the western edge of the study area.
 - Based on community comments at the January 19th meeting, staff determined there needs to be a separate in-depth analysis and discussion on the future of industrial and impact uses in the area.

Staff presented the third version (Figure 3) at CRNA's March 16, 2023, meeting. Approximately 20 people attended the meeting. Several people expressed concerns about the policy change due to intensity, height, apartments, and non-residential uses.

Meeting 4 – 6/13/2023

Following the third meeting in March, staff made these adjustments:

- Removed all T4 NC policy applications west of Nall Avenue/Waco Drive because these locations are disconnected from the central mixed-use district, and community members expressed desire for these areas remaining residential. This leaves one T4 NC area at the eastern gateway into the neighborhood.
- Offered a supplemental policy to limit building heights to four stories to address community concerns.

In June of 2023, the CRNA Development Committee reached out to Planning and requested staff attend their monthly meeting at Travis Electric, 4400 Michigan Avenue. On June 13, 2023, staff distributed revised maps (Figure 2) and responded to questions and comments at the CRNA Development Committee meeting. Approximately 15 people were present at the meeting. Those opposed to the change, the majority in attendance, suggested that only current industrial and commercial properties be included in the policy change, and they would like for height to be limited. Those in favor of the policy change expressed a desire for a mix of uses and voiced satisfaction with the current policy revision.

Following the June meeting, Planning staff posted materials to the website – a video presentation explaining the process and Planning-recommended draft, along with presentation slides, a fact sheet, and the draft policy maps.

ANALYSIS OF T4 URBAN MIXED-USE NEIGHBORHOOD AND T4 URBAN NEIGHBORHOOD CENTER POLICIES

The first and second community meetings had the highest attendance and reached a wider audience, and those meetings indicated a base of support for a broader mixed use policy application. To balance community opinions, staff is advancing Figure 2 as the recommended policy application along with a supplemental policy limiting height. The proposed amendment areas are suitable locations for T4 MU and T4 NC for the following reasons:

Builds upon existing mix of uses.

Most of the plan amendment area currently is under T4 NE or T4 NM policy, which only permit residential development; however, the neighborhood already features a variety of uses, albeit not necessarily neighborhood-scale. This plan amendment builds upon existing uses and encourages neighborhood-scale uses through the following policy applications:

- T4 NC policy is proposed for the eastern entrance to the Robertson neighborhood at Midland Avenue/Lozier Street, west of Briley Parkway. This application allows for a mixed use, prominent gateway into the neighborhood.
- T4 MU policy is applied to both sides of Robertson Avenue to create a central mixed use area with a sense of place and continuity – examples of similar streets include 51st Avenue in the Nations, Hillsboro Village, and 12th Avenue South.
- Properties on the north side of Deal Avenue that face Charlotte Park are included in the T4 MU policy change as well. Having a mix of uses and additional housing in this area can help activate the park.
- Properties along Duluth Avenue were also included as they include a mix of uses and are desirable for additional mixed use projects especially due to the existence of larger lots.

Fosters a complete community.

This plan amendment enables a neighborhood mixed use district that supports different housing building types as well as neighborhood amenities, such as retail, restaurants, and services. This mixed-use district can create a complete community, where residents of the Robertson and Charlotte Park neighborhoods walk or bike to meet their everyday needs and possibly work close to home. Complete communities are a central theme throughout *NashvilleNext*.

Activates a major neighborhood amenity.

Charlotte Park serves as the only major public amenity for the Robertson and Charlotte Park neighborhoods. It contains walking trails, a playground, shelters, baseball fields, and restrooms. This policy change encourages mixed use development adjacent to and around the park, such as restaurants and additional housing, which could increase the number of people in the area and users of the park and further activate this Metro asset. As previously stated, the 12th South area and Sevier Park is a strong example of mixed-use development complementing Metro parks.

Creates opportunity for street calming and pedestrian investments.

Currently, Robertson Avenue is not prioritized for pedestrian or street calming improvements under the 2022 *WalknBike Plan*. However, this policy change permits additional uses, including multifamily, retail, and restaurants, which could result in increased residential and commercial growth that would justify public street improvements. Additionally, this policy change would make private sector-led projects that include sidewalks, such as multifamily, retail, and restaurants, more likely to occur.

Allows for mixed use development on existing commercial and industrial properties.

