



# METROPOLITAN PLANNING COMMISSION

## DRAFT MINUTES

**April 27, 2023**

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

### MISSION STATEMENT

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

**Commissioners Present:**

Greg Adkins, Chair  
Jessica Farr, Vice Chair  
Edward Henley  
Stewart Clifton  
Jeff Haynes  
Brian Tibbs  
John Stone  
Councilmember Brett Withers

**Commissioners Absent:**

Jim Lawson  
Mina Johnson

**Staff Present:**

Lucy Kempf, Executive Director  
Todd Okolichany, Deputy Executive Director  
Tara Ladd, Legal  
Amelia Lewis, Planner II  
Abbie Rickoff, Planner III  
Olivia Ranseen, Planner I  
Dustin Shane, Planner II  
Anita McCaig, Planner III  
Andrea Barbour, Planner II  
Jason Swaggart, Planner II  
Logan Elliott, Planner II  
Eric Matravers, Planner II  
Donald Anthony, Planner II

**Lucy Alden Kempf**

Secretary and Executive Director, Metro Planning Commission  
**Metro Planning Department of Nashville and Davidson County**  
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## Notice to Public

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

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

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

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

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

### Writing to the Commission

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

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

### Speaking to the Commission


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

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

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

### Legal Notice

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

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

# MEETING AGENDA

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## A: CALL TO ORDER

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

Chair Adkins welcomed Mr. John Stone to the Planning Commission. He stated the Mayor's office has appointed Mr. Stone as a Commissioner for this meeting in Ms. Mina Johnson's absence.

## B: ADOPTION OF AGENDA

Mr. Clifton moved and Mr. Henley seconded the motion to adopt the agenda. (7-0)

## C: APPROVAL OF APRIL 13, 2023 MINUTES

Mr. Tibbs moved and Mr. Stone seconded the approval of the April 13, 2023 meeting minutes. (7-0)

## D: RECOGNITION OF COUNCILMEMBERS

Councilmember Styles spoke in favor of Item 24.

Councilmember Toombs spoke in favor of Item 32. She stated she did not have a position on Item 34 but shared the community concerns for the project and said if it is approved, she planned to have community meetings to flesh out those concerns and to make sure the project fits with what the community would like to see.

## E: ITEMS FOR DEFERRAL / WITHDRAWAL 1, 2a, 2b, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19a, 19b, 25, 29, 37, 38

Mr. Henley moved and Mr. Henley seconded the motion to approve the Items for Deferral and Withdrawal. (7-0)

## F: CONSENT AGENDA ITEMS 43, 47

Vice Chair Farr joined the meeting.

Vice Chair Farr moved and Mr. Henley seconded the motion to approve the Consent agenda. (8-0)

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

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

## G: ITEMS TO BE CONSIDERED

### 1. 2022S-253-001

#### FIRST REVISION LOT 1 RESUB LOTS 76 & 77 MADISON HEIGHTS

Council District 09 (Tonya Hancock)

Staff Reviewer: Amelia Lewis

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

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022S-253-001 to the May 11, 2023, Planning Commission meeting. (8-0)**

**2a. 2023CP-012-001**

**SOUTHEAST COMMUNITY PLAN AMENDMENT**

Council District 04 (Robert Swope)

Staff Reviewer: Andrea Barbour

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

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2023CP-012-001 to the May 11, 2023, Planning Commission meeting. (8-0)**

**2b. 2016SP-028-003**

**WILLIAMS MILL SP (Amendment)**

Council District 04 (Robert Swope)

Staff Reviewer: Donald Anthony

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

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016SP-028-003 to the May 11, 2023, Planning Commission meeting. (8-0)**

**3. 2018S-059-003**

**ORCHARDS PH3**

Council District 09 (Tonya Hancock)

Staff Reviewer: Eric Matravets

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

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018S-059-003 to the May 11, 2023, Planning Commission meeting. (8-0)**

**4. 2018S-059-004**

**ORCHARDS PH2**

Council District 09 (Tonya Hancock)

Staff Reviewer: Eric Matravets

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

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018S-059-004 to the May 11, 2023, Planning Commission meeting. (8-0)**

**5. 2019S-039-002**

**PAYNE RD SUBDIVISION**

Council District 28 (Tanaka Vercher)

Staff Reviewer: Jason Swaggart

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

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019S-039-002 to the May 11, 2023, Planning Commission meeting. (8-0)**

**6. 2019SP-053-001**

**ACKLEN PARK RESIDENTIAL SP**

Council District 21 (Brandon Taylor)

Staff Reviewer: Jason Swaggart

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

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019SP-053-001 to the May 11, 2023, Planning Commission meeting. (8-0)**

**7. 2022SP-036-001**

**HARPETH RESERVE**

Council District 35 (Dave Rosenberg)

Staff Reviewer: Logan Elliott

A request to rezone from AR2a to SP zoning on property located at Mccrory Ln (unnumbered), approximately 474 feet south of Beautiful Valley Dr., ( 3 acres), to permit 23 single-family units, requested by Civil Design Consultants, LLC, applicant; Pointe Hialeah 3, LLC, owner.

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022SP-036-001 to the May 11, 2023, Planning Commission meeting. (8-0)**

**8. 2023S-045-001**

**TEMPLE HEIGHTS**

Council District 22 (Gloria Hausser)

Staff Reviewer: Eric Matravets

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

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2023S-045-001 to the May 11, 2023, Planning Commission meeting. (8-0)**

- 9. 2023S-063-001**  
**THORNTON GROVE PUD PH 4A**  
Council District 03 (Jennifer Gamble)  
Staff Reviewer: Donald Anthony

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

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2023S-063-001 to the May 11, 2023, Planning Commission meeting. (8-0)**

- 10. 2023SP-019-001**  
**THE MEADOWS**  
Council District 01 (Jonathan Hall)  
Staff Reviewer: Amelia Lewis

A request to rezone from RS40 to SP zoning for property located at 6289 Eatons Creek Road, south of Binkley Road (11.77 acres), to permit 42 multi-family residential units, requested by Land Solutions Company, LLC, applicant; Joelton TC Ventures LLC, owner.

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2023SP-019-001 to the May 11, 2023, Planning Commission meeting. (8-0)**

- 11. 2023SP-032-001**  
**316 HOMESTEAD PRELIMINARY SP**  
Council District 02 (Kyonzté Toombs)  
Staff Reviewer: Logan Elliott

A request to rezone from CS to SP zoning for property located at 316 Homestead Road, approximately 240 feet north of Southridge Drive (1.56 acres), to permit all uses of MUL-A, except for those uses prohibited on the plan, requested by Catalyst Design Group, applicant; Bella Cyrus Development, LLC, owner.

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2023SP-032-001 to the May 11, 2023, Planning Commission meeting. (8-0)**

- 12. 2023SP-033-001**  
**1003 DOUGLAS AVE. MULTIFAMILY**  
Council District 05 (Sean Parker)  
Staff Reviewer: Logan Elliott

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

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2023SP-033-001 to the May 11, 2023, Planning Commission meeting. (8-0)**

**13. 2023Z-038PR-001**

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

A request to rezone from RS7.5 to R8 zoning for property located at 574 Ewing Drive, approximately 185 feet west of Vista Lane, (0.85 acres), requested by XE Development Company LLC, applicant and owner.

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2023Z-038PR-001 to the May 11, 2023, Planning Commission meeting. (8-0)**

**14. 2023S-042-001**

**ST. LUKE PRESBYTERIAN CHURCH**

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

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

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016SP-028-003 to the May 11, 2023, Planning Commission meeting. (8-0)**

**15. 2023SP-036-001**

**PAWNEE TRAIL RESIDENTIAL**

Council District 09 (Tonya Hancock)  
Staff Reviewer: Donald Anthony

A request to rezone from RS15 to SP zoning for property located at 1231 Pawnee Trail, approximately 350 feet southeast of Grants Pass (12.8 acres) to permit 36 detached multi-family residential units, requested by Catalyst Design Group, applicant; Pawnee Trail Developers, LLC, owner.

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2023S-042-001 to the May 11, 2023, Planning Commission meeting. (8-0)**

**16. 2017NHL-002-004**

**BELLE AIR MANSION**

Council District 15 (Jeff Syracuse)  
Staff Reviewer: Jason Swaggart

A request to amend a Neighborhood Landmark Overlay District on property located at 2250 Lebanon Pike, at the northeast corner of the Briley Parkway and Lebanon Pike, zoned RS20 and R8 and partially within the Downtown Donelson Urban Design Overlay District, and partially within a Historic Landmark District Overlay (5.92 acres), to permit 36 hotel rooms, and commercial amusement, inside, requested by Dewey Engineering, applicant; Lewis and Connie James, owners.

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2017NHL-002-004 to the May 11, 2023, Planning Commission meeting. (8-0)**

## 17. **CIB FY2023-24** **FY23-24 CAPITAL IMPROVEMENTS BUDGET**

Staff Reviewer: Greg Claxton

Submit the FY2023-24 Capital Improvements Budget for consideration by Mayor John Cooper.

**Staff Recommendation: Approve.**

### **CAPITAL IMPROVEMENTS BUDGET**

Submit the FY2023-24 Capital Improvements Budget for consideration by the Mayor.

### **BACKGROUND**

The Charter of the Metropolitan Government for Nashville and Davidson County requires that the Planning Commission submit a list of recommended capital improvements that are necessary or desirable to be constructed or provided during the next six years.

The Capital Improvements Budget is a planning tool to prioritize and coordinate investments in long-term, durable improvements. Investments are considered to be capital improvements when they:

- Have a lifetime greater than 10 years and
- Cost more than \$50,000.

Capital improvements include Metro facilities and equipment, such as office buildings, fire trucks, or information systems. Capital improvements also include infrastructure, such as water and sewer lines, roads and sidewalks, parks, and libraries.

Some Metro investments shape private market activity by influencing where people want to live or business owners want to locate. Some investments, such as providing access to water, sewer, or transportation networks, are required for any development pattern beyond very low density rural character. In other cases, Metro investments in parks, schools, or other public spaces are amenities or resources that make a place more desirable for a home or business. Projects that interact with the private market in either of these ways should be guided by the General Plan. Other Metro investments, such as vehicles or hospital equipment, have limited impact on the private market and are not guided by the General Plan.

Identifying and funding most capital improvements involve two separate documents:

- **The Capital Improvements Budget (CIB):** All capital improvements requested from Departments and members of the Metro Council with a six-year time horizon. By Charter, any capital improvement must be included in the Capital Improvements Budget. Planning Commission compiles and makes recommendations on the CIB.
- **Capital Spending Plan:** Recommended projects during the first fiscal year of the CIB, proposed to be funded through General Obligation bonds. The Mayor submits the Capital Spending Plan to the Metro Council, which approves new bonds through a bond resolution.

Other capital improvements are funded through ordinances or resolutions authorizing the use of 4% funds, operating funds, or revenue bonds. Planning Commission does not make recommendations on the Capital Spending Plan or other funding authorizations.

Developing, recommending, adopting, and funding capital projects bring Metro Departments, Planning Commission, the Mayor, and Metro Council together, with public oversight, to decide what investments to make each year.

### **CAPITAL IMPROVEMENTS BUDGET PROCESS**

Councilmembers begin the CIB process by requesting projects in October. Requests are reviewed by implementing departments and the Planning Department to develop cost estimates and identify how requests align with long-range plans. Planning staff compile these responses in a report submitted to the Metro Council, typically by December 15. The Council's Budget & Finance and Planning, Zoning, & Historical Committees jointly work with all Councilmembers to establish Council priorities for projects requested for the next year's Capital Improvements Budget.

The Metro Charter specifies the process to create the Capital Improvements Budget. Each year begins with the Finance Department collecting requested projects from Metro Departments. By Charter, Finance delivers these requests to the Planning Commission four months before the end of the Fiscal Year.

Once project requests are submitted, Planning staff assess them for alignment with Metro's General Plan, NashvilleNext. The Planning Commission must recommend project priorities to the Mayor by sixty days before the start of the next Fiscal Year, which is on May 2 each year. This staff report and CIB are in support of this step in the process. Copies of the draft Capital Improvements Budget are posted online in document form at <https://www.nashville.gov/departments/planning/long-range-planning/capital-improvements>.



Once the Mayor has received the Planning Commission's recommendations, the Charter requires the Mayor to submit his recommended Capital Improvements Budget to the Metro Council by May 15 each year. Metro Council must adopt the Capital Improvements Budget (with any modifications or amendments as it sees fit) by June 15.

**COORDINATION WITH DEPARTMENT MASTER PLANS**

Metro Departments conduct their own master and functional plans to guide operations and capital investments. They identify department needs and priorities for different capital programs. Though not formally part of NashvilleNext or the Capital Improvements Budget, these master plans play a critical role in achieving the community's vision for Nashville's future. Because they involve more detailed and technical planning, departments may also uncover issues that make NashvilleNext difficult to implement.

Planning staff supports other departments' efforts to update their master plans to ensure they are coordinated with NashvilleNext and provide a transparent way of supporting capital project requests. Additionally, if departments discover aspects of NashvilleNext that are difficult to implement, Planning staff may bring those issues to Planning Commission to determine if a change to NashvilleNext is required. This ensures that NashvilleNext remains relevant and up-to-date.

**FY 2023-24 Capital Improvements Budget**

The FY2023-24 Capital Improvements Budget includes requests for 1,021 projects costing \$20.3 billion, of which \$400 million is for projects beyond the six-years required for the Capital Improvements Budget.

The six year CIB includes spending requests drawing on a variety of funding sources:

<b>Funding Method</b>		<b>Spending requests</b>
C	Proposed G.O. Bonds	\$12,083,859,700
E	Proposed Revenue Bonds	\$3,885,170,000
F	Federal Funds	\$1,825,040,000
G	State Funds	\$713,500,000
M	Proposed 4% Funds	\$613,975,100
H	Enterprise Funds	\$567,574,000
B	Approved G.O. Bonds	\$175,373,100
	Miscellaneous Funds	\$25,312,500

The CIB also identifies projects by type, such as new standalone assets, ongoing programs, or asset protection.

<b>Project Type</b>	<b>Description</b>	<b>Count of projects</b>
<b>Single asset</b>	A single asset is a new or rehabilitated physical asset that is purchased once, has a useful life of more than ten years, and is expensive to purchase.	521
<b>Capital program</b>	A capital program is a collection of smaller infrastructure improvements organized by an overarching plan.	316
<b>Asset protection</b>	Asset protection involves major renovations or improvements to existing facilities that would extend the useful life and/or add value to the asset.	142
<b>Study or plan</b>	Funding for a study or plan.	67
<b>Contingency</b>	Funding for project start-up and unexpected costs.	15

The FY2023-24 CIB organizes project requests in three sections:

- I. **Projects Funded by the Urban Services District:** a brief list of all projects requesting funding from the Urban Services District.

- II. **Projects Funded by the General Services District:** a brief list of all projects requesting funding from the General Services District.
- III. **Detail Project Descriptions:** detailed descriptions of each requested project.

Section III reports projects' titles and descriptions, department, project status, council district, tax district, and project type, as well as requested funding by year. Projects also include maps, when available.

Organization of departments and projects shifted with this year's document. Requests from Metro Council members not otherwise included in Department programs have been pulled into a separate section (Metro Council). This section begins with a list of projects prioritized by Councilmembers, regardless of where they appear in the document. This is intended to better reflect the prioritization process that Council conducts each year. In addition, NDOT and MTA have been grouped into a Transportation section.

Projects are organized by departments, with departments grouped as follows:

- a. **Metro Council** (includes requests from Metro Council members not shown with other departments)
- b. **Schools**
- c. **Enterprises** (Water & Sewer, Farmer's Market, Municipal Auditorium, State Fair Board, and District Energy System,)
- d. **Facilities & technology** (includes Administrative, the Agricultural Extension, County Clerk, Election Commission, Finance, General Services, Health, Information Technology Service, Metro Action Commission, and Social Services)
- e. **Safety** (includes District Attorney, Fire, Juvenile Court, Office of Emergency Management, and Police)
- f. **Development & culture** (includes Arts Commission, Historical Commission, MDHA, Parks, Planning Commission, and Public Library)
- g. **Transportation** (includes MTA and NDOT)

**ALIGNMENT WITH THE GENERAL PLAN**

Based on substantial community engagement, NashvilleNext identifies how Nashvillians want Nashville and Davidson County to manage change over the next 25 years. Aligning capital investments to this vision is a critical tool in achieving the community's desires. For FY2023-24, Planning staff conducted an assessment of projects based on NashvilleNext.

*Alignment with the Guiding Principles*

The General Plan includes seven Guiding Principles that represent the fundamental values expressed by Nashvillians throughout the process of creating NashvilleNext. In the long run, Metro's investments should support all of these principles, though spending in individual years may focus on some principles more than others.

The chart below shows the seven Guiding Principles and the number of projects that support each:

<b>Guiding Principle</b>	<b>Number of projects supported</b>
Ensure opportunity for all	409
Expand accessibility	426
Create economic prosperity	409
Foster strong neighborhoods	804
Advance education	518
Champion the environment	392
Be Nashville	426

*Alignment with the Growth and Preservation Concept Map*

The Growth and Preservation Concept Map gives geographic context to capital investment decisions.

The Growth & Preservation Concept Map reflects Nashvillians' desires for how and where Nashville should grow and where it should preserve in the future. It identifies a green network that provides access to nature, requires environmental protection, and preserves natural resources. It also identifies and seeks to preserve the physical character of rural, suburban, and urban areas.

Smaller and larger activity centers accommodate most future growth, improve public spaces, support transit, provide walkable areas close to most parts of the county, and sustain economic activity. The locations of these centers are generally where centers and mixed use areas were identified in prior Community Plans. Infill development should be encouraged along transit and multimodal corridors in between and immediately around activity and employment centers.

The Concept Map also identifies a network of more frequent and reliable transit service. These routes should be more direct, with fewer stops. The most heavily used routes will be identified for high-capacity transit running outside of traffic.

<b>Concept Map summary</b>	<b>Number of projects supported</b>
Expands the Green Network	101
Located to support existing conditions	280
Supports a First Tier Center	196
Supports a lower tier Center or Corridor	196
Program aligned with NashvilleNext	90

*Efficient government*

Finally, a core goal of the Capital Improvements Budget is to promote effective, efficient capital spending. Planning staff have developed criteria to assess projects that support efficient government:

- **Project need:** Expanding services, improving services or maintaining services.
- **Condition:** Projects that renovate or replace an existing facility, which is obsolete or cannot support the department’s operations.
- **Resource leveraging:** Projects whose funding includes outside money. Projects that support enterprise operations.
- **Project leveraging:** Projects that cluster with or coordinate with other department projects.
- **Planning context:** Projects based on a master plan, that are a priority for a board or commission, developed with public input, or whose implementation will include additional public input.
- **Regional collaboration:** Projects that support regional collaboration or intergovernmental agreements or that were developed through a regional planning process.

**PRIORITIZATION**

The Capital Improvements Budget includes several sources of priority.

**Capital Priority Group**

Departments identify one Capital Priority Group for each project. The Groups are:

- Mayor’s Priority: Community and economic development
- Mayor’s Priority: Transit and infrastructure
- Mayor’s Priority: Public Safety
- Mayor’s Priority: Educational outcome and youth
- Mayor’s Priority: Affordable housing and the homeless
- Central government operations

**Department priorities**

When submitting their project requests, Metro departments assign each project a priority, using the following system for identifying their priority:

<b>Code</b>	<b>Priority</b>
<b>1001</b>	Appropriated and unexpended
<b>1002</b>	Required in the year shown
<b>1003</b>	Preferred in the year shown
<b>1004</b>	Requested in the year shown
<b>1005</b>	Needed for consideration in future CIBs

**Council priorities**

Councilmembers request projects by October 15 each year. Projects are assessed by the Metro Departments responsible for implementing each request, if funded, as well as the Planning Department. The Planning Department compiles a report identifying how projects align with Department master plans and the General Plan and provides it to Council, typically by December 15. A joint meeting of the Metro Council’s Budget & Finance and Planning, Zoning, & Historical Committees meets to develop Council priorities.

Each Councilmember was able to submit 100 points to prioritize projects anywhere in the County. Points were totaled by project and placed in order to assign a priority rank. All prioritized projects are listed in rank order with points assigned at the beginning of the Metro Council section in Part III.

Across all Councilmembers submitting priorities, 178 projects received some level of prioritization. Council priorities are reflected in Section III (Detailed project listing) as follows:

Capital group	Mayor's Priority: Transportation
MPC rec priority	B Recommend as planned if funding available
Dept priority	1003: Preferred in FY2023
Council priority	12 of 178

**MPC Recommendations**

In adopting the Capital Improvements Budget, the Planning Commission assigns a priority recommendation to each project. The draft CIB includes staff's recommendations. An overview of these recommendations follows in the next section.