Approximately half (28 acres) of the T4 MU study area is currently zoned commercial or industrial (Figure 3). However, industrial zoning and the current commercial zoning are more intensive and allow uses beyond the desired neighborhood-scale restaurants and retail. The policies currently assigned to these properties, T4 NM and T4 NE, limit existing commercial and industrial areas to residential development if someone is seeking a rezoning to redevelop.

The neighborhood would like to see more neighborhood-serving amenities. This policy change enables existing commercial and industrial properties to redevelop into mixed use that combines housing and amenities at a neighborhood-scale.

Aligns with surrounding policies.

Existing residential policies surround the plan amendment areas, and this application allows more amenities and services to locate near policy intended to recognize established neighborhoods and create additional housing where appropriate. Limited T4 NC and T4 MU policies exist to the north and east of the policy amendment, and this application expands mixed use opportunity for the Robertson and Charlotte Park neighborhoods.

Adding a Supplemental Policy

The following Supplemental Policy Area (SPA) text is proposed to be added to the West Nashville Community Plan to limit building height:

Begin text:

SPA 07-T4-MU-02 – Robertson Avenue Area

West Nashville’s Urban Mixed Use Neighborhood (T4 MU) Area 2 is referenced as 07-T4-MU-02 on the accompanying map. The area is located along Robertson Avenue between Elaine Avenue and Nall Avenue. In this SPA, the following policies apply. Where the SPA is silent, the guidance of the T4 MU policy applies.

Analysis Summary

Amending the Community Character Policy from T4 NM, T4 NE, and T4 NC to a central T4 MU policy area and a gateway T4 NC policy is appropriate at this location. In summary, the change in policy for the study areas is appropriate due to the following:

- Expands neighborhood-scale, mixed use opportunities for the Robertson and Charlotte Park neighborhoods.
- Fosters a complete community that integrates housing within walking distance of mixed use development, in alignment with *NashvilleNext*.
- Enables existing commercial and industrial properties to become walkable, mixed-use developments.

- Activates Charlotte Park with new mixed use developments.
- Supports public and private investment along Robertson Avenue.

STAFF RECOMMENDATION

Staff recommends approval of applying T4 Urban Mixed Use Neighborhood (T4 MU) policy and T4 Neighborhood Center (T4 NC) policy to the study areas as well as adding Supplemental Policy Area 07-T4-MU-02 to the T4 MU area.

Ms. Ranseen stated this Item was heard at the August 24, 2023, Planning Commission meeting and the Public Hearing was closed. She presented the staff recommendation to approve.

Vice Chair Farr reiterated the Public Hearing is closed.

Mr. Henley said he appreciates the staff's work and supports the recommendation.

Ms. Milligan stated that Councilmember Gamble was not a Commissioner at the time of the last meeting and not at the Public Hearing, so she will not be able to participate in the discussion or vote.

Mr. Clifton remembers being in favor of postponing this Item and thought the delay has served its purpose for them to get more comfortable with it.

Mr. Marshall said the community has discussed this and came to an agreement and he is in support.

Ms. Leslie stated she supports the recommendation.

Ms. Johnson said she was absent from the August 24, 2023 meeting but watched the video. She stated this is a policy change and not a zoning change. Ms. Johnson pointed out the zoning is IR and CS and asked if it could be developed commercial even if the policy is T4 Neighborhood Evolving.

Ms. Ranseen responded in the affirmative.

Ms. Johnson asked if they are to apply for the zone change, is there any difference of what they can do from current policy to mixed use policy.

Ms. Ranseen answered that if they are doing a commercial development, the main difference is with a mixed use policy, and they could do a mixed use development and have residential and commercial uses coincide. She explained if both the MUL and MUN categories are listed under T4 Mixed Use Neighborhood, they would stay more neighborhood scale than commercial. Under the current CS zoning, it depends on how much frontage there is along an arterial or collector street as to whether they can potentially get residential units.

Ms. Milligan added that for CL and CS, those do not have a maximum height, but have a height control plane.

Ms. Johnson said that having T4 Mixed Use policy with supplement policy controlling the height seems to have achieved what the neighborhood is wanting.

Mr. Smith thought it is a good policy and said he is ready to support.

Mr. Henley moved and Mr. Tibbs seconded the motion to approve. (8-0-1) Councilmember Gamble did not vote.

Resolution No. RS2023-338

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023CP-007-002 is approved. (8-0-1)

22. 2022SP-077-001

3539 DICKERSON PIKE

Council District 05 (Sean Parker)

Staff Reviewer: Donald Anthony

A request to rezone from CS and RS10 to SP zoning for properties located at 3252, 3533, 3537, and 3539 Dickerson Pike, Dickerson Pike (unnumbered), and Due West Avenue North (unnumbered), approximately 970 feet south of the intersection of Dickerson Pike and Due West Ave. N., (36.92 acres), to permit a mixed use development with 22,000 square feet of non-residential uses and 450 multi-family residential units, requested by Barge Cauthen & Associates, applicant; 3539 Dickerson Pike, LLC, Lotus Enterprises, Inc., and New Level CDC, owners.

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

The Metropolitan Planning Commission deferred 2022SP-077-001 to the November 9, 2023, Planning Commission meeting. (9-0)

23. 2023SP-077-001

1520 HAMPTON STREET

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Jason Swaggart

A request to rezone from CL and OR20 to SP zoning on properties located at 1520 Hampton Street and Avondale Circle (unnumbered), at the southwest corner of Hampton Street and Avondale Circle, and partially located within a Corridor Design Overlay District (1.81 acres), to permit up to 55 multi-family residential units, requested by Dale & Associates, applicant; KSSK, LLC, owner.

Staff Recommendation: Defer to the December 14, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023SP-077-001 to the December 14, 2023, Planning Commission meeting. (9-0)

24a. 46-83P-005

METRO AIRPORT CENTER PUD (CANCELLATION)

Council District 15 (Jeff Gregg)

Staff Reviewer: Laszlo Marton

A request to cancel a Planned Unit Development Overlay District on properties located at 801 and 828 Royal Parkway, at the northeast corner of Royal Parkway and Airport Center Drive, zoned CS (10.68 acres), and located within a Planned Unit Development Overlay District, requested by Tune, Entekin & White, PC, applicant; MAC Partners, LLC, owner. (See associated case #2023Z-100PR-001)

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

APPLICANT REQUEST

Cancel a Planned Unit Development.

PUD Cancellation

A request to cancel a portion of the Planned Unit Development Overlay District on properties located at 801 and 828 Royal Parkway, at the northeast corner of Royal Parkway and Airport Center Drive, zoned Commercial Service (CS) (10.68 acres).

Existing Zoning

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

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of Title 17. The PUD district may permit a greater

mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets.

Proposed Zoning

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

DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

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

ANALYSIS

The application consists of two parcels (Map 108, Parcel 216; Map 108-01, Parcel 081) totaling 10.68 acres, located along Royal Parkway. Both properties are zoned Commercial Service (CS) and currently have office uses. Surrounding properties are zoned CS and surrounding uses are office, hotel, and education.

The two properties are a part of PUD no. 46-83-U which was originally approved in 1995 to permit commercial uses and is located southeast of the intersection of Donelson Pike and Elm Hill Pike. In 1996, the property at 828 Royal Parkway was approved for 52,756 SF of office use which remains to this day. In the same year, the property at 801 Royal Parkway was approved for 78,000 SF of Office and Distribution uses. In 2002, the PUD was amended to include an educational use which currently operates as the East Davidson Campus of the Nashville State Community College at 2845 Elm Hill Pike. Today, the PUD remains largely commercial with office, hotel, restaurant and the educational use at 2845 Elm Hill Pike.

The properties are located within the T3 Suburban Community Center policy area. T3 CC areas are intended to enhance and create suburban communities generally within a 10-to-20-minute drive. The associated case 2023Z-100PR-001 proposes to rezone the properties to MUL-NS, which is specifically suggested as a supported district in the CCM for T3 CC, as it allows for a mixture of uses on the site including office, residential, retail, and more. The cancellation of the PUD is consistent with T3 CC policy in that it will encourage development that is compatible with the general character of the area and will remain harmonious with the existing land use and associated public realm.

STAFF RECOMMENDATION

Approve if the associated rezone is approved and disapprove if the associated rezone is not approved.

Approve. (9-0)

Resolution No. RS2023-339

“BE IT RESOLVED by The Metropolitan Planning Commission that 46-83P-005 is approved. (9-0)

24b. 2023Z-100PR-001

Council District 15 (Jeff Gregg)
Staff Reviewer: Laszlo Marton

A request to rezone from CS to MUL-NS zoning for properties located at 801 and 828 Royal Parkway, east of Royal Parkway and Airport Center Drive (10.68 acres), within a Planned Unit Development Overlay District, requested by Tune, Entrekin & White, PC, applicant; MAC Partners, LLC, owner. (See associated case 46-83P-005)

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from CS to MUL-NS.