**FY2023-24 RECOMMENDATIONS**

Staff recommends submitting the Capital Improvements Budget to the Mayor with the following recommendations identified:

**A: Recommend as planned (0 projects; see Note below)**

Projects are Recommended As Planned when they substantially advance the Guiding Principles, align with the Growth & Preservation Concept Map, and use Metro resources efficiently. Projects whose funding has already been secured, or that need additional funding to be completed, are also Recommended As Planned. Planning Commission recommends projects not funding levels. In some cases, projects may not need to be fully funded in FY23.

Most recommended projects are requesting new General Obligation bonds. However, two sets of requests are identified as "already funded projects." Projects from the Arts Commission reflect previously set-aside funds from prior capital spending plans. Projects backed by water and sewer revenue bonds are backed by Water Services' revenues and are addressed separately.

NOTE: Because of time constraints, no projects are identified as "A: Recommend as planned" in the FY2023-24 Capital Improvements Budget.

**B: Recommend as planned if funding available (928 projects)**

Projects that are in alignment with NashvilleNext. Most projects in FY23 are Recommended As Planned If Funding Is Available. Due to the number of projects, projects with a "B" recommendation are not listed here. They are available in the Draft CIB.

**C: Recommend further work (13 projects)**

The Planning Commission will Recommend Further Work when different projects can be usefully aligned with one another to reduce costs or improve service or when projects require additional development before they can be recommended.

Department	Project ID	Project Title
Council	24DS0050	Traffic bypass for Douglas Ave at train tracks. <i>Recommend further coordination with NDOT.</i>
	24DS0049	Widening of Nolensville Road <i>Recommend further coordination with TDOT and NDOT. Project is in progress.</i>
	24DS0048	Renovate East High Weight Room <i>Recommend further coordination with MNPS.</i>
	24DS0047	Renovate East High Football Facility <i>Recommend further coordination with MNPS.</i>
	23DS0128	4 Mast arms at the intersection of Hickory Hollow Parkway and Bell Rd. <i>Recommend further coordination with NDOT.</i>
	23DS0127	Crosswalk signal - West Trinity Lane/Youngs Lane <i>Recommend further coordination with NDOT.</i>
	23DS0122	Street lights- Largo Dr <i>Recommend further coordination with NDOT.</i>
	23DS0118	LED Lighting in all North Nashville Alleyways <i>Recommend further coordination with NDOT.</i>
	23DS0117	Paving on Old Hickory Boulevard between Murfreesboro Rd. And I-24

Department	Project ID	Project Title
		<i>Recommend further coordination with NDOT and TDOT.</i>
	23DS0099	Improvement to Sawyer Brown Rd at narrow 1.5 lane section <i>Recommend further coordination with NDOT.</i>
	23DS0094	Sound Wall/Barriers along I-40 District 21 areas <i>Recommend further coordination with NDOT and TDOT.</i>
	23DS0075	Reconfigure Traffic Patterns/Lights at Thompson/Southlake <i>Recommend further coordination with NDOT.</i>
	23DS0031	New traffic study/pattern/circle at Riverside/McGavock intersection <i>Recommend coordination with NDOT on assessment of need.</i>

**N: Not scored (71 projects)**

Projects that are not scored, because they do not relate to the Planning Commission's role in coordinating development, they are submitted with insufficient information to score, they are low department priorities, are late submissions, or are added after the Planning Commission has acted. Assessing projects that do not relate to the General Plan is likely to make them seem unimportant, when in fact they are simply not addressed by the General Plan. Projects such as these include:

- Information technology
- Fleet & equipment
- Office space retrofits or refreshes
- Omnibus categories of projects
- Contingency funding

Due to the number of projects, projects with a “N” recommendation are not listed here. They are available in the Draft CIB.

**X: Do not conform to the General Plan (including recommendations for alignment):**

In rare cases, project requests Do Not Conform To the General Plan. This recognizes when a proposed capital project is specifically out of step with a recommendation of the General Plan. The Planning Commission will recommend against projects that Do Not Conform to the General Plan until the project and plan are in alignment. This can be done by changing the project to conform to the General Plan or by amending the General Plan to support a vision for the future of Nashville that would be supported by the project.

No projects are currently identified as Not Conforming to the General Plan.

**Approve. (8-0)**

**Resolution No. RS2023-132**

“BE IT RESOLVED by The Metropolitan Planning Commission that CIB FY2023-24 is approved. (8-0)

**18. 2023Z-002TX-001**

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

On Consent: Tentative  
Public Hearing: Open

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

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

Amend the Zoning Code to establish requirements for setbacks and lot orientation for residential corner lots.

**PROPOSED AMENDMENTS TO TITLE 17**

The proposed text amendments would change two subsections in Section 17.12.030 of the Zoning Code to establish new requirements for setbacks and building orientation on residential corner lots. The first amendment would exclude the R20, RS20, R30, RS30, R40, RS40, R80, and RS80 zoning districts from a current zoning provision that allows a street setback to be reduced by 50 percent when the rear setback of a corner lot is oriented toward the rear setback of a neighboring lot, meaning they would need to meet the setback as required in the street setback table; however, detached two-family residential units on such lots in these districts would be required to provide the full contextual

street setback on both streets. Note that both the current standard and the proposed amendment apply only to lots platted prior to adoption of the Zoning Code.

The second amendment would permit the zoning administrator to grant an exception to the current requirement that the front façade of a principal structure on a corner lot be oriented to the shorter lot line; under the proposed amendment, the zoning administrator would have the ability to exclude from this requirement any corner residential lot where the previous principal structure was oriented to the longer lot line.

The following text shows the proposed amendments. Proposed new text is underlined.

Section 1. That Section 17.12.030, Subsection C.2 of the Metropolitan Code is hereby amended by adding the following language:

2. When the rear setback of a corner lot is oriented towards the rear setback of a neighboring lot, the required street setback along the street common to those two lots may be reduced by fifty percent. A corner residential lot created by plat prior to the effective date of the ordinance codified in this chapter may reduce the required setback of Table 17.12.030A by fifty percent along that street running parallel with the side of the residential structure. Lots zoned R20, RS20, R30, RS30, R40, RS40, R80, and RS80 shall be excluded from this subsection C.2 and shall provide the full required street setback of Table 17.12.030A for both streets; detached two family residential uses within these zoning districts shall provide the full required contextual street setback for both streets.

Section 2. That Section 17.12.030, Subsection C.6 of the Metropolitan Code is hereby amended by adding the following subsection:

- d. The previous principal structure on a residential lot was oriented to the street on which the longer lot line is located.

## **BACKGROUND**

The proposed amendments affect two subsections of Section 17.12.030 of the Zoning Code, both establishing standards for corner lots. The first amendment relates to street setbacks, while the second amendment relates to building orientation.

### Street Setbacks for Residential Corner Lots

Per Section 17.12.030.C of the Zoning Code, the required minimum street setback for a single-family or two-family residential structure in an R or RS zoning district is based on the context of existing development in the area. To determine the contextual street setback, the street setbacks of the four nearest single-family or two-family houses on the same block face are averaged; this average becomes the minimum street setback for the new single-family or two-family residential structure. Where fewer than four single-family or two-family houses are present on the same block face, then the contextual street setback is the average of all single-family or two-family houses on the same block face. Where there are no existing single-family or two-family houses on the same block face, then the standard minimum street setbacks listed in Table 17.12.030A of the Zoning Code apply; for the R20, RS20, R30, RS30, R40, RS40, R80, and RS80 zoning districts, these standard setbacks range from 20 to 40 feet, depending on both the zoning district and street classification.

In addition to providing the criteria for determining contextual street setbacks, Section 17.12.030.C of the Zoning Code allows an exception to street setback requirements for lots created by plat prior to the adoption of the Zoning Code. This section permits a 50 percent reduction in the required street setback (whether contextual or standard) for a lot which has a rear setback oriented towards the rear setback of a neighboring lot. The 50 percent reduction applies only to the street the abutting lots have in common; this would typically be the street running parallel to the side of the house. The 50 percent reduction does not apply in cases where setbacks are included on a subdivision plat and are greater than the 50 percent reduction.

Currently, 416 parcels totaling 53,519 acres lie within R20, RS20, R30, RS30, R40, RS40, R80, or RS80 zoning districts. As shown in the map below, these districts are spread across Metropolitan Nashville and Davidson County; however, they are mostly absent from Metro's urbanized core. Because these districts primarily consist of lots with areas of 20,000 square feet or greater, they are most often found in established, suburban neighborhoods.

### Building Orientation for Residential Corner Lots

Section 17.12.030.C.6 of the Zoning Code requires that the front façade of a principal structure on a corner lot with unequal street frontage lengths be oriented to the shorter lot line. The section further grants the zoning administrator the ability to waive this requirement in certain situations, including: nonresidential and mixed use-zoned lots located along arterial streets; structures with multiple businesses with outside entrances; and structures with adjacent developments that are oriented to the street with the longer lot line.

**ANALYSIS**

The first proposed amendment would exclude corner lots in the R20, RS20, R30, RS30, R40, RS40, R80, and RS80 zoning districts from the 50 percent setback reduction allowance found in Section 17.12.030.C.2 of the Zoning Code. For single-family residential units on corner lots, the full standard street setback would be required along both street frontages. Detached two-family residential units on corner lots would be required to provide the full contextual street setback on both lots.

The second proposed amendment would give the zoning administrator the authority to permit the front façade of a principal residential structure on a corner lot to be oriented to the longer lot line when the previous principal structure was oriented to the longer lot line. This would apply to residential lots in all zoning districts.

**ZONING ADMINISTRATOR RECOMMENDATION**

No exception taken.

**FISCAL IMPACT RECOMMENDATION**

The Codes Department anticipates the proposed amendment to be revenue neutral.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. (8-0)**

**Resolution No. RS2023-133**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-002TX-001 is approved. (8-0)

**19a. 2023CP-000-002**

**MAJOR AND COLLECTOR STREET PLAN AMENDMENT – EWING EXT**

Council District 02 (Kyonzté Toombs); 03 (Jennifer Gamble)

Staff Reviewer: Joren Dunnavent

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

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2023CP-000-002 to the May 11, 2023, Planning Commission meeting. (8-0)**

**19b. 2023SP-026-001**

**PRODUCTION ROW SP**

Council District 02 (Kyonzté Toombs); 03 (Jennifer Gamble)

Staff Reviewer: Logan Elliott

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

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2023SP-026-001 to the May 11, 2023, Planning Commission meeting. (8-0)**

## 20a. 2023CP-002-001

### PARKWOOD UNION HILL COMMUNITY PLAN AMENDMENT

Council District 03 (Jennifer Gamble)

Staff Reviewer: Olivia Ranseen

A request to amend the Parkwood-Union Hill Community Plan by changing from T3 Suburban Neighborhood Evolving (T3 NE) to T3 Suburban Community Center (T3 CC) for a portion of the properties located at Hickory Hills Boulevard (unnumbered) and Brick Church Pike (unnumbered), east of Westcap Road, zoned R10 (approximately 5 acres), requested by Dale and Associates, Inc., applicant; Ardavan Afrakhteh owner.

**Staff Recommendation: Approve.**

#### APPLICANT REQUEST

**Amend Parkwood-Union Hill Community Plan to change the policy.**

##### Major Plan Amendment

A request to amend the Parkwood-Union Hill Community Plan by changing from T3 Suburban Neighborhood Evolving (T3 NE) to T3 Suburban Community Center (T3 CC) for a portion of the properties located at Hickory Hills Boulevard (unnumbered) and Brick Church Pike (unnumbered), east of Westcap Road, zoned R10 (approximately 5 acres). Conservation (CO) policy remains in place.

#### PARKWOOD-UNION HILL COMMUNITY PLAN

##### **Current Policy**

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.

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

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

Suburban Community Center (T3 CC) policy is intended to create and enhance suburban community centers, encouraging their development or redevelopment as intense mixed use areas that serve surrounding suburban neighborhoods.

#### **BACKGROUND**

The study area is located to the east of Hickory Hills Boulevard close to where the street currently dead ends. Today, the proposed plan amendment area is vacant and contains thick vegetation. A variety of commercial and trucking uses are situated south of the study area along Hickory Hills Boulevard. Existing residential uses can be found to the east and west. Hickory Ridge Apartments are located west of the study area, and the Quail Trail and Cobblestone Creek neighborhoods are located east of the study area.

The community plan amendment was requested in conjunction with zone change application, 2022SP-063-001, a request to rezone from agricultural requiring a minimum lot size of two acres (AR2a) and one-and two-family residential (R10) to Specific Plan (SP) zoning to permit mixed use development.

The plan amendment area consists of a small portion (approximately five acres) of the rezoning application (93 acres). The study boundary represents the portion of the SP that is intended to contain a mix of uses, which the current policy, T3 NE, would not support. Outside of the plan amendment area, the applicant intends to develop a mix of housing, which T3 NE policy supports. Additionally, the SP indicates that development will only occur within T3 NE, and the Rural Countryside (T2 RCS) policy located within the rezoning application will remain as a preservation area.

It should be noted that the plan amendment area does contain T2 RCS policy as well as T3 NE. When two policies of different transects border one another on a site, staff must decide which transect is applicable as review becomes quite granular. Because the site is accessed through T3 NE policy, staff concluded that the T3 Suburban transect – specifically T3 NE – is the primary policy for the area in question.

#### **COMMUNITY PARTICIPATION**

The applicant team led 4 in-person, community meetings from Summer 2021 to Fall 2022. To ensure community input on this project, the applicant notified approximately 500 property owners during the same period, and attendance for all 4 meetings totaled above 200. On March 27, 2023, a Planning-led virtual community meeting was



held to discuss changing the policy for the area. Notices were mailed to 350 property owners within 1,300 feet of the plan amendment area. Details of the community meeting were made available on Metro Nashville Planning Department's webpage and shared with the district Councilmember. Approximately 14 people attended the meeting, including neighbors, community leaders, the Councilmember, and staff. Planning staff provided an overview of the plan amendment request and then moved into Q&A and discussion with the public.

During the meeting, an attendee requested additional clarification on the T2 RCS policy found within the study area, and staff provided an explanation. Another attendee voiced support for mixed use development within the study area and applauded the applicant's collaboration with the community. Most comments and concerns voiced at the meeting were related to the SP, not the policy change. The following topics were discussed:

- Disturbance of natural features
- Intensity of development
- Visibility of housing built along hillside

The meeting was recorded and uploaded to Metro Nashville's YouTube for subsequent viewing; to date it has been viewed 10 times.

### **ANALYSIS OF T3 SUBURBAN COMMUNITY CENTER POLICY**

The proposed amendment area is a suitable location for T3 CC policy for the following reasons:

#### **Aligns with surrounding policy.**

- Existing T3 CC policy is located west and southwest of the site, close to Interstate 24 and Old Hickory Boulevard, and its policy application intends to foster a mix of uses, in this case near an interstate interchange.
- T3 NE policy borders portions of the site to the north, south, east, and west and enables a mix of housing, which could support new commercial uses found within the study area.
- T2 RCS policy borders the site to the northwest. The SP preserves the area where T2 RCS is applied.

#### **Enables community-serving uses and walkability.**

While T3 CC exists near the study area, today it is dominated by long-standing warehousing and distribution uses. The application of T3 CC to the study area, paired with the Specific Plan, allows for a mix of uses to serve community members within walking distance, i.e., residents of the Hickory Ridge Apartments to the west and residents of the Quail Trail and Cobblestone subdivisions to the east. Residents of the Quail Trail and Cobblestone Creek subdivisions will be able to access the site via a sidewalk connector to Summertime Drive included in the Specific Plan. Several other nearby subdivisions including, Grand Villa Estates and Creek Trail, are located within a 5-to-10 minute drive. The current policy, T3 NE, only supports residential development, but the inclusion of T3 CC enables the site to provide other uses that serve the larger community.

The rezoning application proposes a mix of housing – apartments, townhomes, and single-family homes – that can support mixed use development found in both on this site and on the larger T3 CC area. Additionally, the future residents of these apartments, townhomes, and single-family homes would be able to walk to the mix of uses proposed within the T3 CC area. Therefore, the addition of T3 CC policy strengthens walkability on the site and provides additional residents to support area businesses.

#### **Supported by surrounding existing or planned residential development, adequate infrastructure, and adequate access, although multimobility options could be strengthened.**

The study area is located along Hickory Hills Boulevard with existing multifamily, commercial, and warehousing uses. The requested T3 CC policy area is located within 0.5 miles of Old Hickory Boulevard's interchange with Interstate 24, which enables ideal connectivity to the larger Nashville community. Due to the commercial, auto-centric design of Old Hickory Boulevard and Hickory Hills Boulevard, there are currently no sidewalks available. The associated development would create onsite walkability and connectivity to the Quail Trail and Cobblestone Creek subdivisions via a sidewalk connector; however, connectivity to other surrounding neighborhoods will depend on vehicular access.

Currently, the closest WeGo stop is approximately 3 miles away from the study area. However, the mixed use and higher density housing allowed under the proposed policy and existing T3 NE in the area could help support improved transit options in the future.

#### **Note on Conservation policy.**

The study area and the associated larger rezoning application include a substantial amount of CO policy. The Community Character Manual encourages a smaller development footprint in areas that contain environmentally sensitive features in order to limit disturbance on the overall site. While the mixed use portion of this development may disturb some of the sensitive natural features in the study area (five acres), the proposed SP includes large preservation areas for steep slopes and the stream buffer and has a condensed development footprint for the larger property. Therefore, CO policy remains in place.

### **Analysis Summary**

Amending the Community Character Policy from T3 NE to T3 CC is appropriate at this location. In summary, the change in policy for the study area is appropriate due to the following:

- Applying T3 CC policy aligns with neighboring T3 CC policy and supports community-serving amenities to locate adjacent to future residential uses supported by adjacent T3 NE policy.
- Existing uses in the current T3 CC policy around the Interstate 24 interchange are dominated by longstanding warehousing and distribution uses. The requested policy change is paired with a development proposal that includes community-serving amenities to locate near the interstate interchange and to serve residents of nearby existing and proposed housing.
- T3 CC policy supports a mix of housing and encourages a walkable neighborhood, rather than a standalone residential development.
- The policy application is within 0.5 miles of an interstate interchange, enabling connectivity to the larger Nashville community.
- Some sensitive natural features may be disturbed within the five acres of the study area; however, sensitive natural features are being preserved in the remaining 88 acres of the larger property with the associated SP rezoning.

**STAFF RECOMMENDATION**

Staff recommends approval of applying T3 Suburban Community Center (T3 CC) policy to the study area.

Chair Adkins stated the Public Hearing will be held for both 20a and 20b and the Commission will vote on them separately.

Ms. Ranseen presented the staff recommendation to approve.

Roy Dale, Dale & Associates, spoke in favor of the application.

Angela Williams, 7203 Old Hickory Boulevard, spoke in opposition to the application.

Roy Dale spoke in rebuttal.

Councilmember Gamble spoke in favor of the application.

**Chair Adkins closed the Public Hearing.**

Vice Chair Farr said it gives her comfort to know the conservation areas and steep slopes are protected and not built upon. She felt good this project is moving forward with general community support.

Mr. Tibbs looked at Mr. Dale's map to see the locations of the slopes and said he supported the project.

Councilmember Withers said he had some apprehension given the trickiness of getting up and down the road but learning more about the plan was helpful. He pointed out this does not have sidewalks but was glad there is a pedestrian trail for more connectivity to walk around the neighborhood safely. Mr. Withers asked why it would be Neighborhood Evolving where existing commercial is located and how that worked together with this expansion.

Ms. Ranseen said it was an aspirationally applied policy and not necessarily reflective of current conditions.

Ms. McCaig added that historically the neighbors were concerned about getting the wrong type of use and were hesitant years ago to expand the commercial as they wanted the right project in the right place.

Councilmember Withers said he appreciated that it works between some of the sensitive environmental features and still adds specific uses the community has been looking for.

**Councilmember Withers moved and Mr. Clifton seconded the motion to approve. (8-0)**

**Resolution No. RS2023-133**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023CP-002-0011 is approved. (8-0)

## 20b. 2022SP-063-001

### HICKORY HILLS RETREAT

Council District 03 (Jennifer Gamble)

Staff Reviewer: Dustin Shane

A request to rezone from AR2A and R10 to SP on properties located at Hickory Hills Boulevard (unnumbered) and Brick Church Pike (unnumbered), approximately 42 feet west of Summertime Drive (92.63 acres), to permit a mixed-use development, requested by Dale & Associates; Ardavan Afrakhteh, owner.