Zone Change

A request to rezone from Commercial Service (CS) to Mixed Use Limited-No STRP (MUL-NS) zoning for properties located at 801 and 828 Royal Parkway, east of Royal Parkways and Airport Center Drive, within a Planned Unit Development Overlay District (10.68 acres).

Existing Zoning

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

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

The PUD in place permits office, hotel, fast food/restaurant, and education uses.

Proposed Zoning

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

DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

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

ANALYSIS

The application consists of two parcels (Map 108, Parcel 216; Map 108-01, Parcel 081) totaling 10.68 acres, located along Royal Parkway Drive. Both properties are zoned Commercial Service (CS) and currently have office uses. Surrounding properties are zoned CS surrounding uses are office, hotel, education, and developed under the PUD that is currently in place.

The application proposes to rezone the property from CS to MUL-NS. The property is located within the T3 Suburban Community Center policy area which intends to enhance and create suburban community centers. The Community Character Manual lists MUL-NS as an appropriate zoning district as it allows for uses which support the policy’s intent to provide intense mixed use areas. MUL-NS would allow for commercial, office and multi-family residential uses, which would remain compatible with the surrounding land uses which are primarily office and hotel. The request is generally consistent with the intent of the T3 CC policy and therefore, staff recommends approval.

FIRE RECOMMENDATION

Approve.

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) | 10.68 | 0.6 F | 279,132 SF | 10,537 | 263 | 1,063 |

Maximum Uses in Proposed Zoning District: MUL-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) | 5.34 | 1.0 F | 232 U | 1,263 | 78 | 100 |

Maximum Uses in Proposed Zoning District: MUL-NS

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Retail (820) | 2.67 | 1.0 F | 116,305 SF | 4,391 | 110 | 443 |

Maximum Uses in Proposed Zoning District: MUL-NS

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Restaurant (932) | 2.67 | 1.0 F | 116,305 SF | 13,047 | 1,156 | 1,137 |

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | - | +8,164 | +1,081 | +617 |

METRO SCHOOL BOARD REPORT

The mix of uses could vary and assumption of impact at this point is premature. Students would attend Hickman Elementary School, Donelson Middle School, and McGavock High School. Donelson Middle School is identified as being exceedingly under capacity while Hickman Elementary School and McGavock High School are identified as at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (9-0)

Resolution No. RS2023-340

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-100PR-001 is approved. (9-0)

25. 2023Z-095PR-001

Council District 02 (Kyonzté Toombs)
Staff Reviewer: Jason Swaggart

A request to rezone from RS10 to RM15 zoning for properties located at 2840 and 2842 Buena Vista Pike, approximately 315 feet south of Stokers Lane, (2.66 acres) requested by SWS Engineering, applicant; Rickie & Barry Morris and Mickey Marston & Vickie Morris, owners.

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

The Metropolitan Planning Commission deferred 2023Z-095PR-001 to the November 9, 2023, Planning Commission meeting. (9-0)

26. 2023Z-098PR-001

Council District 16 (Ginny Welsch)

Staff Reviewer: Donald Anthony

A request to rezone from RS15 to R15 zoning on property located at 511 Glengarry Drive, approximately 420 feet west of Greymont Drive (0.57 acres), requested by Councilmember Ginny Welsch, applicant; Anthony Wetmore, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS15 to R15.

Zone Change

A request to rezone from Single-Family Residential (RS15) to One and Two-Family Residential (R15) on property located at 511 Glengarry Drive, approximately 420 feet west of Greymont Drive (0.57 acres).

Existing Zoning

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 1 unit.*

Proposed Zoning

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 1 lot with 1 duplex lot for a total of 2 units. Final determinations on duplex eligibility are provided by Codes.*

SOUTH NASHVILLE COMMUNITY PLAN

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

SITE AND CONTEXT

The rezoning application is for a 0.57-acre parcel located along the north side of Glengarry Drive between Currey Road and Greymont Drive. The property is part of Section 1 of the Glengarry Park subdivision. The property has been zoned RS15 since 1998. Prior to being rezoned to RS15, the property was zoned R15, which permitted one and two-family residential units. The existing single-family residential structure on the property was previously used as a two-family dwelling, retaining nonconforming status after the property was rezoned to RS15. However, because the structure was not used as a two-family dwelling for a period of more than 30 consecutive months, it lost its nonconforming status in 2021.