**Staff Recommendation: Approve with conditions and disapprove without all conditions if the associated plan amendment is approved. If the associated plan amendment is not approved, staff recommends disapproval.**

### APPLICANT REQUEST

**Rezoning from AR2a and R10 to Specific Plan to permit a mixed-use development.**

#### Preliminary SP

A request to rezone from Agricultural/Residential (AR2A) and One and Two-Family Residential (R10) to Specific Plan (SP) on properties located at Hickory Hills Boulevard (unnumbered) and Brick Church Pike (unnumbered), approximately 42 feet west of Summertime Drive (92.63 acres), to permit a mixed-use development.

#### **Existing Zoning**

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

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 353 lots with 88 duplex lots for a total of 441 units based on acreage. Duplex eligibility is determined by the Codes Department.*

#### **Proposed Zoning**

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

#### **PLAN DETAILS**

The 92.63-acre site is located north of Hickory Hills Boulevard off Old Hickory Boulevard and west of Summertime Drive in the Timbertrail subdivision. The property is heavily wooded and sloping, with problem soils covering some of the slopes in the northern half. To the north are single-family uses zoned AR2a; to the east are single-family uses zoned R10; to the south is a terminal/distribution warehouse zoned SP; and to the west is a multi-family residential development zoned Residential PUD (R10). The site currently draws access from Hickory Hills Boulevard.

#### Site Plan

The plan calls for a mixed-use development consisting of 345 multi-family residential units (3.7 units per acre) and 175,000 square feet of commercial space (including structured parking), with the option of replacing 92,000 square feet of the commercial space with 60 multi-family residential units. The site is divided into a residential portion which features 180 apartments, 58 detached homes, and 107 townhomes, and a mixed use portion of 4.6 acres that shows a 10,000-square foot commercial building, 23,000 square feet of retail, a parking structure, and 92,000 square feet of office or hotel space/60 multi-family residential units, with all uses of MUL-A permitted. The mixed-use area is located adjacent to Hickory Hills Boulevard at the base of a hill to the east. Connection to the public ROW of Hickory Hills Boulevard is made at the southwestern corner of the site. Another private drive continues north into the site via a recorded access easement from the driveway of Parcel 153 along the lower lying ground to a saddle between hills, where a roundabout will provide drives going southeast along a ridge providing access to the apartment units. To the northeast off the roundabout, a drive will form two blocks around which townhomes will be located, along with a community park. The block structure continues to some extent along lower lying ground between hills to the southeast, where the built form transitions to detached units. The private drive loops ultimately around the edge of the southernmost hill and connects back to the apartments and the mixed-use area. A pedestrian access is provided in the southeastern corner of the development to the stub of Summertime Drive to the east in the Timbertrail subdivision.

The plan includes bulk regulations. For the residential area of the site, ISR is 0.30 with height limited to three stories in 46 feet. FAR is limited to 1.0, ISR to 0.8, and height to four stories in 60 feet for the mixed-use area of the site.

Street setback standards are included, but a condition requires those to be removed. Side and rear setbacks are set for perimeters at 15 feet and 20 feet, respectively, for both areas. A note indicates parking will be provided per Code. Surface parking is provided throughout the development, with structured parking also planned for the mixed-use area. Stormwater mitigation areas are interspersed throughout the site.

Because of the steep slopes that make up most of the site, notes on the plan indicate that approval of the final site plan shall be based upon a demonstration that the development plan minimizes unnecessary disturbance to those slopes in the placement and orientation of building and parking areas and that recommendations by a geotechnical engineer to ensure proper design and construction methods will be included. Architectural and engineering features which reduce unnecessary encroachment on steep slopes may include, but are not limited to, the use of retaining walls and structural foundations to return to natural grade. The use of retaining walls, rip rap or hydraulically applied concrete to stabilize slopes on nonresidential sites shall be screened per Code. Another note indicates that the final will also include compliance with all tree surveying/preservation and landscaping requirements of the Code.

For development standards not specified in the SP Plan, the property will be subject to the standards of the RM4 zoning district for the residential area and the MUL-A zoning district for the mixed use area.

## **PARKWOOD – UNION HILL COMMUNITY PLAN**

### **Current Policy**

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.

T2 Rural Countryside (T2 RCS) is intended to maintain rural character as a permanent choice for living within Davidson County and not as a holding or transitional zone for future urban development. T2 RCS areas have an established development pattern of very low-density residential development, secondary agricultural uses, and institutional land uses. The primary purpose is to maintain the area’s rural landscape. New development in T2 RCS areas should be through the use of a Conservation Subdivision at a maximum gross density of 1 dwelling unit/5 acres with individual lots no smaller than the existing zoning and a significant amount of permanently preserved open space.

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.

### **Requested Policy (Note: only for a portion of the property)**

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 subject properties making up the site are heavily sloped and wooded, with much of the land area covered by CO policy. The plan as presented avoids the steeper slopes to a large extent and minimizes disturbance in the CO policy areas by proposing a layout that is sensitive to the existing natural contours.

The associated case proposes a policy amendment for a small portion of the southwestern corner of the site to encompass the planned mixed-use area. That amendment changes T2 RCS and T3 NE policies to T3 CC, which merely extends that policy from where it already exists to the southwest into the subject site. The mixed-use area proposed meets the goals of the T3 CC policy: it provides an appropriately intense mixed-use area compatible with the general character of suburban neighborhoods as characterized by the service area, development pattern, building form, land use, and associated public realm. A condition requires the developer to work with staff during the final site plan stage to design the parking areas to better enhance the pedestrian experience in line with policy, which calls for limiting parking to behind or to the side of buildings. The policy generally limits height to three stories, but greater

height is permitted in certain circumstances. Topography is listed as one of these exceptional circumstances, and the obvious need to limit disturbance on the site justifies an extra floor of height for the mixed-use area.

The easternmost parcel (067) already features areas of T3 NE policy, which continue the same policy area present in the parcel directly to the south, which contains an industrial use. The policy shifts abruptly to T2 RCS in the westernmost parcel (152). Community Plans has suggested, for the purpose of this application, interpreting T2 RCS policy on this property as continuing the intent of the T3 NE policy on the adjoining parcels. The site draws all access from these adjacent parcels and fits better with them in a development context than with the more inaccessible rural policy properties to the north and west. The proposed development fits the evolving nature of this and the adjacent properties by providing a broader range of housing choice than found in classic suburban neighborhoods while still being compatible with the general character of such areas. Higher levels of connectivity are proposed, including a pedestrian connection to an adjacent subdivision. This connection will provide existing residents with a walkable route to the services planned for the mixed-use area of the subject proposal. The preliminary site plan itself provides an intelligible street network with ample public spaces and overall excellent connectivity considering the topographical constraints.

The proposed SP allows an appropriately intense mixed use and residential development that achieves the intent of the requested and existing policy areas. The SP includes design standards that are intended to provide for development that is appropriate to a suburban context while bringing focus to pedestrian spaces. These include providing sidewalks, street trees, and ample preservation natural areas. The proposed development will fit with the evolving nature of this suburban neighborhood while respecting the natural context to the greatest extent possible.

Staff recommends approval with conditions and disapproval without all conditions.

#### **FIRE MARSHAL RECOMMENDATION**

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

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

#### **STORMWATER RECOMMENDATION**

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

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

#### **WATER SERVICES RECOMMENDATION**

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

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

#### **NASHVILLE DOT ROADS RECOMMENDATION**

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

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, on final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Note: A private hauler will be required for waste/recycle disposal. Comply w/ NDOT traffic comments.
- Call out access easement instrument # on site plan for North access through adjacent parcel. Confirm utility boxes are being relocated out of South access.

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

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

- The traffic study is currently in the process of being finalized. This must be finalized prior to the Final SP approval. Additional off-site improvements may be added through this finalization.
- A traffic signal is to be installed by this development at Old Hickory Blvd & Hickory Hills Blvd. This is to include pedestrian infrastructure as well.
- A 5' sidewalk and 4' planting strip shall be provided along entire property frontage on Hickory Hills Blvd. A crosswalk, pedestrian landing with ADA ramps and detectable warning mats shall be provided to connect this sidewalk with the existing sidewalk on the west side of the road. Adequate lighting and signage will also need to be added.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	89.68	4.63 D	415 U	3,851	300	398

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	2.94	0.50 D	2 U	28	7	2

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	-	-	345 U	1,879	115	146

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)	-	-	184 R	1,650	87	112

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)		-	23,000 SF	868	21	88

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

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

Traffic changes between maximum: **R10/AR2a and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1,640	+16	+44

**METRO SCHOOL BOARD REPORT**

Projected student generation existing AR2a/R10 districts: **62** Elementary **44** Middle **55** High  
 Projected student generation proposed SP-MR district: **104** Elementary **55** Middle **49** High

The proposed SP-MU zoning is expected to generate 47 more students than the existing AR2a and R10 zoning districts. Students would attend Alex Green Elementary School, Brick Church College Prep Middle School, and Whites Creek High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

## STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

### CONDITIONS

1. Permitted uses shall be limited to 405 multi-family residential units and 175,000 square feet of commercial space as defined on the plan. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited within the entire development.
2. Within the 175,000 square feet of permitted building square footage in the mixed use area, either 92,000 square feet of office/hotel space or 60 multi-family units are permitted. The maximum residential unit count outside of the mixed use area shall be 345.
3. On the corrected copy, remove street yard setback standards from the plan.
4. On the corrected copy, add a note indicating parking area layouts may be revised at final in consultation with planning staff.
5. On the corrected copy, add this note and revise height calculations accordingly: "Height shall be measured from the average elevation (average of 4 most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch (the vertical distance from eave to midpoint) or to the top of the parapet for a flat roof."
6. With submittal of the final site plan, work with staff to reorient parking in the mixed-use area to enhance the pedestrian experience.
7. With submittal of the final site plan, work with staff to ensure proper screening of the parking structure.
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 mixed use area of the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district and the residential area of the property shall be subject to the standards, regulations and requirements of the RM4 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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.

Mr. Shane presented the staff recommendation to approve with conditions and disapprove without all conditions if the associated plan amendment is approved. If the associated plan amendment is not approved, staff recommends disapproval.

**Councilmember Withers moved and Mr. Henley seconded the motion to approve with conditions. (8-0)**

### **Resolution No. RS2023-134**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-063-001 is approved with conditions and disapproved without all conditions. (8-0)

#### **CONDITIONS**

1. Permitted uses shall be limited to 405 multi-family residential units and 175,000 square feet of commercial space as defined on the plan. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited within the entire development.
2. Within the 175,000 square feet of permitted building square footage in the mixed use area, either 92,000 square feet of office/hotel space or 60 multi-family units are permitted. The maximum residential unit count outside of the mixed use area shall be 345.
3. On the corrected copy, remove street yard setback standards from the plan.
4. On the corrected copy, add a note indicating parking area layouts may be revised at final in consultation with planning staff.
5. On the corrected copy, add this note and revise height calculations accordingly: "Height shall be measured from the average elevation (average of 4 most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch (the vertical distance from eave to midpoint) or to the top of the parapet for a flat roof."

6. With submittal of the final site plan, work with staff to reorient parking in the mixed-use area to enhance the pedestrian experience.
7. With submittal of the final site plan, work with staff to ensure proper screening of the parking structure.
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 mixed use area of the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district and the residential area of the property shall be subject to the standards, regulations and requirements of the RM4 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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.

## 21. 2023CP-004-001

### MADISON COMMUNITY PLAN AMENDMENT

Council District 09 (Tonya Hancock)

Staff Reviewer: Cory Clark

A request to amend the Madison Community Plan to change the community character policy from Urban Residential Corridor (T4 RC) to Urban Neighborhood Maintenance (T4 NM) for various properties located along Anderson Lane, east of May Drive and west of Myatt Drive, zoned SP, requested by Metropolitan Nashville Planning Department, applicant; various owners.

**Staff Recommendation: Approve.**

#### APPLICANT REQUEST

**Amend Madison Community Plan to change the community character policy.**

#### Minor Plan Amendment

A request to amend the Madison Community Plan by changing the community character policy from Urban Residential Corridor (T4 RC) to Urban Neighborhood Maintenance (T4 NM) for various properties along Anderson Lane located east of May Drive and west of Myatt Drive (approximately 3.81 acres).

#### MADISON COMMUNITY PLAN

##### **Current Policy**

Urban Residential Corridor (T4 RC) policy is intended to maintain, enhance, and create urban residential corridors that support predominately residential land uses and are compatible with the general character of urban neighborhoods. T4 RC areas are located on prominent arterial-boulevard and collector-avenue corridors that accommodate residential land uses and are served by multiple modes of transportation. This policy is applicable to areas where there is an expressed interest in maintaining the residential use or creating residential uses along the corridor, while providing opportunity for a varied development pattern regarding the size, scale, and density.

##### **Requested Policy**

Urban Neighborhood Maintenance (T4 NM) policy is intended to maintain urban neighborhoods as characterized by their moderate- to high-density residential development pattern, building form/types, setbacks, and building rhythm along the street. T4 NM areas will experience some changes over time, primarily when buildings are expanded or replaced and when this occurs, efforts should be made to retain the existing character of the neighborhood. This policy is applicable to areas that are zoned residential and where there is an expressed interest in maintaining the predominant, existing developed condition and that condition is believed to be stable and sustainable over time.

#### **BACKGROUND**



In March 2022, Councilmembers Gamble, Withers, Hall, Toombs, and Taylor sponsored Council Resolution 2022-1326, which requested Planning staff review several areas across the county, including Madison, to see if land use policies should be updated to reflect changes that have occurred since the 2015 adoption of the NashvilleNext Plan. In this case initially, corridor policies along Myatt Drive and Anderson Lane with residential policy along Dupont Avenue were reviewed. These areas are in Councilmember Tonya Hancock's Council District 9. After discussion, it was determined that the corridor policy along Anderson Lane would be studied while the policies along Myatt Drive and Dupont Avenue would remain as currently adopted. An appropriate plan amendment area for Anderson Lane was selected, new policy was proposed, and the opportunity for community members to provide input on the proposed policy change was offered.

The plan amendment area consists of several properties along the south side of Anderson Lane, east of May Drive and west of Myatt Drive. The study area was rezoned to Specific Plan (SP) in 2007, part of a larger area, to allow for a mixture of housing types. Currently, the study area contains a mix of housing, including single family, duplexes, townhouses, and apartments. The Police Department's Madison Precinct is directly across Anderson Lane to the north. The Cumberland River is to the east and Gallatin Pike is to the west.

### **COMMUNITY PARTICIPATION**

As part of the policy review, the Planning Department determined the proposed plan amendment to be minor with a required community meeting. On Wednesday, March 22, 2023, Community Plans staff conducted a virtual community meeting to discuss the request for a community plan amendment. Approximately 4 people attended, including Councilmember Tonya Hancock and Planning staff, and Metro Information Technology Services. No members of the public were present. However, Planning staff discussed the proposed community plan amendment, going through the presentation, so that the meeting could be recorded and posted to Metro's YouTube page for later viewing. Currently, the video has been viewed 28 times.

### **ANALYSIS OF URBAN NEIGHBORHOOD MAINTENANCE POLICY**

#### **NashvilleNext Growth and Preservation Concept Map**

The Growth & Preservation Concept Map (Concept Map) is a county-wide vision and tool to shape improvements in quality of life so that new development and redevelopment align with community values. The Concept Map designates the plan amendment area as "Neighborhood." Neighborhoods are primarily residential, offering a mix of housing types and character, with smaller civic and employment areas and small neighborhood centers. These areas have different character, depending on the context (rural, suburban, urban, or downtown). The Madison Community Plan neighborhood areas are predominantly suburban in nature, but there are some urban neighborhoods adjacent to Gallatin Pike and near major retail areas. This area is more urban in character and will remain in the "Neighborhood" designation on the Concept Map with the policy change.

#### **Community Character Policy**

Community character policies guide zoning and development decisions. Nashville-Davidson County is divided into 14 Community Plan areas which provide history and context along with community-specific issues, strategies, and visions of how different places in the community could change over time. The Madison Community Plan uses policies that are tailored to the urban and suburban character of the community and respect the diversity of character from urban neighborhoods near Madison's historic downtown to suburban neighborhoods like upper Neely's Bend. Madison's location provides easy accessibility to interstates, making Madison a gateway into Nashville from surrounding counties. As the Madison community continues to expand so will its neighborhoods and with this comes a need to balance growth while preserving the character of established residential neighborhoods. To accommodate the community's desire to maintain and enhance its residential neighborhoods, the neighborhood maintenance policies have been applied in various locations.

The intent of T4 NM policy is to maintain the character of established urban neighborhoods. T4 NM areas will experience some changes over time, primarily when buildings are expanded or replaced, and efforts should be made to retain the existing character of the neighborhood. This area has experienced growth since the 2015 adoption of NashvilleNext, and now the community wants the policy to focus on maintaining the existing character as it is today.

#### **Transportation and Connectivity**

T4 NM areas have a high level of vehicular connectivity in the form of local streets, arterial-boulevards, and collector-avenues, creating a complete streets network which provide residents with multiple routes and reduces trip distances. In addition to community character, each of the Community Plans considers the needs of vehicular users, bicyclists, pedestrians, and transit users through guidance from the Major and Collector Street Plan (MCSP). The site runs along Anderson Lane, designated a collector-avenue by the MCSP and primarily used for residential traffic. Anderson Lane connects to Gallatin Pike, classified as a multimodal arterial boulevard, which provides a direct access route to East Nashville and Downtown. Anderson Lane also connects to Myatt Drive, a mixed-use arterial-boulevard, providing access to Old Hickory Boulevard, an arterial-scenic boulevard, that accesses areas around Nashville.

Ideally in T4 NM areas, pedestrian and bicycle connectivity is high and, where available, is provided in the form of sidewalks and bikeways throughout the neighborhood. Currently, there is no existing sidewalk along the south side of

Anderson Lane. However, there is an existing sidewalk directly across from the study area on the north side of Anderson Lane in front of the Police Department's Madison Precinct and west of the site on the north side of Anderson Lane starting at May Drive and ending at Gallatin Pike. There is no existing bikeway along Anderson Lane, but there is access east of the site to the bikeway on Myatt Drive.

WeGo Route 76 provides local public transit service to various locations in the Madison community. The route has two transit stops close to the study area, located at the intersection of Anderson Lane and May Drive and near the intersection of Anderson Lane and McArthur Drive. Route 76 also provides access to Downtown Nashville and East Nashville via connection with WeGo Route 56 on Gallatin Pike.

### **Analysis Summary**

Amending the Community Character Policy from Urban Residential Corridor (T4 RC) to an extension of the adjacent Urban Neighborhood Maintenance (T4 NM) is appropriate for the following reasons:

- Aligns with the Neighborhood designation of the NashvilleNext Concept Map.
- Aligns with the adjacent T4 NM policy areas to the south and west.
- Focuses on maintaining the existing character and development pattern of the study area while the surrounding area experiences the continued growth and development of the Madison community.
- Utilizes different mobility options for accessing various destinations throughout the Madison community and other areas of Nashville due to its convenient location.

### **STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. (8-0)**

### **Resolution No. RS2023-135**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023CP-004-001 is approved. (8-0)

## **22a. 2023CP-006-001**

### **BELLEVUE COMMUNITY PLAN AMENDMENT**

Council District 22 (Gloria Hausser)

Staff Reviewer: Andrea Barbour

A request to amend the Bellevue Community Plan to change the policies from Rural Maintenance (T2 RM) and Conservation (CO) to Transition (TR) policy (CO policy will remain) for property located at 7750 Highway 70 S, approximately 440 feet west of Harpeth Valley Road, zoned R40 (10.93 acres), requested by Union Ironworks Local 492, applicant; Edward M. Polk Jr. ET UX, owners.

**Staff Recommendation: Approve.**

### **APPLICANT REQUEST**

**Amend Bellevue Community Plan to change the policy.**

#### Major Plan Amendment

A request to amend the Bellevue Community Plan, by changing land use policy from Rural Maintenance (T2 RM) to Transition (TR) for properties located on Highway 70 South and Harpeth Valley Place, north of Interstate 40 at Highway 70 South and Harpeth Valley Road intersection (22.5 acres). Conservation (CO) policy will remain in place.

### **BELLEVUE COMMUNITY PLAN**

#### **Current Policy**

Rural Maintenance (T2 RM) policy is intended to maintain the general character of rural neighborhoods as characterized by their development pattern, varying setbacks, building form, and land uses. T2 RM balances maintaining the rural countryside and existing rural development patterns with new development. Where transportation infrastructure is insufficient or not present, enhancements may be necessary to improve pedestrian, bicycle, and vehicular connectivity.

Conservation (CO) policy is intended to preserve, remediate, and enhance environmentally sensitive land within the T2 Rural, T3 Suburban, T4 Urban, and District Transect Categories. 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. CO policy would not change.

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

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

### **BACKGROUND**

The study area, approximately 22.5 acres, is located north of I-40 directly off Highway 70 South, across the street from Royal Range USA. Currently, the properties include a vacant field with some trees, a second property recently rezoned to Specific Plan (SP) to allow an emergency room facility, and a small dead-end street with office condos. Adjacent lots to the north and west are single family residential.