All adjacent properties are zoned RS15, as are most properties in both the Glengarry Park and Glenclyff Estates subdivisions. These subdivisions cover a large area bounded by East Thompson Lane on the north, Briley Parkway on the south, Currey Road on the west, and Murfreesboro Pike on the east. While no other properties on the same block as the subject property are currently used for two-family residential units, several properties in the broader area are used for two-family residential. These include properties on Currey Road, McDonald Drive, Greymont Drive, and Southwood Drive. The image below shows existing two-family residential units (orange properties labeled "Duplex") in relation to the subject property. All properties colored yellow are used for single-family residential units. Properties colored green are currently vacant.

The R15 zoning district permits one and two-family residential units with a minimum lot size of 15,000 square feet. The subject property has a lot size of 24,531 square feet. If the property is rezoned, it would meet the minimum lot size for one two-family residential unit.

ANALYSIS

The application proposes to rezone the subject property from RS15 to R15. The property lies in the T3 Suburban Neighborhood Maintenance (T3 NM) policy area. The T3 NM policy is intended to maintain the general character of suburban neighborhoods as characterized by their development pattern, building form, land use, and associated public realm. The T3 NM policy supports a range of single-family and one and two-family zoning districts, including R15.

Planning staff evaluated the rezoning request in relation to the policy’s focus on maintaining neighborhood character; staff determined that the proposed R15 zoning would be consistent with the policy. Prior to 1998, the Glengarry Park subdivision was zoned for one and two-family residential use. Though the area was rezoned to RS15 for single-family residential use, several pre-existing two-family residential units have continued as nonconforming uses. The existing house on the subject property continued as a two-family residential unit until 2018; it subsequently lost its nonconforming status following 30 months of inactivity.

Because two-family residential units are still present throughout the broader neighborhood, and because R15 zoning is supported by the T3 NM policy, staff recommends approval of the rezoning request.

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) | 0.57 | 2.47 D | 1 U | 15 | 5 | 1 |

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| One and Two-Family Residential* (210) | 0.57 | 3.09 D | 2 U | 28 | 7 | 2 |

*Based on two-family lots

Traffic changes between maximum: **RS15 and R15**

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

METRO SCHOOL BOARD REPORT

Projected student generation existing RS15 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed R15 district: 0 Elementary 0 Middle 0 High

The proposed R15 zoning district is not expected to generate any more students than the existing RS15 zoning district. Students would attend Glengarry Elementary School, Wright Middle School, and Glenclyff High School. Both Glengarry Elementary School and Glenclyff High School are over capacity, while Wright Middle Schools is under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (9-0)

Resolution No. RS2023-341

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-098PR-001 is approved. (9-0)

H: OTHER BUSINESS

27. New Employment Contract for Brett Withers & Contract Amendment for Amelia Lewis

Resolution No. RS2023-242

“BE IT RESOLVED by The Metropolitan Planning Commission that the New Employment Amendment for Brett Withers & Contract Amendment for Amelia Lewis is approved. (9-0)

28. New Contract with Interval, LLC for Missing Middle TN Housing Policy Review

Resolution No. RS2023-243

"BE IT RESOLVED by The Metropolitan Planning Commission that the New Contract with Interval, LLC for Missing Middle TN Housing Policy Review is approved. (9-0)

29. Adoption of 2024 Planning Commission Calendar

Resolution No. RS2023-244

"BE IT RESOLVED by The Metropolitan Planning Commission that the Adoption of 2024 Planning Commission Calendar is approved. (9-0)

30. Bonus Height Certification Memo for 901 Dr. Martin L. King Jr Blvd.

Resolution No. RS2023-245

"BE IT RESOLVED by The Metropolitan Planning Commission that the Bonus Height Certification Memo for 901 Dr. Martin L. King Jr Blvd is approved. (9-0)

31. Correction of Deferral Date for 2014SP-050-002

Resolution No. RS2023-246

"BE IT RESOLVED by The Metropolitan Planning Commission that the Correction of Deferral Date to December 14, 2023, for 2014SP-050-002 is approved. (9-0)

32. Historic Zoning Commission Report

33. Board of Parks and Recreation Report

34. Executive Committee Report

35. Accept the Director's Report

Resolution No. RS2023-247

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

36. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

November 9, 2023

MPC Meeting

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

December 14, 2023

MPC Meeting

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

J: ADJOURNMENT

The meeting adjourned at 5:45 p.m.