The applicant, Local No. 492 of the International Association of Bridge, Structural, & Ornamental Ironworkers, is requesting the policy change to allow for a training facility and employee office building at 7750 Highway 70 South. The training facility would serve as an appropriate transition for the area from rural to transition. Local No. 492 has expressed an interest in partnering with nearby High Schools in Bellevue to create apprenticeship opportunities while also aiding Nashville in addressing the shortage of qualified ironworkers.

The plan amendment was requested in conjunction with a zone change request 2023SP-031-001 to change the zoning from R40 to SP zoning for a portion of the property located at 7750 Highway 70 South to permit office and vocational school uses. In this case, the study area includes adjacent properties that have office-type zoning in place. TR policy accurately reflects those uses; however, these additional properties are not included in the rezoning application.

### **COMMUNITY PARTICIPATION**

On April 11, 2023, at the Bellevue Library (720 Baugh Road), Community Plans staff conducted an in-person community meeting to discuss the Bellevue plan amendment. Details of the community meeting were made available in the form of a community notice that was mailed to 209 residents within a 1,300 foot buffer of the study area. Approximately 21 residents attended the meeting. The community notice provided details and information about the requested policy amendment. Approximately 21 residents attended the meeting. Staff outlined the request to change policy. Following the presentation, attendees were given the opportunity to ask questions and share comments. Several questions were asked of the staff and applicant team by attendees. Questions and comments mainly focused on:

- Floodplain and drainage concerns
- Noise pollution
- Traffic
- Potential emissions

In addition, staff provided a link to the Bellevue Community Plan page so community members could access a narrated presentation for those who were unable to attend the initial community meeting. The online presentation is roughly five minutes. To date there have been 11 views of the video presentation. Since the community meeting was held, there have been zero letters of support and zero letters of opposition submitted to the Planning Department and shared with the Commission.

### **ANALYSIS OF TRANSITION POLICY**

In this analysis, the study area, currently Rural Maintenance (T2 RM) policy, was examined to apply Transition (TR) policy. The proposed policy amendment area is a suitable location for TR policy for the following reasons:

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

The Growth & Preservation Concept Map (Concept Map) is a county-wide vision and tool to shape improvements in quality of life so that new development and redevelopment align with community values. According to NashvilleNext, the Concept Map for Bellevue illustrates these key concepts: strategically locating new residential development; enhancing commercial centers and corridors to provide more desired retail and services; preserving established residential areas; protecting floodway/floodplain areas; and adding more connectivity, primarily through bikeways, greenways, multiuse paths and transit.

The Concept Map shows the policy amendment area designated as “Green Network”. The Green Network on the Concept Map reflects natural and rural areas that provide natural resources ecological services, wildlife habitat, and recreation opportunities. In the Bellevue community, most of the Green Network is floodways and floodplains along the rivers, woodlands, and steep slopes, including areas of unstable soils. Many of the areas with steep slopes in Bellevue also have unstable soils that are stabilized by tree cover. Tree cover also aids in protecting headwater quality, absorbing water runoff, and providing wildlife habitat. As the Bellevue area continues to grow, the challenge is to ensure that growth takes place in a way that minimizes negative impacts on the natural environment and Green Network.

The study area is primarily surrounded by a rural area to the west, single family residential to the north, and low intensity commercial uses to the southwest. The requested policy change would allow for development in a Green Network area; however, the applicant has displayed through renderings intention to preserve existing trees in addition to planting additional landscaping. The other properties are already developed or have entitlements. Sensitive natural features remain in CO policy and in the Green Network, while other portions of the study area would change designation to a "Neighborhood" area.

#### Key Finding

- Existing conditions support TR policy in the study area since offices are already present and applying TR policy allows an additional office to provide a community resource for vocational training to the greater Bellevue area.

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

There are 14 Community Plans which provide the vision and policy guidance of land uses for communities within Davidson County. The Bellevue Community Plan makes use of Community Character Policy elements to ensure those areas continue to grow. The Community Character Policies are the standard by which development and investment decisions are reviewed and future zone change requests are measured.

Just as in the Concept Map designations, the policies applied in Bellevue thoughtfully encourage preserving environmentally sensitive features and green spaces; preserving established residential areas and character; strategically locating new residential development; enhancing commercial centers and corridors to provide more services and options as well as more of a "brand" for Bellevue; and adding more connectivity through bikeways, greenways, multi-use paths, and sidewalks.

Transition (TR) policy supports a variety of residential and office uses that can serve as transitions between higher intensity uses or major thoroughfares and lower density residential neighborhoods. These transition areas can minimize land use conflicts while providing residential and office opportunities. In the study area, small offices are located along Harpeth Valley Place. Also, the Commission recommended approval in 2022SP-064-002 for an emergency facility to be built between the Harpeth Valley Place offices and the applicant's property. The application of TR policy is recognizing existing entitlements and uses while allowing an additional office to be built in the study area.

#### Key Findings

- TR policy provides a transition between the small-scale commercial area and the adjacent single family residential.
- TR policy reflects the existing office uses in the study area while allowing an additional office.
- TR policy is strategically located along a major highway and adjacent to the Interstate 40 corridor.

#### **Transportation and Connectivity**

Per the Community Character Manual, TR areas are generally located along arterial-boulevard or collector-avenue streets. TR policy areas are vehicularly connected to surrounding neighborhoods and corridors. Connectivity within the TR area is provided through coordinated access and circulation.

The Major and Collector Street Plan (MCSP) is a comprehensive plan and implementation tool for guiding public and private investment in the major streets (arterial-boulevards, arterial-parkways, and collector-avenues) that make up the backbone of the city's transportation system. Highway 70 South is classified as an arterial-boulevard scenic highway. In the study area, vehicular access is provided by Highway 70 South and Harpeth Valley Place. The area is adjacent to a major interchange with Interstate 40. On the other side of Interstate 40 are more commercial services, retail, and restaurants. Sidewalks and bikeway are lacking in this area.

Regarding vehicular connectivity, vehicular access is preferably obtained from rear alleys or service lanes. Access from side streets may also be considered; however, rear access from alleys or service lanes should be the norm unless it is not physically possible to provide it. Access from local streets, whether from rear, side, or front, should be avoided unless the TR area is providing a transition from a more intense use that is located along a local street.

Currently, WeGo does not offers transit service to the community at this location; however, on the other side of Interstate 40 is a Park and Ride lot and transit service is available.

#### Key Finding

- TR policy is appropriately located along a major highway, adjacent to an interstate interchange.

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

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

- Conservation (CO) policy is applied throughout the policy amendment area and surrounding area, recognizing steep slopes and floodway/floodplain areas.
- Rural Maintenance (T2 RM) policy is to the northwest, west, and east of the study area.

- Open Space (OS) policy for the Soccer Fields is located south on the other side of Interstate 40.
- Suburban Community Center (T3 CC) policy is to the southeast of the study area across Interstate 40.
- Suburban Neighborhood Maintenance (T3 NM) policy is located to the north and northeast.

Key Findings

- Changing the policy to TR fits within the area’s context and creates continuity of small-scale offices along this portion of the Highway 70 South corridor.
- TR policy compliments the transition between rural and suburban residential policies.

**Analysis Summary**

Amending the Community Character Policy from T2 RM to TR is appropriate for the following reasons:

- Existing conditions support TR policy in the study area since offices are already present and applying TR policy allows an additional office to provide a community resource for vocational training to the greater Bellevue area.
- TR policy provides a transition between the small-scale commercial area and the adjacent single family residential.
- TR policy reflects the existing office uses in the study area while allowing an additional office.
- TR policy is strategically located along a major highway and adjacent to the Interstate 40 corridor.

**STAFF RECOMMENDATION**

Staff recommends approval of the policy change from Rural Maintenance (T2 RM) policy to Transition (TR) policy.

Ms. Barbour presented the staff recommendation to approve.

Chair Adkins advised the Public Hearing will be held for both 22a and 22b and will voted upon separately.

Mike Hunkler, Gresham Smith, stated he is representing Ironworkers Local Union 492. He spoke in favor of the application.

Brian Felts stated he is a member of Ironworkers Local 492 at 2524 Dickerson Pike. He spoke in favor of the application.

Travis O’Daniel stated he is the President of Ironworkers Local 492 Union. He spoke in favor of the application.

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

Scott Davis spoke in favor of the application.

Wade Foriest, 107 Harpeth Valley Road, spoke in opposition to the application.

Mike Hunkler spoke in rebuttal.

Councilmember Hausser spoke in favor of the application.

**Chair Adkins closed the Public Hearing.**

Mr. Haynes said more trade workers are needed and felt this is a good location for it.

Mr. Clifton pointed out there may not be Ironworkers in this building forever but believes there are enough controls built into the system that there will not be anything put in that location that will be more intrusive than this and said because of that, he is in support.

Mr. Henley said he is inclined to support this. He indicated in the staff report it calls for a C1 buffer but the applicant mentioned a C3 buffer and asked what they can expect.

Ms. Lewis responded it varies depending on the side property lines but there is a landscape buffer on all property lines.

**Mr. Henley moved and Mr. Clifton seconded the motion to approve. (8-0)**

**Resolution No. RS2023-136**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023CP-006-001 is approved. (8-0)

## 22b. 2023SP-031-001

### IRONWORKERS LOCAL 492

Council District 22 (Gloria Hausser)

Staff Reviewer: Amelia Lewis

A request to rezone from R40 to SP zoning for a portion property located at 7750 Highway 70 S., approximately 240 feet west of Harpeth Valley Road (8.42 acres), to permit office and vocational school uses, requested by Gresham Smith, applicant; Edward Polk Jr. ET UX, owners. (See associated case 2023CP-006-001).

**Staff Recommendation: Approve with conditions and disapprove without all conditions if the associated plan amendment is approved. If the associated plan amendment is not approved, staff recommends disapproval.**

Ms. Lewis presented the staff recommendation to approve with conditions and disapprove without all conditions if the associated plan amendment is approved. If the associated plan amendment is not approved, staff recommends disapproval.

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### APPLICANT REQUEST

**Preliminary SP to permit office and vocational school uses.**

#### Zone Change

A request to rezone from One and Two-Family Residential (R40) to Specific Plan (SP) zoning for a portion property located at 7750 Highway 70 S., approximately 240 feet west of Harpeth Valley Road (8.42 acres), to permit office and vocational school uses.

#### **Existing Zoning**

One and Two Family Residential (R40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25 percent duplex lots. *R40 would permit a maximum of seven lots for a total of eight units, based on acreage alone. This does not account for compliance with Subdivision Regulations.*

#### **Proposed Zoning**

Specific Plan-Office (SP-O) 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 office and educational uses.*

### BELLEVUE COMMUNITY PLAN

#### **Current Policy**

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

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

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

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

### SITE CONTEXT AND PLAN DETAILS

The proposed rezoning encompasses approximately 8.42 acres of an existing 10.93 acre parcel. The parcel is located on the north side of Highway 70 S, west of Harpeth Valley Road. The remaining 2.51 acres will remain zoned R40. The surrounding properties are zoned R40, Single-Family Residential (RS40), Shopping Center Regional (SCR), Office Limited (OL) and SP. The adjacent parcel to the east is zoned SP and is approved for a 10,000 square foot hospital. The surrounding land uses include residential, commercial, and medical.

The proposed plan includes a 22,693 square foot structure to be used as office and vocational school for the local Ironworkers Union. The developable area of the property is constrained by the existing floodplain on the site as well

as a 250 foot wide TVA easement that runs north-south through the property. The proposed structure is set back on the property to locate the building outside of the floodplain and the TVA easement. Surface parking is shown to the west of the structure. Vehicular access is provided by a shared access drive with the SP property to the east. Proposed landscape buffers are shown on the northern, eastern, and western property lines.

Highway 70 S is classified as a scenic arterial boulevard on the Major and Collector Street Plan. The MCSP includes a buffered bike lane, sidewalks, and a planting strip. The proposed frontage for this site includes a 12 foot wide multi-use path separated from the roadway with a 12 foot wide planting strip. The multi-use path transitions into an existing bike lane west of the site. This also provides a consistent frontage with the adjacent development to the east. A condition that the improvements required along Highway 70 S apply to the entire property frontage is included below.

#### **ANALYSIS**

The existing T2 RM policy is intended for primarily rural, residential development. The proposed TR policy may be used in situations where there is a major thoroughfare and an adjacent residential neighborhood and where there is a market for compatibly scaled office and/or residential uses. Office and institutional land uses are supported within the TR policy. The proposed site is located off of Highway 70 S, which is classified as a Scenic Arterial Boulevard in the Major and Collector Street Plan (MCSP). Arterial Boulevards are major thoroughfares intended to serve high traffic volumes daily. The proposed plan is consistent with the TR policy to provide office and institutional land uses along a corridor.

The Conservation (CO) policy on the portion of the site to be rezoned is in place due to the 100 year floodplain. The proposed development is located outside of the floodplain with the exception of the proposed vehicular access drive. This is consistent with the CO Policy guidance, to group development on the site to preserve the environmentally sensitive features and only disturb when necessary, in this case to provide access to the portion of the property outside of the floodplain.

#### **FIRE MARSHAL RECOMMENDATION**

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

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

#### **STORMWATER RECOMMENDATION**

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

- Must comply with all regulations in the Stormwater Management Manual at the time of final submittal.
- If stream determination not accepted by TDEC buffers will be required.

#### **WATER SERVICES RECOMMENDATION**

**Not Applicable – Harpeth Valley Utility District**

#### **HARPETH VALLEY UTILITY DISTRICT**

**Availability of service letter provided**

#### **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. Provide waste plan for site. Note: A private hauler will be required for waste/recycle disposal.
- Provide 6 ft. taper bike lane through site zoned R40. Provide new driveway beyond 6 ft. bike lane.
- Frontage improvements proposed deviate from MCSP requirements. Therefore, prior to final, coordinate w/ planner on variance eligibility.

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

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

- Parking shall be per metro code.
- Alignment/connection for the cross access easement with the neighboring parcel to the East shall be consistent between both site plans.
- The proposed 6' bike lane transition shall extend to the West across the neighboring parcel's private driveway (site zoned RS40). This will require the driveway to be rebuilt to accommodate the bike lane transition. Coordinate with NDOT prior to Final SP Submittal.
- Comply with Roads Conditions.

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)	8.42	1.16 D	8 U	102	11	9

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	-	-	22,693 SF	252	48	27

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+150	+37	+18

**METRO SCHOOL BOARD REPORT**

The proposed SP is not anticipated to generate any students.

**STAFF RECOMMENDATION**

Approve with conditions and disapprove without all conditions if the associated plan amendment is approved. If the associated plan amendment is not approved, staff recommends disapproval.

**CONDITIONS**

1. Permitted uses shall be limited to office and vocational school uses.
2. Prior to the approval of the final site plan, the access easement across the adjacent property shall be recorded.
3. On the final site plan, proposed lighting on the site shall comply with all Metro requirements.
4. Required improvements along Highway 70 S are applicable to the entirety of the parcel frontage.
5. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

**Mr. Henley moved and Mr. Haynes seconded the motion to approve with conditions. (8-0)**

**Resolution No. RS2023-137**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-031-001 is approved with conditions and disapproved without all conditions. (8-0)

**CONDITIONS**

1. Permitted uses shall be limited to office and vocational school uses.
2. Prior to the approval of the final site plan, the access easement across the adjacent property shall be recorded.
3. On the final site plan, proposed lighting on the site shall comply with all Metro requirements.
4. Required improvements along Highway 70 S are applicable to the entirety of the parcel frontage.



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

**23a. 2016SP-040-002**

On Consent: Tentative

**BETHWOOD COMMONS (AMENDMENT)**

Public Hearing: Open

Council District 05 (Sean Parker); 08 (Nancy VanReece)

Staff Reviewer: Amelia Lewis

A request to amend a portion of a Specific Plan on property located at 2634 Bethwood Drive and 0 Allenwood Drive, approximately 1,200 feet east of Oakwood Avenue, to reduce the previously approved open space (14.04 acres), requested by Dale & Associates, applicant; Upside, LLC, owner. (see associated case 2023Z-042PR-001).

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Amend the previously approved SP by reducing the amount of open space previously approved.**

Zone Change

A request to amend a Specific Plan (SP) on property located at 2634 Bethwood Drive and 0 Allenwood Drive, approximately 1,200 feet east of Oakwood Avenue to reduce the previously approved open space (14.04 acres).

**Existing Zoning**

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

**EAST NASHVILLE COMMUNITY PLAN**

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

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

Supplemental Policy

The site is located within the 05-T3-NE-01 supplemental policy within the East Nashville Community Plan. It consists of property generally located west of Ellington Parkway between Trinity Lane and Broadmoor Drive. This supplemental policy area includes Maplewood High and Jere Baxter Middle school as well as and Oakwood Park. The intent of the SPA is to encourage active transportation through trail oriented development, which includes to provide a continuous primary trail network that stretches from the northernmost area to the southernmost parcel.

## **SITE CONTEXT AND PLAN DETAILS**

The 14 acre site is generally located north of Norton Avenue and west of Ellington Parkway. The site is also adjacent to a previously developed subdivision and abuts several road stubs including Bethwood Drive at the northern portion of the site and Allenwood Drive and Slaydon Drive on the southern portion of the site. The properties to the west are zoned RS7.5 and have primarily been developed with single-family residential uses. To the south of the site is an existing SP which permits a mixed-use development. Jere Baxter Middle School is located north of the site.

The site was zoned SP in 2016, (BL2017-888) to permit up to 75 multi-family units and 2 single-family units. The site is bisected by an existing stream and stream buffer. The approved site plan included residential uses on the northern part of the site, identified as phase 1, and the southern portion of the site remained as open space, identified as phase 2.

A previous amendment to the SP was filed to permit an additional 26 units in the open space area south of the stream. After discussion with the community and councilmember, the applicant indefinitely deferred the request for the additional units. Subsequently, an application was filed to rezone this portion of the property to RS7.5 to permit the redevelopment under the Metro Subdivision Regulations. With the proposal to rezone a portion of the SP property previously shown as open space, staff considers the removal of open space as an amendment to the approved SP plan. The open space area proposed to be removed from the SP is approximately 1.8 acres and somewhat separated from and inaccessible by the main part of the development. Within the portion of the site to be developed there are four smaller open space areas with approximately 25,000 square feet.

## **ANALYSIS**

The associated rezoning is reviewed against the existing land use policies on the site, including the Urban Neighborhood Evolving (T4 NE) policy. If the rezone to RS7.5 is approved and developed under the existing zoning, it will need to comply with Metro Subdivision Regulations and be reviewed by all Metro agencies.

## **FIRE MARSHAL RECOMMENDATION**

### **Approve with conditions**

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

## **STORMWATER RECOMMENDATION**

### **Approve with conditions**

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

## **WATER SERVICES RECOMMENDATION**

### **Approve with conditions**

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

## **NASHVILLE DOT RECOMMENDATION**

### **Approve with conditions**

- Amended portion of SP: NDOT takes no exceptions.
- The following are approval comments for the SP portion of development:
  - With final: Include proposed public roadway construction drawings(profiles, grades, drainage). Roadway construction drawings shall comply with NDOT Subdivision Street Design Standards. Callout roadway sections, (access and ADA)ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Show 'Now Entering Private Drive' signage where applicable off public roads. Provide internal stop control at intersections. Provide stopping sight distance exhibits at any relevant intersections and accesses. Provide adequate sight distance spacing at all access ramps and public streets with on-street parking. Dimension ROW pavement widths for clarity. Provide a loading/unloading plan for each aspect of the total development. Note: A private hauler will be required for waste/recycle disposal. Comply w/ NDOT traffic comments.

## **TRAFFIC & PARKING RECOMMENDATION**

### **Approve with conditions**

- For the Amended Portion of the SP: NDOT takes no exceptions.
- TIS has been scoped but not submitted to NDOT for review and finalization of the study shall be completed prior to Final SP submittal. Additional comments are forthcoming after review of TIS.
- At a minimum the applicant shall make pedestrian improvements at the intersection of Oakwood Ave & Bethwood Drive, Oakwood Ave & Slaydon Drive, and Oakwood Ave & East Trinity Ln. Improvements shall include ped landings, warning mats, and crosswalks at all the appropriate locations.

- The sidewalk adjacent to the greenway trail needs to be a minimum of 5' sidewalk within the public ROW.
- If not already installed the applicant shall place advanced warning signs on the Eastbound & Westbound approach of East Trinity Lane that caution drivers of the Oakwood intersection that is per MUTCD guidance.
- Parking shall be shown per metro code.
- Comply with Roads Conditions.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses include a maximum of 75 multi-family residential units and 2 single-family residential units. Short term rental property, owner occupied and short term rental property, not owner occupied shall be prohibited.
2. All conditions of BL2017-888 shall remain in effect unless noted with this application.
3. If the property is platted, the public access trail easement shall be included along the entirety of the eastern property line.
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Mr. Swaggart presented the staff recommendation to approve with conditions.

Michael Garrigan, Dale & Associates, 516 Heather Place, spoke in favor of the application. Mr. Garrigan read a letter in support of the application, written by Councilmember VanReece, who could not attend the meeting in person.

Melinda Aguilera, 2629 Bethwood Drive, stated she is speaking on behalf of herself and other neighbors. She spoke in opposition to the application.

Cassandra Branch, 2577 Bethwood Drive, spoke in opposition to the application.

Mike Garrigan spoke in rebuttal.

**Chair Adkins closed the Public Hearing.**

Mr. Tibbs suggested a traffic study be part of the conditions and the results of the study discussed at another community meeting.

Councilmember Withers advised that from Oakwood Avenue up to Slaydon Drive, is in an active NDOT traffic calming phase. He said along Jones Avenue to Dellway Drive, the traffic calming tracker indicates some work has already been done, including some vertical measures.

**Mr. Tibbs moved and Mr. Haynes seconded the motion to approve with conditions. (8-0)**

**Resolution No. RS2023-138**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-040-002 is approved with conditions. (8-0)

**CONDITIONS**

1. Permitted uses include a maximum of 75 multi-family residential units and 2 single-family residential units. Short term rental property, owner occupied and short term rental property, not owner occupied shall be prohibited.
2. All conditions of BL2017-888 shall remain in effect unless noted with this application.

3. If the property is platted, the public access trail easement shall be included along the entirety of the eastern property line.
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

### 23b. 2023Z-042PR-001

Council District 05 (Sean Parker); 08 (Nancy VanReece)

Staff Reviewer: Jason Swaggart

A request to rezone from SP to RS7.5 zoning for a portion of property located at 2634 Bethwood Drive, approximately 40 feet east of Slaydon Drive (5.01 acres), requested by Dale & Associates, applicant; Upside, LLC, owner. (See associated case 2016SP-040-002).

**Staff Recommendation: Approve if the associated SP amendment is approved, Disapprove if the associated SP amendment is disapproved.**

#### APPLICANT REQUEST

##### Zone change from SP to RS7.5.

##### Zone Change

A request to rezone from Specific Plan (SP) to Single-Family Residential (RS7.5) zoning for a portion of property located at 2634 Bethwood Drive, approximately 40 feet east of Slaydon Drive (5.01 acres).

##### **Existing Zoning**

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

##### **Proposed Zoning**

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of 29 residential lots.*

#### **EAST NASHVILLE COMMUNITY PLAN**

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

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural,

T5Center, 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.

Special Policy (05-T3-NE-01) is intended to encourage active transportation in an area that is underserved with connections and circulation options, such as trails, bike paths, and sidewalks. Trail Oriented Development is a design concept that takes advantage of and leverages infrastructure that supports active ways of getting around.

**SITE AND CONTEXT**

The request pertains to a portion of the property located at 2634 Bethwood Drive and is the southern portion of the property. This portion of the property is located along the west side of Ellington Parkway. Allenwood Drive and Slaydon Drive terminate at the eastern site boundary. The site is approximately five acres and is zoned SP. The SP was approved in 2017 (BL2017-888). The site is in open space on the approved SP plan. It is designated as open space due to a stream and associated buffers encumbering the site. This portion of the SP is proposed to be removed from the SP (associated case 2016SP-040-002).

**ANALYSIS**

The proposed RS7.5 zoning district is consistent with the T4 NE land use policy. It is also consistent with the surrounding zoning. The RS7.5 would allow for development consistent with the surrounding area zoned RS7.5. The CO land use policy applies to the stream and associated buffers. Any future development in this area will require approval from Metro Stormwater. While the RS7.5 zoning district is consistent with the policy, this application cannot be approved if the associated case is not approved. If this were approved without concurrent approval of the associated case, the site would have two zoning districts, which is technically not feasible.

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
Open Space	-	-	-	-	-	-

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	5.01	4.94 D	29 U	280	21	26

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+29 U	+280	+21	+26

**METRO SCHOOL BOARD REPORT**

Projected student generation existing SP district: **0** Elementary **0** Middle **0** High  
 Projected student generation proposed RS7.5 district: **3** Elementary **3** Middle **3** High

The proposed RS7.5 zoning district is expected to generate nine more students than the existing SP zoning district. Students would attend Tom Joy Elementary School, Jere Baxter Middle School, and Maplewood High School. There is additional capacity in all three schools. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval subject to the approval of the associated SP amendment (2018SP-040-002). If the associated SP amendment is not approved, staff recommends disapproval.

Mr. Swaggart presented the staff recommendation to approve if the associated SP amendment is approved and disapprove if the associated SP amendment is disapproved.

**Mr. Tibbs moved and Mr. Clifton seconded the motion to approve including a condition that a traffic study be completed prior to appearing at Council. (8-0)**

**Resolution No. RS2023-139**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-042PR-001 is approved including a condition that a traffic study be completed prior to appearing at council. (8-0)

**24. 2015SP-005-022**

**CENTURY FARMS (BEAMAN & TURNER) (AMENDMENT)**

Council District 32 (Joy Styles)

Staff Reviewer: Dustin Shane

A request to amend a Specific Plan for various properties located on the north side of Old Franklin Road, between Cane Ridge Road and Interstate 24, zoned SP (294.15 acres), to permit 300 additional multi-family residential units and, revise subdistrict boundaries, development standards, and signage standards, requested by Barge Design Solutions, applicant; various owners.

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

**APPLICANT REQUEST**

**Amend the Century Farms Specific Plan District to permit 300 additional multi-family units and revise standards.**

Amended SP

A request to amend a Specific Plan for various properties located on the north side of Old Franklin Road, between Cane Ridge Road and Interstate 24, zoned Specific Plan (SP) (294.15 acres), to permit 300 additional multi-family residential units and revise subdistrict boundaries, development standards, and signage standards.

**Existing Zoning**

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

**SOUTHEAST COMMUNITY PLAN**

D Destination Retail (D DR) is intended to enhance and create Districts where large footprint, auto-centric retail and complementary uses that may draw from regional or multi-state trade areas are predominant. D DR areas have one or more large footprint retail uses that are typically surrounded by large surface parking lots. Primary supportive land uses include retail, restaurant, hotel, and entertainment. Such supportive uses may be integrated or separate from the large footprint establishment. The large footprint uses provide major positive economic impacts by drawing from very large trade areas that often extend into other states and draw customers who may stay in the Nashville area for extended periods of time. Office and high density residential are complementary supportive uses that can help to provide transitions in scale and intensity to surrounding Community Character Policy areas.

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

T3 Suburban Neighborhood 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 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.

Civic (CI) is intended to serve two purposes. The primary intent of CI is to preserve and enhance publicly owned civic properties so that they can continue to serve public purposes over time, even if the specific purpose changes. This recognizes that locating sites for new public facilities will become more difficult as available sites become scarcer and more costly. The secondary intent of CI is to guide rezoning of sites for which it is ultimately determined that conveying the property in question to the private sector is in the best interest of the public.

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

### **CASE HISTORY**

At the March 9, 2023, Planning Commission public hearing for this case, Commissioners and community members raised concerns about some of the proposals in the original amendment. Several elements seemed problematic, including the loss of the town center elements and the increased height, signage, and lighting. Since then staff and the community have worked with the developer to alleviate many of these concerns. The current proposal and the agreements reached with the community increase the potential for town center elements within the overall SP and provide reductions in requested height and signage in line with community concerns.

### **PLAN DETAILS**

The site is located at the Hickory Hollow parkway interchange of Interstate 24. The site is approximately 286 acres, west of Interstate 24, east of Cane Ridge Road, and north of Old Franklin Road. The approved Preliminary SP includes a variety of uses and building types in five subdistricts. The subdistricts include: Residential, Retail, Neighborhood Transition, Office Concentration, and Mixed Use. Each subdistrict includes specific standards for building location, intensity, height, signage, etc. All subdistricts indicate that facades shall be identified during the Final SP process, with different façade types applying at various locations. The most recent approval includes 1,300 residential units. Several final site plans have been approved, and the infrastructure is mostly built out.

#### Site Plan

The proposed amendment to the SP consists of a request for 300 additional residential units and several changes to the SP's district boundaries and development standards. These changes are detailed below.

- Shift district boundaries to remove Office Concentration from the area fronting the interstate in the northern portion. It is replaced by Mixed Use. The former Retail Subdistrict at the northern end of the site has been replaced with open space.
- Remove the town center and pedestrian-oriented elements from the Mixed Use Subdistrict and replace them with a more auto-centric layout consisting of big box stores, parking lots, and drive aisles. Pedestrian connections are still provided, however, including around and through parking areas.
- Add two acres of publicly accessible open space in the Office Concentration Subdistrict programmed with pedestrian walkways and features.
- Create a new town center-like layout facilitating a mix of uses for the southern half of the Office Concentration Subdistrict adjacent to the two-acre park.
- Provide roundabouts and roads that will accommodate future WeGo connections through the area.
- Add more multi-tenant Century Farms signage in common areas.
- Remove any building types that do not permit parking between the building and the ROW or private drive.
- Reduce the number of parkways in the circulation plan.
- Replace references to greenways with trails to avoid the official greenway dedication process (original language was aspirational).
- Remove the façade classification system.
- Permit an individually illuminated roof sign on Parcel 17400025800 in the Neighborhood Transition Subdistrict.
- Allow mixed uses in the Office Concentration Subdistrict.
- Reduce minimum required parking ratios for hotels in the Mixed Use Subdistrict with an approved parking study.
- Replace a three-sided, 110-foot-tall interstate sign (3,672 square feet per side) with two 60-foot-tall signs (600 square feet per side), a reduction of 2,472 square feet of interstate facing signage.

Several of the changes streamline and simplify the SP, including the changes related to the façade types and the internal road system. Some of the changes will create a more auto-centric suburban development pattern than what was originally envisioned for the Mixed Use Subdistrict. However, after working with staff and the community following the public hearing at the March 9, 2023, Planning Commission meeting, a mixed use town center area has been proposed for part of the Office Concentration Subdistrict adjacent to the new publicly accessible park. In addition, the pedestrian elements of the Mixed Use Subdistrict have been strengthened in the most recent revision,

and newly added conditions require standards that allow for redevelopment to occur along pedestrian-oriented lines in both subdistricts. These standards include flexibility with parking requirements and the potential for parking areas to redevelop as buildings in the future. The proposed amendment and the added conditions increase the capacity of Century Farms for walkable development. Century Farms is also providing a protected pedestrian path across the interstate to Global Mall, which will further realize multimodal connectivity in the area.

**ANALYSIS**

With the amendment, the Mixed Use Subdistrict will become in the near term more similar to other interstate interchange districts in the region, which aligns with the D DR policy on site. However, a similar town center area to the one being removed is now planned for the Office Concentration Subdistrict, adjacent to a park. In addition, conditions added by staff will require future development to feature pedestrian-oriented, town center-style design in both subdistricts. The addition of 300 residential units and the changes to signage and district boundaries will have a relatively minor impact on the development as a whole. Residents have raised concerns about nighttime lighting and invasive species. The applicants have reiterated their intention to comply with all provisions of Metro’s Dark Skies ordinance and have added standards related to controlling invasive species to Century Farms’ private Landscape Design Guidelines in response to community concerns. All previous conditions of approval remain in place.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve with conditions**

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

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

MWS has no objection to the latest SP Amendment (uploaded by Planning on 12/28/2022), MWS recommends approval, on the following condition:

- Approval does not apply to private water and sewer line design. Plans for these must be submitted and approved through a separate review process with Metro Water- Development Services before their construction may begin.
- All capacity fees and/or DAPARC Fees must be confirmed paid prior to construction.

**NASHVILLE DOT ROADS RECOMMENDATION**

**Approve with conditions**

- Based on the traffic memo submitted, a revised TIS is not needed. The change in density has no additional impacts to the previously studied trips. With any following site plan submittals, off-site improvements, safety, and multi-modal improvements may be considered and applied where needed. Park per code.

**NASHVILLE DOT TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Based on the traffic memo submitted, a revised TIS is not needed. The change in density has no additional impacts to the previously studied trips. With any following site plan submittals, off-site improvements, safety, and multi-modal improvements may be considered and applied where needed. Park per code.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	-	-	1,300 U	9,516	545	579

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	-	-	706 R	7,544	348	504

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
Office (710)	-	-	520,000 SF	5,251	515	545

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
Medical Office (720)	-	-	116,000 SF	4,369	255	396

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)	-	-	612,000 SF	23,103	576	2,331

Maximum Uses in Existing Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Supermarket (850)	-	-	48,000 SF	4,165	183	451

Maximum Uses in Existing Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	-	-	65,000 SF	7,292	646	635

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
Gas Station/Conv Store (820)	-	-	40 pumps	9,577	663	559

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	-	-	1,600	11,712	665	697

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)	-	-	706 R	7,544	348	504

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	-	-	520,000 SF	5,251	515	545

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
Medical Office (720)	-	-	116,000 SF	4,369	255	396

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)	-	-	612,000 SF	23,103	576	2,331

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
Supermarket (850)	-	-	48,000 SF	4,165	183	451

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	-	-	65,000 SF	7,292	646	635

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station/Conv Store (820)	-	-	40 pumps	9,577	663	559

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+300 U	+2,196	+120	+118

**METRO SCHOOL BOARD REPORT**

Projected student generation existing SP districts: **135** Elementary **110** Middle **101** High  
 Projected student generation proposed SP district: **166** Elementary **135** Middle **124** High

The proposed SP zoning is expected to generate 79 more students than the existing SP zoning districts. Students would attend A.Z. Kelley Elementary School, Marshall Middle School, and Cane Ridge High School. The schools are identified as having capacity for additional students, except for Cane Ridge High School, which is listed as at overcapacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

## CONDITIONS

1. Permitted uses shall be limited to 1,600 residential units within the entire SP, with the Residential Subdistrict limited to a maximum of 500 multi-family residential units; the Retail Subdistrict limited to uses allowed in SCR, excluding Alternative Financial Services; the Neighborhood Transition Subdistrict limited to a maximum of 600 multi-family residential units and all other uses allowed in MUL, excluding Alternative Financial Services; the Office Concentration Subdistrict limited to a maximum of 800 multi-family residential units and all other uses allowed in MUI, excluding Alternative Financial Services; the Mixed Use Subdistrict limited to a maximum of 600 multi-family residential units and all other uses allowed in MUI, excluding Alternative Financial Services. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited within the entire SP.
2. On the corrected copy, amend the Mixed Use Subdistrict section to include the following standards:
  - a. Under Guiding Principles, add: 4. All parking areas are eligible for redevelopment as pedestrian-oriented buildings featuring a potential mix of uses.
  - b. Add to the first bullet under "Parking" regarding retail: "Lower parking ratios may be approved with a parking study."
  - c. Under Parking, add bullet: Parking areas may be redeveloped with pedestrian-oriented buildings as the needs of the Subdistrict users shift in the future. In the event of such infill development, parking needs for the proposed use and existing users shall be determined with a parking study. The results of said parking study shall take precedence over any parking ratios cited above or previous parking studies to allow for transition of the Subdistrict to a less auto-dependent built form.
3. All multi-family buildings shall have flat roofs.
4. A contiguous 2-acre community green space shall be provided in the Office Subdistrict as generally shown on the masterplan.
5. A pedestrian-oriented town center-style area shall be provided in the Office Subdistrict as generally shown on the masterplan.
6. Neon is not permitted in the rooftop sign allowed for Parcel 17400025800.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
10. Comply with all conditions and requirements of Metro reviewing agencies.
11. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20 zoning district for the Residential Subdistrict, the SCR zoning district for the Retail Subdistrict, the MUL zoning district for the Neighborhood Transition Subdistrict, and the MUI zoning district for the Office Concentration and Mixed Use Subdistricts as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
12. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
13. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Mr. Tibbs recused himself from this Item.

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

Chair Adkins advised the Commission has already had the Public Hearing and they are now on deliberation.

Mr. Henley said with the list of changes, he felt the community would consider it lists of improvements based on what they heard during the Public Hearing.

Vice Chair Farr asked about the location of the town center.

Mr. Shane answered on the plan, bottom left, there is now an area that has a typical downtown looking layout and that is new.

Councilmember Withers appreciated the applicants working with staff and the community, as he was critical of the original plan. He thought it was good to add the town center and improve lighting.

**Mr. Henley moved and Mr. Haynes seconded the motion to approve with conditions. (7-0-1) Mr. Tibbs recused himself.**

Chair Adkins called for a break.

Chair Adkins advised that Mr. Haynes' term has expired and thanked him for all of his work on the Planning Commission and for the community.

Mr. Haynes left the meeting.

**Resolution No. RS2023-140**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-005-022 is approved with conditions and disapproved without all conditions. (7-0-1)

**CONDITIONS**

1. Permitted uses shall be limited to 1,600 residential units within the entire SP, with the Residential Subdistrict limited to a maximum of 500 multi-family residential units; the Retail Subdistrict limited to uses allowed in SCR, excluding Alternative Financial Services; the Neighborhood Transition Subdistrict limited to a maximum of 600 multi-family residential units and all other uses allowed in MUL, excluding Alternative Financial Services; the Office Concentration Subdistrict limited to a maximum of 800 multi-family residential units and all other uses allowed in MUI, excluding Alternative Financial Services; the Mixed Use Subdistrict limited to a maximum of 600 multi-family residential units and all other uses allowed in MUI, excluding Alternative Financial Services. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited within the entire SP.
2. On the corrected copy, amend the Mixed Use Subdistrict section to include the following standards:
  - a. Under Guiding Principles, add: 4. All parking areas are eligible for redevelopment as pedestrian-oriented buildings featuring a potential mix of uses.
  - b. Add to the first bullet under "Parking" regarding retail: "Lower parking ratios may be approved with a parking study."
  - c. Under Parking, add bullet: Parking areas may be redeveloped with pedestrian-oriented buildings as the needs of the Subdistrict users shift in the future. In the event of such infill development, parking needs for the proposed use and existing users shall be determined with a parking study. The results of said parking study shall take precedence over any parking ratios cited above or previous parking studies to allow for transition of the Subdistrict to a less auto-dependent built form.
3. All multi-family buildings shall have flat roofs.
4. A contiguous 2-acre community green space shall be provided in the Office Subdistrict as generally shown on the masterplan.
5. A pedestrian-oriented town center-style area shall be provided in the Office Subdistrict as generally shown on the masterplan.
6. Neon is not permitted in the rooftop sign allowed for Parcel 17400025800.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
10. Comply with all conditions and requirements of Metro reviewing agencies.
11. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20 zoning district for the Residential Subdistrict, the SCR zoning district for the Retail Subdistrict, the MUL zoning district for the Neighborhood Transition Subdistrict, and the MUI zoning district for the Office Concentration and Mixed Use Subdistricts as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
12. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
13. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

**25. 2017SP-091-004**

**KENECT NASHVILLE**

Council District 19 (Freddie O'Connell)

Staff Reviewer: Eric Matravers

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

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2017SP-091-004 to the May 11, 2023, Planning Commission meeting. (8-0)**

**26. 2021SP-075-001**

**VT CHARLOTTE PIKE DEVELOPMENT**

Council District 22 (Gloria Hausser)

Staff Reviewer: Logan Elliott

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

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

**APPLICANT REQUEST**

**Preliminary SP to permit a multi-family development.**

Zone Change

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

**Existing Zoning**

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

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

**Proposed Zoning**

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

**BELLEVUE COMMUNITY PLAN**

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 NE policy may be applied either to undeveloped or substantially under-developed "greenfield" areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing

and some elements of the existing developed character, such as the street network, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers.

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy

identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed. The Conservation Policy here recognizes areas with significant slopes.

#### **SITE**

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

#### **PLAN DETAILS**

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

#### **ANALYSIS**

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

#### **FIRE MARSHAL RECOMMENDATION**

**Approve**

#### **STORMWATER RECOMMENDATION**

**Approve with conditions**

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

#### **WATER SERVICES RECOMMENDATION**

**Not Applicable**

- Harpeth Valley Water and Sewer Utility District.

#### **HARPETH VALLEY WATER AND SEWER UTILITY DISTRICT RECOMMENDATION**

**Approve with conditions**

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

#### **NASHVILLE DOT RECOMMENDATION**

**Approve with conditions**

- With a final: Include proposed public roadway construction drawings(profiles, grades, drainage). Roadway construction drawings shall comply with NDOT Subdivision Street Design Standards. Callout roadway sections, (access and ADA)ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Show 'Now Entering Private Drive' signage where applicable off public roads. Provide internal stop control at intersections. Provide stopping sight distance exhibits at any relevant intersections and accesses. Provide adequate sight distance spacing at all access ramps and public streets with on-street parking. Dimension ROW pavement widths for clarity. Provide a waste plan. Note: A private hauler will be required for waste/recycle disposal. Comply w/ NDOT traffic comments.
- Conditions of approval:
  - Mandatory Referral for road abandonment required.

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

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

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

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

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

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

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

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	11.99	-	61 U	331	21	28

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

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

**METRO SCHOOL BOARD REPORT**

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

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

The proposed SP zoning is expected to generate no additional students than the existing R15 and R40 zoning. Students would attend Gower Elementary School, H.G. Hill Middle School, and Hillwood High School. H.G. Hill Middle School is identified as being overcapacity. Gower Elementary School and Hillwood High School are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 61 multi-family residential units. Short term rental property, owner occupied and short term rental property, not-owner occupied shall be prohibited.
2. Any Mandatory Referrals that are necessary shall be completed prior to the approval of any final site plan applications.
3. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.

4. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM6 zoning district as of the date of the applicable request or application.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

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

Sherry Hamilton, VT Enterprises, 125 Belle Forest Circle, spoke in favor of the application.

Ying Kenney, 7529 Oakhaven Trace, presented a video of driving on the roadway with a male voice speaking in opposition to the application.

John Kenney, 7529 Oakhaven Trace, spoke in opposition to the application.

Tim Canon, 7505 Oakhaven Trace, spoke in opposition to the application.

Reed Gibbs, 7741 Sawyer Brown Road, spoke in opposition to the application.

Chris Holmes, 108 Oakhaven Court, spoke in opposition to the application.

Jonathan Hopkins, 100 Oakhaven Court, spoke in opposition to the application.

Allie Shanahan, 7532 Oakhaven Trace, spoke in opposition to the application.

Rita Shankar, Oakhaven resident, spoke in opposition to the application.

Sarah Ramero, 7537 Oakhaven Trace, spoke in opposition to the application.

Susan Saunders, 2054 Traemoor Village Drive, spoke in opposition to the application.

Gayle Reed, 2080 Traemoor Village Drive, spoke in opposition to the application.

Captain Martin Johnson, 2080 Traemoor Village Drive, spoke in opposition to the application.

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

Sherry Highbanks, 7455 Sawyer Brown Road, spoke in opposition to the application.

Margie Canon, 7505 Oakhaven Trace, spoke in opposition to the application.

Lisa Holmes, 108 Oakhaven Court, spoke in opposition to the application.

Cathleen St. Dennis, 7449 Sawyer Brown Road, spoke in opposition to the application.

Roy Dale spoke in rebuttal.

Councilmember Hausser spoke in favor of the application.

**Chair Adkins closed the Public Hearing.**

Councilmember Withers said he understood the neighbors' concerns but it appears this concentrates all the traffic right at Charlotte, as much as possible, widens the road, and provides sidewalks and a turn lane.



Mr. Tibbs asked for more elaboration on the access point near Charlotte Pike and about the emergency gated access.

Mr. Shane advised it is a fire code requirement to have a secondary means of access that would be a gated paved driveway, that would only be available for emergency services in case the primary entrance was unavailable. He said concerning the access on Sawyer Brown Road, NDOT, Planning and the applicant looked at a variety of different access situations and landed on this one because Charlotte Pike is an arterial road. Mr. Shane explained the general access approach to arterials is to limit access whenever possible. NDOT found this improvement to be adequate with the right turn restriction for the access point being one of their recommendations to draw access from Sawyer Brown Road, with the acknowledgment that the remainder of the road would be substandard, that this project would be improving the conditions.

Mr. Tibbs asked if there was any concern of having only one access point or was the gated emergency access the answer to it.

Mr. Shane responded the gated emergency access is just a code requirement. He stated there are subdivisions surrounding it that makes it difficult to provide connectivity. Mr. Shane added that the units that go north on the single drive are climbing a hill, and that is why there are preservation areas on either side for the slopes and trees that are on those slopes, which is another challenge for providing connectivity options.

Vice Chair Farr referred to the study and a neighbor's comment regarding NDOT's suggestion that all of these improvements should be done prior to construction and asked if that is how this is sequenced.

Mr. Shane answered staff did not find that language in the mobility study for the recommendation for Sawyer Brown Road. It identified the improvements as recommendations and there is not specific language that the development should be withheld until its improved.

Vice Chair Farr asked how it will be enforced from people turning left.

Mr. Shane stated the T-bone feature that was described is an engineering term but is basically a raised curb that is a Y shape, with the top of the Y filled in, and raised as well, and that you would not be able to make a left turn unless you drove over the curb feature or made an illegal traffic movement.

Vice Chair Farr asked how the primary access road will be managed during the construction phase.

Mr. Shane said Sawyer Brown Road connects to another public street to the north that would provide connectivity options to Charlotte Pike or otherwise.

Ms. Kempf advised NDOT has a specific program for once they get out of this part of the work, that phasing and permit approvals for how that construction has to happen. They would have to follow that process and NDOT would manage access, construction and the like.

Vice Chair Farr stated she assumed they determined this was Neighborhood Evolving with NashvilleNext. She said it seems like Sawyer Brown Road is over capacity for the road and struggles with the roadway issues. Ms. Farr felt this area is not ready for all of the increased density.

Mr. Clifton said he is not sure there needs to be a change in this area and agreed with Vice Chair Farr's concerns.

Mr. Henley stated he shared some of the same concerns as his fellow Commissioners. He said there are ways to provide more detail in ways to improve it and is not comfortable with saying he understand it enough and can support it from what its done for the public realm, but from a policy standpoint, thought it is very appropriate.

Mr. Stone asked how many houses can be built on the property as currently zoned and what kind of access points would a traditional subdivision have here.

Ms. Rickoff answered currently it is split zoned, in two different zoning districts, but combined, it would get about 29 units as it is entitled to right now. She explained that access depends on the context of a site and try to limit curb cuts and new curb cuts from arterial roads. Ms. Rickoff said this is an arterial so NDOT would have to take a look at it with any sort of subdivision plan that came in; but generally, they look on arterials to see what the distance is between intersections, and from the next curb cut, as the goal is to reduce conflict points along arterial roads.

Mr. Stone asked what would be the circumstance under which a traditional neighborhood would be on the improvements to Sawyer Brown Road.

Ms. Kempf asked if the question is regarding improving Sawyer Brown Road on frontage that is not on this property.

Mr. Stone clarified that his question was is any development there going to involve an improvement of Sawyer Brown Road.

Ms. Kempf explained that generally they are guided by state law around insuring they have a nexus between what they ask a developer to produce and the project. In this instance, NDOT required Sawyer Brown Road be improved as part of the development along this property frontage. If there were other developments in the future that were situated on Sawyer Brown Road, they can envision a scenario where those might be improved. She added if Metro were to require that, it would need to go into a capital planning process.

Councilmember Withers said he is sensing apprehension from the Commissioners about the details and asked if the Commission or the applicant would entertain a deferral and seek a summary from NDOT on what is possible to be done on that portion of old Sawyer Brown Road that is not a frontage of this property, and a road construction plan.

Vice Chair Farr said she is interested to learn how specifically the expanded road ties into the old part of Sawyer Brown Road.

**Councilmember Withers moved and Ms. Farr seconded the motion to defer to the May 11, 2023, Planning Commission meeting, including a request that NDOT representative provide overview of mobility study focusing on the frontage of this property to Old Charlotte Pike, explain construction phasing requirements and explanation of history of the T3 NE. (7-0)**

**Resolution No. RS2023-141**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-075-001 is **to** deferred to the May 11, 2023, Planning Commission meeting, including a request that NDOT representative provide overview of mobility study focusing on the frontage of this property to Old Charlotte Pike, explain construction phasing requirements and explanation of history of the T3 NE. (7-0)

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 61 multi-family residential units. Short term rental property, owner occupied and short term rental property, not-owner occupied shall be prohibited.
2. Any Mandatory Referrals that are necessary shall be completed prior to the approval of any final site plan applications.
3. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
4. The final site plan shall label all internal driveways as “Private Driveways”. A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association.
5. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM6 zoning district as of the date of the applicable request or application.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

**27. 2022SP-069-001**

**2400 ELLISTON PLACE SP**

Council District 21 (Brandon Taylor)

Staff Reviewer: Dustin Shane

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

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

## **APPLICANT REQUEST**

**Preliminary SP to permit a mixed-use development.**

### Zone Change

A request to rezone from Mixed Use General-Alternative (MUG-A) to Specific Plan (SP) zoning for properties located at 2400 Elliston Place, 207 and 209 24th Avenue North, and 206 Reidhurst Avenue, at the corner of Elliston Place and 24th Avenue North (1.38 acres), to permit 300 multi-family residential units and 12,500 square feet of commercial uses.

### **Existing Zoning**

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

### **Proposed Zoning**

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

## **SITE CONTEXT AND PLAN DETAILS**

The site is located along Elliston Place between 24<sup>th</sup> Avenue North and Reidhurst Avenue and bounded by Alley 896 on the north side. Currently Parcel 066 contains a Martin's Bar-B-Que restaurant, Parcel 063 is a parking lot, and Parcels 068 and 069 contain homes noted as "Worthy of Conservation" that are being used as offices. Surrounding uses include a hotel and a nursing home zoned MUG-A, a mid-rise office building zoned MUG-A Commercial PUD, a strip shopping center zoned MUG-A, and a hotel across Elliston Place zoned SP.

### Site Plan

The SP is intended to create a mixed-use development. The plan authorizes the creation of 300 multi-family residential units and 12,500 square feet of commercial space. The SP includes a site plan as well as bulk standards, architectural renderings, and parking and preliminary landscaping notes. The multi-family residential tower will occupy the entire site and will be 11 stories to a maximum of 140 feet in height, with units being allowed on the mezzanine floor. Residential density for the multi-family tower is approximately 217 units per acre. No landscaping buffers are included based on the 1.00 ISR and lot coverage proposed (with 0-15-foot build-to zones along all public street frontages for a minimum of 60 percent of the frontage); however, private terrace gardens with direct access to 24<sup>th</sup> Avenue North, along with street trees along all frontages, are proposed. An activated streetscape with outdoor dining and seating areas is proposed along Elliston Place and part of the Reidhurst Avenue frontage. The first floor level will engage the street view with transparent glass. The Reidhurst Avenue parking garage frontage is appropriately lined with screening that matches the rest of the façade (panelized fiber cement units).

The plan provides ROW dedication along Elliston Place accommodating a 10-foot sidewalk, 6.5-foot planting strip, on-street parking, and space for a future bike lane as required in the MCSP (resulting in 42 feet from the centerline of the street to the new property line). The Midtown Study calls for sidewalks of 8 feet with 4-foot planting areas against the curb or 12 feet of sidewalk with street trees in tree wells along Reidhurst Avenue and 24<sup>th</sup> Avenue North. These standards are not being met, but acceptable equivalents are being proposed: along Reidhurst Avenue, a 5-foot sidewalk with a 6-foot planting strip (so less one foot of pedestrian area than the study calls for) and along 24<sup>th</sup> Avenue North, an 8-foot sidewalk with 6-foot planting strip (so 2 extra feet of pedestrian space over and above the study requirement). Alley 896, which divides Parcel 066 from the three parcels to the north, will be closed off. To preserve connectivity and access, Ally 924, which comes from the north, will be rerouted through Parcel 069 to connect to 24<sup>th</sup> Avenue North to the east. Access to the parking garage will be provided from the rerouted alley and from Reidhurst Avenue, which acts locally as the back-of-house frontage for uses on this block (Hospitality House, to the northwest, draws access to their garage from Reidhurst Avenue and has submitted a letter expressing their support of the proposed configuration for this site). In addition to the improvements to the street frontages, the developer is offering to complete intersection improvements at 24<sup>th</sup> Avenue North and Elliston Place to ensure continuous safe pedestrian connectivity between the site, the Centennial Sportsplex to the north, and Vanderbilt University to the south.

Parking will be provided within the proposed podium garage located in the northern/rear portion of the site. It is lined on all sides by active uses or by identical cladding to the active facades. A note says automobile and bicycle parking provision will be in line with Code (which sets a maximum limit on parking provision in the UZO). 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 residential units lining the multi-family building is seamless and upholds the architectural integrity of the façade. With the high-quality finishes proposed, any negative design impact on the visual realm will be

minimal. The parking structure will feature a green roof and rooftop courtyard areas with pools and seating areas. The architecture proposed is neo-modern with generous glazing.

### **GREEN HILLS – MIDTOWN COMMUNITY PLAN**

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

#### Supplemental Policy

T5 Center Mixed Use Neighborhood Area 3 (10-MT-T5-MU-03) in the Midtown Study applies to properties surrounding West End Avenue between I-440 and 31st Avenue North; properties in the Elliston Place/State Street area; and properties in the Grand Avenue/18th Avenue South area. The intent of the Midtown Study is to provide planning additional guidance beyond the CCM policy. Area 3 generally allows building heights of up to eight stories.

### **ANALYSIS**

The proposed plan meets many of the goals of the T5 MU policy, including featuring vertical mixed-use development in buildings that contain high-density residential and 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. Area 3 in the Midtown Study, while generally advising that buildings be no taller than 8 stories in this subarea, allows for greater height at prominent locations if the building design meets policy. The proposal achieves the intent of both the T5 MU policy and the Midtown Study and so warrants the requested extra height of eleven stories. The eleven stories will act as a transition between the nearby 20+-story policy area and the surrounding 8-story policy area. High-quality finish on the exposed areas of the parking structure will blend seamlessly with the active uses of the larger building. Closing off and rerouting the alley in this instance will not impede the normal functioning of this block or the surrounding street network. Reidhurst Avenue now functions much like an alley in providing access to the uses along the street, and closing off one section of the T-shaped alley will allow a more efficient utilization of the land.

Staff recommends approval with conditions and disapproval without all conditions. The proposed SP allows an appropriately intense residential and commercial development that achieves the intent of the requested policy area 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 emerging intense urban built form of Midtown while also providing more opportunities to meet the needs of the surrounding community.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

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

### **STORMWATER RECOMMENDATION**

#### **Approve with conditions**

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

### **WATER SERVICES RECOMMENDATION**

#### **Approve with conditions**

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

### **NASHVILLE DOT ROADS RECOMMENDATION**

#### **Approve with conditions**

- With the final: Callout the following per NDOT ST- detail sections: access and ADA ramps, sidewalks, curb & gutter. All ROW frontages shall adhere to the Major Collector Street Plan(MCSP), unless a recent corridor study by planning and NDOT require something different. 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 and unloading floor plan for each aspect of the total development. Any truck bays shall have sufficient bay depth to accommodate anticipated truck type/class, without encroaching into public ROW. Provide any truck turning movements relevant to loading/unloading waste plan activities on Reidhurst. Note: A private hauler will be required for site waste/recycle disposal. Comply w/ NDOT traffic comments.

- Approval comments:
  - Alley abandonment will require a Mandatory Referral.
  - Proposed alley as shown, will need to meet ST-263. (cont.) Remove landscape and curb/gutter in alley ROW. (cont.) Only pavement is to be provided in alley ROW. Provide a reverse crown for alley drainage, per ST-263. For proposed on-street parking off Reidhurst:
  - Provide 7 ft. of parking protection behind existing curb line. (cont.) This should in turn provide a minimum 10 ft. 2-way travel around existing metered parking and proposed curbside on-street parking along Reidhurst. (cont.) In lieu on including gutter pan in on-street parking depth, this may require some additional ROW dedication along portions of Reidhurst. (cont.) The aforementioned on-street parking may become metered parking, once constructed.
  - Apply to traffic and parking for valet service off Reidhurst.
  - Vehicular garage access off Reidhurst shall be entry(and/or valet) only and the ramp width reduced to a minimum of 15 ft., per ST-324.

**NASHVILLE DOT TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- The applicant shall construct an 'enhanced pedestrian intersection' at Elliston Place and 24th Ave N. The design of the enhanced intersection shall incorporate one of the following options: (Option A) the intersection of Elliston & 24th shall be converted into a raised intersection, (Option B) is to provide curb extensions at all four corners of the Elliston & 24th intersection and install a signalized/flashing beacon for the primary crossing on Elliston. Option A & B shall follow the guidance of NACTO & FHWA for enhanced pedestrian crossings. The final design option will be determined based on the feasibility of implementation, which will require further coordination with NDOT prior to final SP approval.
- Install a transit shelter for the Eastbound stop on West End at the 25th Ave intersection. Further coordination with WeGo will be required.
- Install crosswalk striping and warning mats at the intersection of Brandau Place & 25th Ave N.
- The applicant shall coordinate with NDOT and Parks on constructing or contributing to an enhanced pedestrian crossing on 25th Ave at the Centennial Park access and the Thomas F. Frist Centennial Sports-plex access. The crossing may contain a raised crosswalk and/or flashing beacons.
- On-street parking needs to be a minimum of 35' from intersections/driveways, which is measured from the ROW line. The total number of on-street spaces along the Elliston frontage shall remain (7 spaces). All proposed on-street parking spaces with this development are to be metered.
- Comply with Roads conditions for on-street parking space dimensions/cross-section on Reidhurst.
- Comply with Roads conditions for alley abandonment.
- Remove existing scooter parking out of the travel lanes on 24th Ave N, which may require approval from the traffic & parking commission.
- Remove all doors/building-facade and cafe tables out of the ROW.
- Comply with Roads conditions for the garage access on Reidhurst.
- Modifications to the above conditions may be required as this development's phase(s) progress but further analysis will need to be conducted to justify said modifications.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 11+ (222)	0.69	3.0 F	90 U	566	38	39

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.35	3.0 F	45,738 SF	1,727	43	175

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.34	3.0 F	44,431 SF	4,982	442	434

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

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

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	-	-	6,250 SF	236	6	23

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	-	-	6,250 SF	701	62	61

Traffic changes between maximum **MUG-A** and **SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-4,705	-355	-436

**METRO SCHOOL BOARD REPORT**

**Projected student generation proposed SP-MU district: 4 Elementary 3 Middle 3 High**

Given the mix of uses permitted by the MUG-A 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-MU zoning district is expected to generate 10 students. Students would attend Eakin Elementary School, West End Middle School, and Hillsboro High School. These schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to 300 multi-family residential units and 12,500 square feet of commercial space as defined in the plan. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. The final building elevations shall show a seamless integration of all architecturally-lined parking areas with the non-parking fabric of the building.
3. Submit an application for Mandatory Referral for all rights-of-way to be abandoned with the final site plan. Any needed mandatory referrals shall be approved prior to issuance of any permits.
4. On the corrected copy, add note: "Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP."
5. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.

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

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

**Resolution No. RS2023-141**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-075-001 is **approved with conditions and disapproved without all conditions.** (8-0)

**CONDITIONS**

1. Permitted uses shall be limited to 300 multi-family residential units and 12,500 square feet of commercial space as defined in the plan. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. The final building elevations shall show a seamless integration of all architecturally-lined parking areas with the non-parking fabric of the building.
3. Submit an application for Mandatory Referral for all rights-of-way to be abandoned with the final site plan. Any needed mandatory referrals shall be approved prior to issuance of any permits.
4. On the corrected copy, add note: "Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP."
5. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
6. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
8. Comply with all conditions and requirements of Metro reviewing agencies.
9. 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-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
11. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

**28. 2023SP-034-001**

**3101 DOAK AVE**

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Dustin Shane

A request to rezone from RS10 to SP zoning for property located at 3101 Doak Avenue, south of the intersection of Doak Avenue and Hailey Avenue (2.53 acres), to permit 14 detached multi-family residential units, requested by Catalyst Design Group, applicant; Josephine Tennessee Investment Services Trust, owner.

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

## **APPLICANT REQUEST**

**Rezone from RS10 to Specific Plan to permit a multi-family residential development.**

### Preliminary SP

A request to rezone from Single-Family Residential (RS10) to Specific Plan (SP) zoning for property located at 3101 Doak Avenue, south of the intersection of Doak Avenue and Hailey Avenue (2.53 acres), to permit 14 detached multi-family residential units.

### **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 9 units.*

### **Proposed Zoning**

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

## **BORDEAUX – WHITES CREEK – HAYNES TRINITY**

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.

## **PLAN DETAILS**

The 2.53-acre site is located on the south side of Doak Avenue, opposite the intersection with Hailey Avenue. The flag lot property is currently vacant grassy land with trees interspersed throughout. The surrounding properties are all single-family homes zoned RS10. Duplex units do exist within the neighborhood, however.

### Site Plan

The plan calls for 14 detached multi-family residential units at a density of about 5.5 units per acre. The units will be no taller than three stories in 45 feet. Units will front a central private drive connecting out to Doak Avenue. The private drive will feature head-in guest parking not visible from the ROW. The site data table indicates 42 parking spaces will be provided by garages and surface parking (one space per bed up to 2 beds, with an additional 0.5 space for each additional bedroom). Private sidewalks will extend down the sides of the private drive and connect the homes to Doak Avenue. Stormwater facilities will be located in the southeastern quadrant of the site. For development standards not specified in the SP Plan, the property will be subject to the standards of the RM6-NS zoning district. Type B landscape buffers will ring the property to screen the units from the surrounding single-family homes. A trash enclosure is hidden from view in the southwestern corner of the site. The narrow frontage the site has along Doak Avenue will be improved per the MCSP (5-foot sidewalk and 4-foot grass strip).

### **ANALYSIS**

The proposed plan meets many of the goals of the T3 NE policy, such as featuring higher densities, greater housing variety than classic suburban neighborhoods, and moderate setbacks and spacing between buildings, with some connectivity to the surrounding street network. The built form is consistent with the policy, which allows for one to three stories generally. While some surface parking is proposed, most parking will be located in garages and hidden from view.

The proposed SP allows an appropriately intense residential development that achieves the intent of the policy area. Earlier iterations of the plan showed a higher unit count, but work with staff produced a plan that met the development goals of the applicant while fitting the constraints of the site better. The SP includes design standards that are intended to provide for development that is appropriate to a suburban context while providing enough density to encourage walkability. This increased density will be buffered with landscaping.

The proposed infill development will fit with the evolving nature of this suburban neighborhood in Bordeaux. Staff recommends approval with conditions and disapproval without all conditions.

## **FIRE MARSHAL RECOMMENDATION**

**Approve**

## **METRO HISTORIC RECOMMENDATION**

**Approve with conditions**



- Recommend a Phase I archaeological survey. Contact Adam Fracchia, adam.fracchia@nashville.gov, with any questions.

**STORMWATER RECOMMENDATION**

**Approve with conditions**

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

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

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

**NASHVILLE DOT ROADS RECOMMENDATION**

**Approve with conditions**

- 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(if necessary), ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Dimension ROW pavement widths for clarity. Note: A private hauler will be required for waste/recycle disposal. There are to be no vertical obstructions in new public sidewalks. Call out pavement mill and overlay to cover full extents of utility tie-in ROW-Call out field verify w/ NDOT field inspector on plans.

**NASHVILLE DOT TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Update all references to 'Public Works' to 'NDOT'.
- Widen garage spaces to be 17 feet wide to accommodate 2 parking spaces per standard parking width in code.

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)	2.53	3.7 D	11 U	136	12	13

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	-	-	14 U	170	15	16

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+3 U	+34	+3	+3

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RS10 districts: 1 Elementary 1 Middle 1 High

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

The proposed SP-R zoning is expected to generate 1 more student than the existing RS10 zoning district. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 14 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. On the corrected copy; for the two properties adjacent to the south: provide names of adjacent recorded subdivisions and corresponding plan book and page numbers. If no recorded subdivision, adjacent owner name(s) and corresponding deed book and page numbers. Provide parcel numbers and zonings for adjacent parcels as well.
3. On the corrected copy, remove existing references to height measurement and add this note and revise height calculations accordingly: "Height shall be measured from the average elevation (average of 4 most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch (the vertical distance from eave to midpoint) or to the top of the parapet for a flat roof."
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. 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. 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 RM6-NS 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 depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
9. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any of any building permits.

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

**Resolution No. RS2023-142**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-034-001 is approved with conditions and disapproved without all conditions. (8-0)

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 14 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. On the corrected copy; for the two properties adjacent to the south: provide names of adjacent recorded subdivisions and corresponding plan book and page numbers. If no recorded subdivision, adjacent owner name(s) and corresponding deed book and page numbers. Provide parcel numbers and zonings for adjacent parcels as well.
3. On the corrected copy, remove existing references to height measurement and add this note and revise height calculations accordingly: "Height shall be measured from the average elevation (average of 4 most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch (the vertical distance from eave to midpoint) or to the top of the parapet for a flat roof."
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. 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. 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 RM6-NS 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 depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
9. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted,

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

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

**29. 2023SP-035-001**

**3320 CURTIS ST. MULTIFAMILY**

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Jason Swaggart

A request to rezone from R10 to SP zoning for properties located at 3312 and 3320 Curtis Street, approximately 275 feet northwest of Courtney Avenue (1.93 acres) to permit 28 multi-family residential units, requested by Catalyst Design Group, applicant; 3320 Curtis St. LLC., owner.

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2023SP-035-001 to the May 11, 2023, Planning Commission meeting. (8-0)**

**30. 2023SP-046-001**

**WHITES CREEK BRILEY 2**

Council District 03 (Jennifer Gamble)

Staff Reviewer: Amelia Lewis

A request to rezone from R10 to SP zoning for property located at Whites Creek Pike (unnumbered), approximately 56 feet south of Green Lane, (14.68 acres), to permit all uses of MUL with the exception of the uses listed as prohibited within the SP, requested by FifthGen, applicant; Louis Joseph Baltz Sr. Family Trust, owner.

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

**APPLICANT REQUEST**

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

Preliminary SP

A request to rezone from One and Two-Family Residential (R10) to Specific Plan (SP) for property located at Whites Creek Pike (unnumbered), approximately 56 feet south of Green Lane, (14.68 acres), to permit all uses of MUL with the exception of the uses listed as prohibited within the SP.

**Existing Zoning**

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 54 lots with 13 duplex lots for a total of 67 units based on acreage alone. This does not account for compliance with the Metro Subdivision Regulations.*

**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 a range of non-residential and commercial uses.*

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

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

**PLAN DETAILS**

The 14.68 acre site is located on the west side of Whites Creek Pike, north of the Briley Parkway interchange. The adjacent property to the north is zoned SP to permit a mixed use development including single-family uses, multi-family uses, and non-residential land uses. Properties to the east, across Whites Creek Pike are zoned R10 and Commercial Limited (CL). The southern property line of the site is adjacent to Briley Parkway. Surrounding land uses are primarily one and two-family residential, vacant properties, and some commercial uses along Whites Creek Pike.

### Site Plan

The proposed SP is a regulatory SP, which outlines the regulations for the property without providing a site plan. The SP permits all uses of MUL with the following exceptions: all residential uses, alternative financial services, donation center drop off, consignment sale, boarding house, short term rental property (owner occupied), short term rental property (not owner occupied), orphanage, hospice, auction house, waste processing, driving range, and outdoor music venue with amplified sound. Hotel and motel uses are limited to a maximum of 125,000 square feet. All other commercial uses are limited to 100,000 square feet. The total for all uses shall not exceed the floor area of MUN (0.6) or 175,000 square feet, whichever is less.

The SP north includes a shared access drive along the southern property line in order to provide shared access to Whites Creek Pike. At the time of Final SP, all proposed access point shall be reviewed and approved by NDOT. Additional standards such as a maximum height of three stories in 45 feet, building materials, and architectural standards including principal entrances and minimum glazing are included.

### **ANALYSIS**

The intent of the Rural Neighborhood Center (T2 NC) policy is to maintain, enhance, and create rural centers that provide services and a mixture of uses for surrounding rural areas. Appropriate land uses include commercial, office, mixed-use, and institutional uses. The uses within the proposed SP are based on the MUL zoning district, with some prohibited uses as outlined above. While the proposed policy supports non-residential uses, it is intended to provide services to the surrounding rural residential neighborhoods. Given that the surrounding land uses are primarily residential and the site is located at the intersection of Whites Creek Pike and Briley Parkway, the proposed SP is consistent with the goals of the policy to provide non-residential uses at major intersections to serve the surrounding rural neighborhoods.

### **FIRE MARSHAL RECOMMENDATION**

**Approve**

### **STORMWATER RECOMMENDATION**

**Approve with conditions**

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

### **WATER SERVICES RECOMMENDATION**

**Approve with conditions**

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

### **NASHVILLE DOT RECOMMENDATION**

**Approve with conditions**

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

### **TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Once further information has been provided, a traffic study may be required which will need to be scoped with NDOT before proceeding. If a traffic study is not warranted, that does not absolve this development from making any improvements within the area.
- The applicant shall coordinate with NDOT on access locations prior to Final SP submittal.
- Parking for this development shall be per metro code.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	14.68	4.63 D	67 U	719	52	70

\*Based on two-family lots

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

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

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	-	-	75,000 SF	2,831	71	286

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+3,943	+114	+340

**METRO SCHOOL BOARD REPORT**

No residential uses are permitted within the development. The proposed development is not anticipated to generate any students.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to all uses of MUL with the exception of those listed on the plan document.
2. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
3. 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.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved

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

Henry Menge, Fifth Generation Property Company, 1033 Demonbreun Street, spoke in favor of the application.

Doug Sloan, 6354 Torrington Road, spoke in favor of the application.

Angela Williams, 7203 Old Hickory Boulevard, spoke in opposition to the application.

William Worrell, Nashville Tree Conservation Corps, 4115 Dry Fork Road, spoke in opposition to the application.

Henry Menge spoke in rebuttal.

Councilmember Gamble spoke in favor of the application.

**Chair Adkins closed the Public Hearing.**

Vice Chair Farr asked why they didn't continue with the same use as they had approved to the north.

Mr. Elliott explained that staff found this parcel had a different context than the parcel to the north, as the one to the north is much larger and has frontage onto West Green Lane, which is a local road with Rural policy to the north and existing single family homes. This parcel is directly adjacent to Briley Parkway, with the mixed use development approved adjacent to it and commercial zoning across Whites Creek Pike. When they looked at this site, the MUN bulk standards with the mixed use limited uses, with some tailoring regarding the total number of square feet that can be provided, met the intent of the policy.

Vice Chair Farr said she would like to see more information to give them confidence there will be continuity between the two parcels but trusts Councilmember Gamble will look at the recommendations prior to it going forward to Council.

Councilmember Withers thought this plan was well thought out and appreciated the connectivity to the north. He agreed with Vice Chair Farr with ensuring continuity along the Whites Creek Pike frontage.

Mr. Clifton liked that Councilmember Gamble was receptive.

Mr. Henley said with Councilmember Gamble continuing to steward this, he does not have much concern. He thought consideration for the context, language and conditions that are in the adjoining project are mirrored and integrated here.

**Mr. Henley moved and Mr. Tibbs seconded the motion to approve with conditions and disapprove without all conditions including a condition to include and reference the approved conditions with the adjoining parcel that the Director highlighted. (7-0)**

**Resolution No. RS2023-143**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-046-001 is approved with conditions and disapproved without all conditions including a condition to include and reference the approved conditions with the adjoining parcel that the Director highlighted. (7-0)

**CONDITIONS**

1. Permitted uses shall be limited to all uses of MUL with the exception of those listed on the plan document.
  2. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
  3. 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.
  4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
  5. Comply with all conditions and requirements of Metro reviewing agencies.
  6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
  7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
- Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved

**31. 2023SP-030-001**

**1806 AND 1808 DIVISION STREET**

Council District 19 (Freddie O'Connell)

Staff Reviewer: Jason Swaggart

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

**Staff Recommendation: Disapprove.**

**The Metropolitan Planning Commission deferred 2023SP-030-001 to the May 11, 2023, Planning Commission meeting. (8-0)**

**32. 2023SP-022-001**

**2724 TUCKER ROAD**

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Eric Matravers

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

**Staff Recommendation: Disapprove.**

**APPLICANT REQUEST**

**Preliminary SP to permit 6 two-family structures on six lots for a total of 12 units.**

Preliminary SP

A request to rezone from One and Two-Family Residential District (R10) to Specific Plan (SP) zoning for property located at 2724 Tucker Road, approximately 150 feet south of St. Marys Lane (2.4 acres), to permit 6 two-family units, for a total of 12 units.

**Existing Zoning**

One and Two-Family Residential District (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots.

*R10 would permit a maximum of 6 lots with 1 duplex lot for a total of 7 units. Codes makes final determination on duplex eligibility.*

**Proposed Zoning**

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

**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.

**SITE CONTEXT AND PLAN DETAILS**

The preliminary SP application is for a 2.4 -acre parcel located along the east side of Tucker Road approximately 150 feet south of St. Marys Lane. The property is currently zoned R10 and a single-family house is currently located on the property. All adjacent properties are zoned R10. Adjacent land uses include: single-family residential to the north and east; single-family and limited two-family residential to the south; and civic use to the west.

The preliminary SP application is for six two-family residential units on six lots, for a total of 12 units. Two lots front onto Tucker Road. The plan calls for an extension of St. Joseph Drive to provide access to four new interior lots. The St. Joseph Drive extension provides the full pavement width for 50 feet of right of way with sidewalks on a cul-de-sac. All lots have curb cuts for vehicular access on street with parking pads in front of houses.

As shown on the conceptual images, windows will be vertically-oriented. The SP limits building materials to brick, brick veneer, stone, cast stone, cementitious siding, glass, and other similar materials. Images indicate 2-story structures but the height standards allow 3 stories in 35 feet.

### **ANALYSIS**

The T3 NM policy is characterized in part by low- to moderate-density residential development and institutional land uses, moderate to deep building setbacks and spacing between buildings, and moderate levels of connectivity. Density is secondary to form, and the appropriate density is determined by the existing character of each individual neighborhood in terms of its mix of housing types, setbacks, spacing between buildings, and block structure, since application of this policy is specific to predominantly developed neighborhoods seeking to maintain their character.

Infill areas may include vacant, underutilized, or land in a non-residential use that could redevelop. These areas differ from T3 Suburban Neighborhood Evolving (T3 NE) areas because they are generally smaller and located interior to the policy area. Such areas may be developed or redeveloped with a broader mix of housing types than the rest of the T3 NM area subject to appropriate design that transitions in building type, massing, and orientation in order to blend new development into the surrounding neighborhood. Staff has determined that this site does not meet the criteria of an infill area.

If Subdivision Regulations applied to the site, the two proposed lots along Tucker Road would need to meet the Compatibility Requirements for the Neighborhood Maintenance policy area. The lots on Tucker Road are consistent with the Subdivision Regulations. The four interior lots along the new St. Joseph Drive extension meet the minimum lot size requirements for R10.

The proposed SP is of a greater density than is appropriate for this neighborhood context. The two proposed lots along Tucker Road are adjacent to four duplex lots to the south and would be consistent with that established pattern of density. However, the four interior lots along the new St. Joseph Drive extension create a greater level of density than the established neighborhood pattern. The zoning code states for zones such as R10—which surrounds the site in all directions—“the total number of lots permitting two-family dwellings within the subdivision shall be limited to not more than twenty-five percent of the total number of lots within the subdivision.” One hundred percent of the proposed lots in this SP would be two-family dwellings, inconsistent with current allowances. Additionally, the height standard on the plan is inconsistent with the provided conceptual images and would allow for taller houses than are typical in this area.

Prior to the March 23, 2023 Planning Commission meeting, the applicant requested a deferral of one meeting to have a meeting with the neighborhood. An additional deferral was request prior to the April 13, 2023, meeting to allow the applicant to continue to work with staff on the proposal. Staff has made suggestions related to the layout but the applicant has chosen to move forward with the plan as presented.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

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

### **STORMWATER RECOMMENDATION**

#### **Approve with conditions**

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

### **WATER SERVICES RECOMMENDATION**

#### **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. (See Capacity fee Permit #'s T2023005298 & T2023005304)

### **NASHVILLE DOT RECOMMENDATION**

#### **Approve with conditions**

- With a final: Include proposed public roadway construction drawings(profiles, grades, drainage). Roadway construction drawings shall comply with NDOT Subdivision Street Design Standards.
- Callout the following per NDOT ST- detail sections: any roadway section, access and ADA ramps, sidewalks, curb & gutter. All ROW frontages shall adhere to the Major Collector Street Plan(MCSP).
- Dedicate ROW along all frontages to accommodate MCSP requirements.
- Provide call outs on final site plan for MCSP requirements.
- Show 'Now Entering Private Drive' signage where applicable off public roads into site.



- Provide internal stop control at private or public intersections.
- Where there may be potential vehicular or pedestrian sight distance issues, provide stopping sight distance exhibits at any relevant intersections and accesses.
- Provide adequate sight distance spacing at all access ramps and public streets with on-street parking.
- Dimension ROW pavement widths for clarity.
- Provide a loading/unloading and waste plan for each aspect/phase of the total development.
- Provide any truck turning movements relevant to loading/unloading waste plan activities. Note: A private hauler will be required for site waste/recycle disposal. Comply w/ NDOT traffic comments.

**TRAFFIC & PARKING RECOMMENDATION**

**Approve with conditions**

- The existing travel lane widths shall remain on Tucker Rd, and the new curb & gutter shall not encroach into the travel lanes.
- Final dimensions of the necessary ROW dedication to meet the MCSP.
- Comply with Roads comments.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	2.4	4.63 D	13 U	159	15	14

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	-	-	12 U	88	6	9

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-71	-9	-5

**Projected student generation existing R10 district: 1 Elementary 1 Middle 1 High  
 Projected student generation proposed SP district: 2 Elementary 1 Middle 1 High**

**METRO SCHOOL BOARD REPORT**

The proposed SP zoning is expected to generate 1 additional student than the existing R10 zoning. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends disapproval.

Vice Chair Farr left the meeting.

Mr. Matravers presented the staff recommendation to disapprove.

Dave Martin, no address given, spoke in favor of the application.

**Chair Adkins closed the Public Hearing.**

Mr. Henley stated he liked the project and the fact that the Councilmember spoke in support of the project.

Mr. Tibbs agreed with Mr. Henley. He asked why it was disapproved.

Ms. Rickoff stated it is in a Neighborhood Maintenance area and larger than a lot of the parcels around it. She explained it is an established single family area and that led to the hesitation of increasing something beyond what could be achieved with a subdivision. Ms. Rickoff added that when they looked at it, it was the number of units, height and access that were too dissimilar to what was happening around it.

Mr. Tibbs stated he is in support because the lot is different which makes him feel more comfortable doing something differently.

Councilmember Withers said looking at the images attached to the proposal gives him more comfort, as they are attached units with a shared driveway, which helps limit contact points on the street. He asked if they need to spell out the details or indicate the buildings need to be similar to the images.

Ms. Rickoff advised they can add conditions to it.

Councilmember Withers asked Mr. Martin if he would be OK with conditions that the units be attached and have a single shared driveway.

Mr. Martin replied yes, he has no problem with that, as they will be attached units with shared driveways and limited to two stories.

Mr. Clifton stated the last part of the discussion convinced him.

**Councilmember Withers moved and Mr. Tibbs seconded the motion to approve with condition that two family units be attached, have shared access points and be limited to 35 feet in height. MPC determined that the lot being unusually long and design fits with policy. (6-0)**

**Resolution No. RS2023-144**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-022-001 is to approve with condition that two family units be attached, have shared access points and be limited to 35 feet in height. MPC determined that the lot being unusually long and design fits with policy. (6-0)

**33. 2005P-029-002**

**LINCOLN TECH INSTITUTIONAL OVERLAY CANCEL**

Council District 05 (Sean Parker); 06 (Brett Withers); 07 (Emily Benedict)

Staff Reviewer: Dustin Shane

A request to cancel an Institutional Overlay for various properties located west of Gallatin Avenue and north of Douglas Avenue, within the Nashville Auto Diesel College Institutional Overlay District, zoned CS, CL, OR20, RM9-A, R6, RS5, and SP districts (19.8 acres), requested by Councilmember Sean Parker, applicant; various owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Cancel an Institutional Overlay.**

Institutional Overlay Cancellation

A request to cancel an Institutional Overlay for various properties located west of Gallatin Avenue and north of Douglas Avenue, within the Nashville Auto Diesel College Institutional Overlay District, zoned Commercial Service (CS), Commercial Limited (CL), Office/Residential (OR20), Multi-Family Residential-Alternative (RM9-A), One and Two-Family Residential (R6), Single-Family Residential (RS5), and Specific Plan (SP) districts (19.8 acres).

**Existing Zoning**

Lincoln College of Technology Institutional Overlay is intended to provide development rules for the campus area of Lincoln Tech and work in cooperation with the area's existing residential zoning and the college's adopted master plan. Guiding principles include serving as an economic and visually attractive force in the East Nashville revitalization, promotion of campus and neighborhood compatibility, smart growth, modernized facilities, and unified zoning.

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

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

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

Multi-Family Residential-Alternative (RM9-A) is intended for single-family, duplex, and multi-family dwellings at a density of nine dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

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

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

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

#### **EAST NASHVILLE COMMUNITY PLAN**

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

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

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

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

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

#### **INSTITUTIONAL OVERLAY HISTORY**

Lincoln Tech (formerly Nashville Auto-Diesel College) was established in 1919 and has been in East Nashville for 90 years. An institutional overlay was adopted in 2006 in conjunction with the school's master plan to provide for orderly growth and to prepare the campus to revitalize concurrently with the surrounding neighborhood. Planning Commission approved the cancellation of a portion of the overlay at the January 12, 2023, meeting (Case No. 2005P-029-001) in conjunction with the Lincoln Tech Mixed Use SP rezoning (Case No. 2022SP-075-001).

#### **ANALYSIS**

The institutional overlay was intended to guide the growth and integration of Lincoln Tech with the surrounding neighborhood. Because Lincoln Tech is relocating, the overlay is no longer necessary. A site plan-based specific plan district was approved for a large portion of the campus, and the overlay was cancelled for these properties. Cancelling the remainder of the institutional overlay would allow redevelopment of the properties previously set aside for the institution's expansion. This conforms to the adopted policies for the area. For this reason, staff supports cancelling the institutional overlay for the subject properties.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. (8-0)**

**Resolution No. RS2023-145**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-029-002 is **to** approve. (8-0)

**34. 2022Z-109PR-001**

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

A request to rezone from RS7.5 to RM20-A zoning for property located at Ewing Drive (unnumbered), at the southeast corner of Knight Drive and Ewing Drive (2.54 acres), requested by Scott Davis, applicant; Stratus Construction, Inc., owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from RS7.5 to RM20-A.**

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to Multi-Family Residential-Alternative (RM20-A) for property located at Ewing Drive (unnumbered), at the southeast corner of Knight Drive and Ewing Drive (2.54 acres).

**Existing Zoning**

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of 12 units*

**Proposed Zoning**

RM20-Alternative (RM20-A) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM20-A would permit a maximum of 50 units.*

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

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

**SITE AND CONTEXT**

The rezoning application is for a 2.54-acre parcel located at the southeast corner of the intersection of Knight Drive and Ewing Drive. The property is currently zoned RS7.5. Adjacent zoning includes RS7.5 on the north, east, south, and west, and AR2a on the northwest. Adjacent land uses include: single-family residential on the north, east, and south; vacant property on the west; and a rock quarry on the northwest and southwest.

Currently, there are no structures on the subject property. However, both Planning and Historic Zoning staff are aware of an existing cemetery on the site. Accordingly, the site has been flagged in Metro’s internal review systems. Historic Zoning staff will review any future proposed development on the site to ensure that the cemetery is properly protected and any effects on the cemetery are mitigated in accordance with local and state law.

The broader area around the subject property includes an array of land uses. The subject property itself is part of the Waters Subdivision, which includes properties along the south side of Ewing Drive and the east side of Knight Drive; most of these properties are between one-half and one acre in area. Claymille Station—a single-family residential subdivision—lies to the southeast of the subject property. Most of the lots in Claymille Station range from one-fifth to

one-quarter of an acre in area. Properties west of Knight Drive are mostly used for industrial purposes; a rock quarry consumes most of the property west of Knight Drive between Ewing Drive and Whites Creek Pike.

Currently, there are no multi-family residential developments in the immediate vicinity of the subject property. The requested RM20-A zoning district would permit up to 20 multi-family dwelling units per acre. Based on the total site acreage of 2.54 acres, the RM20-A district would permit up to 50 multi-family residential units on the property. The RM20-A district is an alternative district, which is intended to create walkable neighborhoods; alternative districts include specific standards that support this goal. These standards include: no maximum floor area ratio (FAR) for multi-family developments; the use of build-to zones rather than setbacks to foster a walkable streetscape; and the placement of a primary entrance along the building façade within the build-to-zone

**ANALYSIS**

The application proposes to rezone the property from RS7.5 to RM20-A. The requested RM20-A zoning is the highest-density bulk zoning district supported by the T3 NE policy area. 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 property’s location at the southeast corner of Ewing Drive and Knight Drive places it in a transitional area between the single-family residential uses on the east and industrial uses on the west. The industrial properties to the west are located within the District Impact (D-I) policy area. Multi-family residential use is generally recognized as an appropriate transition between single-family residential and more intense uses.

The proposed RM20-A zoning is consistent with the T3 NE policy. RM20-A zoning on the subject property would support: moderate residential density of up to 20 units per acre; connectivity via two collectors (Ewing Drive and Knight Avenue) and close proximity to Briley Parkway and Whites Creek Pike; moderate lot coverage via a maximum impervious surface ratio of 0.70; building entrances oriented toward the build-to zone; and a mix of building types. Further, the RM20-A zoning district would provide a transition between the single-family residential neighborhoods on the east and the industrial uses on the west. Because the proposed RM20-A zoning is consistent with the T3 NE policy, staff recommends approval of the rezoning request.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	2.54	4.94 D	14 U	170	15	16

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	-	-	51 U	276	18	23

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+37 U	+106	+3	+7

**METRO SCHOOL BOARD REPORT**

Projected student generation existing R8 district: 2 Elementary 1 Middle 2 High  
 Projected student generation proposed R6 district: 15 Elementary 8 Middle 7 High

The proposed RM20-A zoning district is anticipated to generate 25 additional students beyond what would be generated under the current RS7.5 zoning district. Students would attend Alex Green 1 Elementary School, Brick Church College Prep Middle School, and Whites Creek High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

## **STAFF RECOMMENDATION**

Staff recommends approval.

Mr. Anthony presented the staff recommendation to approve.

Scott Davis, 918 Thomas Avenue, spoke in favor of the application.

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

Rhonda Moore, 660 Ewing Drive, spoke in opposition to the application.

Quantae Falls, 835 Sherwood Commons Way, spoke in opposition to the application.

Scott Davis spoke in rebuttal.

## **Chair Adkins closed the Public Hearing.**

Mr. Tibbs asked that because there are grave sites, did they look at less intense zoning.

Mr. Anthony explained when the request came in originally, it was initially for 15 units per acre and because of the challenges on the site, there was some concern they would end up not getting enough units to make it profitable, so they upped the request to RN20. He said they compared that to policy and either of those zoning districts is compatible with the policy and seems sensible given the location between a rock quarry and the single family.

Mr. Tibbs thought a little less density could be helpful.

Mr. Henley asked if there is a timing constraint for this.

Scott Davis responded they go in front of the Council in May for Public Hearing and is planning on submitting to the Council the report from the State.

Mr. Henley said that is an intense intersection and because it is a straight rezone, and not an SP, they should look at something as it relates to the intersection. He pointed out if this approved, it could allow 50 units entering an area of an intersection that is already fairly unsafe.

Councilmember Withers asked if a Bill has been filed.

Mr. Anthony stated as of the other day, no Bill has been filed.

Councilmember Withers said there was a reference to a Council Public Hearing scheduled for May.

Ms. Kempf advised it is possible they are referring to what would happen if the Commission approved this, which is different than if a Bill has been filed.

Mr. Anthony advised the Bill has been filed.

Councilmember Withers said he would be comfortable with a deferral. He asked if it is determined that some portions of the site are not usable, does the property owner still retain any entitlements for that many units per acre for the entire site or only for the usable portion of the site.

Mr. Anthony answered they would retain for the entire acreage.

Councilmember Withers asked if it is a straight rezoning, with the RM zoning districts, do they provide any guidance about curb cuts and access points.

Mr. Anthony explained that because this is just a bulk rezone, it does not quite get into that. NDOT reviewed and did not note any concerns, but once an actual development is proposed for the site, that is when they would get a more in-depth review of that.

Councilmember Withers said he felt more comfortable with more information on the cultural resource survey.

**Mr. Clifton moved and Mr. Tibbs seconded the motion to defer to the May 11, 2023, Planning Commission meeting. (6-0)**

**Resolution No. RS2023-146**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022Z-109PR-001 is deferred to the May 11, 2023, Planning Commission meeting. (6-0)

**35. 2023Z-040PR-001**

Council District 15 (Jeff Syracuse)  
Staff Reviewer: Logan Elliott

A request to rezone from R10 to OR20 for property located at 2720 Old Elm Hill Pike, approximately 380 feet west of Old Donelson Pike (0.44 acres), requested by Pete Prosser, applicant; William Lee & Rachel Dawn Rotenberry, owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from R10 to OR20.**

Zone Change

A request to rezone from One and Two-Family Residential (R10) to Office/Residential (OR20) for property located at 2720 Old Elm Hill Pike, approximately 380 feet west of Old Donelson Pike (0.44 acres).

**Existing Zoning**

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

**Proposed Zoning**

Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. OR20 would permit a maximum of 9 residential units.

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

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

**SITE AND CONTEXT**

The approximately 0.44 acre site is located on the north side of Old Elm Hill Pike and is comprised of a single parcel. This portion of Old Elm Hill Pike is a local street and a few hundred feet in either direction are Arterial Boulevards. The surrounding parcels that front Old Elm Hill Pike are zoned Office/Residential (OR20) and the residential area to the rear of the site is zoned R10. The surrounding land uses include one and two-family residential, office, and commercial.

**ANALYSIS**

The requested zoning district is consistent with the intent of the D EC policy to create concentrations of employment. The proposed OR20 permits employment generating land uses like general office. The proposed OR20 district is also consistent with the surrounding zoning in this area and permits an appropriate building form given the context of the surrounding area.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.44	4.63 D	2 U	28	7	2

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	0.44	20 D	9 U	47	3	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.44	0.8 F	15,333 SF	172	41	19

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+191	+37	+22

**METRO SCHOOL BOARD REPORT**

Projected student generation existing R10 districts: 0 Elementary 0 Middle 0 High

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

The proposed OR20 zoning is expected to generate 2 additional students than the existing R10 zoning. Students would attend McGavock Elementary School, Two Rivers Middle School, and McGavock High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. (8-0)**

**Resolution No. RS2023-147**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-040PR-001 is approved. (8-0)

**36. 2023Z-041PR-001**

Council District 06 (Brett Withers)

Staff Reviewer: Laszlo Marton

A request to rezone from R10 to R6 for property located at Riverside Drive (unnumbered), approximately 400 feet west of Perlen Drive (4.44 acres), requested by CSDG, applicant; RSDG LLC, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from R10 to R6.**

Zone Change

A request to rezone from One and Two-Family Residential (R10) to One and Two-Family Residential (R6) for property located at Riverside Drive (unnumbered), and approximately 400 feet west of Perlen Drive (4.44 acres).

**Existing Zoning**

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 19 lots with 4 duplex lots for a total of 23 units.*

**Proposed Zoning**



One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. R6 would permit a maximum of 32 lots with 8 duplex lots for a total of 40 units. Codes will make the final determination on duplex eligibility.

**EAST 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.

**ANALYSIS**

The application consists of one parcel (Map 083-11, Parcel 080) totaling 4.44 acres, located on the western side of Riverside Drive. The property is currently vacant residential land and surrounding land uses are single-family residential, two-family residential, golf course, and commercial. Surround properties are zoned R6 and R10. The property has never been developed and borders CSX railroad ROW and includes TVA transmission lines on the front half of the property.

The application proposes to rezone the property from R10 to R6. R6 would permit a maximum of 32 lots with potentially 8 duplex lots for a total of 40 units. The site is located within the T3 Suburban Neighborhood Maintenance policy area. The T3 NM policy is intended to maintain the general character of developed suburban neighborhoods. Building types supported by the policy include single-family homes, detached accessory dwelling units, plex houses, low and midrise townhouses as well as flats. R6 would allow a modest increase in intensity on the property but would allow for a mixture of single-family detached and two-family building types which is in keeping with the current mix of housing types in the neighborhood. Additionally, the property is located on the edge of the policy area and considered "infill area" as it is one of larger tracts of undeveloped in the neighborhood. T3 NM supports a more diverse mix of housing in these areas, making the potentially smaller lot sizes more appropriate in this location. For these reasons, staff recommends approval of R6.

**FIRE RECOMMENDATION**  
**Approve with conditions**

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	4.44	4.63 D	23 U	269	21	25

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (week7day)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	4.44	7.71 D	40 U	448	33	43

\*Based on two-family lots

Traffic changes between maximum: **R10 and R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+17 U	+179	+12	+18

**METRO SCHOOL BOARD REPORT**

Projected student generation existing R10 districts: 2 Elementary 1 Middle 1 High  
 Projected student generation proposed R6 district: 3 Elementary 2 Middle 2 High

The proposed R6 zoning is expected to generate 3 more students than the existing R10 zoning district. Students would attend Rosebank Elementary School, Stratford STEM Middle School, and Stratford High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval.

Chair Adkins asked the audience if there was anybody in opposition to Item 36. Nobody responded in the affirmative.

**Councilmember Withers moved and Mr. Clifton seconded the motion to put Item 36 back on to the Consent agenda. (6-0)**

**Resolution No. RS2023-148**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-041PR-001 is approved. (8-0)

**37. 2023Z-035PR-001**

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

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

**Staff Recommendation: Defer to the May 11, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2023Z-035-001 to the May 11, 2023, Planning Commission meeting. (8-0)**

**38. 2023Z-037PR-001**

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

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

**Staff Recommendation: Defer to the May 25, 2023, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2023Z-037PR-001 to the May 25, 2023, Planning Commission meeting. (8-0)**

**39. 2022S-102-001**

**FOX VALLEY SUBDIVISION**

Council District 09 (Tonya Hancock)  
Staff Reviewer: Dustin Shane

A request for final plat approval to create 42 single-family lots on property located at 1133 Neelys Bend Road and on a portion of property located at 1145 and 1201 Neelys Bend Road and Neelys Bend Road (unnumbered), approximately 107 feet east of River Pass, zoned RS10 (10.55 acres), requested by T2 Engineering, applicant; 1201 Neelys Bend Road, LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Request for final plat approval to create 42 lots.**

Final plat

A request for final plat approval to create 42 single-family lots on property located at 1133 Neelys Bend Road and on a portion of property located at 1145 and 1201 Neelys Bend Road and Neelys Bend Road (unnumbered), approximately 107 feet east of River Pass, zoned Single-Family Residential (RS10) (10.55 acres).

## **CASE HISTORY**

The site is located on Neely's Bend Road on the site of the former Odom's Tennessee Pride Sausage factory. The PUD allowing that industrial use was canceled in 2019. A concept plan approving 121 single-family cluster lots was approved at the July 18, 2019, Planning Commission meeting (Case No. 2019S-081-001). A final site plan has been approved.

The proposed Phase 1 final plat application was filed in 2022. It includes 42 lots and is consistent with the concept and final plans.

## **SITE DATA AND CONTEXT**

**Location:** The site is located on the north side of Neely's Bend Road, approximately 107 feet east of River Pass.

**Street type:** Neely's Bend Road is an arterial boulevard.

**Approximate Acreage:** 10.55 acres or approximately 459,558 square feet.

## **PROPOSAL DETAILS**

This proposal is for final plat approval. The concept plan approved for the site utilized the by-right Cluster Lot Option standards of Section 17.12.090 of the Metro Zoning Code that were in effect at the time. The final plat matches the approved cluster lot concept plan with regard to maximum lot yield, open space requirements, alternative lot sizes, landscape buffer yard requirements, hillside development standards, floodplain development standards, and recreational facilities.

**Subdivision Variances or Exceptions Requested:** None

## **UPDATED FINAL PLAT RULES AND PROCEDURES**

At its March 9, 2023, meeting, the Metro Planning Commission approved an amendment to the Rules and Procedures, following Metro Council adoption of RS2023-2047, reflecting recent changes to Tennessee State law regarding administrative approval of final plats. The amended State law allows staff to approve final plats that create no more than 5 lots, if certain criteria is met, and final plats of up to 25 lots for subdivisions that received preliminary/concept plan approval. Prior to this change, staff was delegated authority to approve final plats that created no more than 2 lots, if certain criteria are met, and all final plats for subdivisions that received preliminary/concept plan approval.

The subject site received preliminary plan approval in 2019 and final site plan approval in 2023. Although no changes have been made to the plat, approval by the MPC is now required because the plat contains more than 25 lots, requiring consideration by the MPC per amended TCA Sections 13-3-402 and 13-4-302 under Public Chapter 994.

## **APPLICABLE SUBDIVISION REGULATIONS**

Staff previously determined that all requirements of the Subdivision Regulations applicable to this site had been met during review of the MPC-approved preliminary/concept plan. The proposed plat is consistent with the MPC-approved preliminary/concept plan and all requirements of Chapter 3, as previously determined by staff prior to the 2023 plat approval, when approval of all final plats that had received preliminary/concept plan approval was delegated to staff. No changes have been made to the policy present at this site.

## **COMMENTS FROM OTHER REVIEWING AGENCIES**

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

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

### **STORMWATER RECOMMENDATION**

#### **Approve**

### **NASHVILLE DOT ROADS RECOMMENDATION**

#### **Approve with conditions**

- Neely's Bend Road – Dimension the existing and the proposed right of way from centerline.
- Fox Den Pass (Lot 35) – Extend the roadway / sidewalk details along the property boundary (L93) to the phase line
- Identify a three (3') foot pedestrian access easement parallel and adjacent to the public right of way / along the proposed sidewalk.
- At Lots 14-15, identify access easement along the proposed sidewalk.
- Public streets are to be constructed to the asphalt binder course prior to bonding and recording of the final plat.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Ensure final designs follow code.

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Attached is a copy of the above-referenced subdivision (uploaded by Planning on March 16, 2022) on which we have noted our comments and recommend approval for sanitary sewer only. Approval is contingent on construction and completion of MWS Project #'s 19SL0182. A bond amount of \$210,000.00 is assigned to 19SL0182. Water provided by MSUD (Madison Suburban Utility District).

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. After approval, submit the corrected mylar or vellum copy of the plat reflecting all Conditions of Approval, with name printed under signatures and dates from property owner(s) and surveyor, one paper copy, a CD with the electronic copy of the plat (.dwg) saved on it, and recordation fee, to Planning.
3. Owner's signature must be shown with name printed under signature. If the property is owned by a corporation, LLC, LLP, company, etc. then the authorized individual's printed name and signature must be provided underneath the company's name in the Owner's Certificate. You'll also need to submit a letter(s) on each company's letterhead or documentation that the individual is authorized on behalf of the entity.
4. 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 No. 2022S-102-001 with conditions based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

**Approve with conditions. (8-0)**

**Resolution No. RS2023-149**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-102-001 is approved with conditions. (8-0)

**CONDITIONS**

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. After approval, submit the corrected mylar or vellum copy of the plat reflecting all Conditions of Approval, with name printed under signatures and dates from property owner(s) and surveyor, one paper copy, a CD with the electronic copy of the plat (.dwg) saved on it, and recordation fee, to Planning.
3. Owner's signature must be shown with name printed under signature. If the property is owned by a corporation, LLC, LLP, company, etc. then the authorized individual's printed name and signature must be provided underneath the company's name in the Owner's Certificate. You'll also need to submit a letter(s) on each company's letterhead or documentation that the individual is authorized on behalf of the entity.
4. 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.

**40. 2022S-264-001**

**5713-5715 MAUDINA AVE**

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Logan Elliott

A request for concept plan approval to create six lots on properties located at 5713 and 5715 Maudina Avenue, at the southern terminus of Bellmore Avenue, zoned R6 (1.44 acres), requested by Dale & Associates, applicant; Henry. & Sarah. Hood owners.

**Staff Recommendation: Approve with conditions including a variance to the standard of 3-4.2.b.2 and an exception to 3-5 minimum lot frontage requirements.**

**APPLICANT REQUEST**

**Concept plan approval to permit 6 residential lots.**

### Concept Plan

A request for concept plan approval to create six lots on properties located at 5713 and 5715 Maudina Avenue, at the southern terminus of Bellmore Avenue, zoned One and Two-Family Residential (R6) (1.44 acres).

### **SITE DATA AND CONTEXT**

**Location:** The site is located on Maudina Avenue and Demoss Road, approximately a quarter mile west of White Bridge Pike.

**Street Type:** The site has frontage onto Maudina Avenue and Demoss Road, both local streets.

**Approximate Acreage:** The proposed area for subdivision is approximately 1.44 acres or 62,726 square feet.

**Parcel/Site History:** This site is comprised of two lots that were platted in their current configuration in 2005.

**Zoning History:** The property is zoned R6 and this zoning has existed since 1974. The Urban Zoning Overlay was applied to this property in 2017.

**Existing land use and configuration:** The site currently contains a single-family land use on each of the two parcels.

#### **Surrounding land use/zoning:**

North: Residential/Multi-Family Residential (RM9)

South: Specific Plan-Residential (SP-R)

East and West: Residential/One and Two-Family Residential (R6)

#### **Zoning:** One and Two-Family Residential (R6)

Min. lot size: 6,000 square feet

Max. height: 3 stories

Min. front setback: 20'

Min. rear setback: 20'

Min. side setback: 5'

Maximum Building Coverage: 0.50

### **PROPOSAL DETAILS**

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

**Number of lots:** 6 lots (5 single-family, 1 duplex).

**Lot sizes:** Lot sizes range from 0.18 acres (7,665 square feet) to 0.25 acres (10,844 square feet).

**Access:** Two shared driveways are proposed on Maudina Avenue for the four lots proposed on this street. The single lot fronting Demoss Road has an individual driveway. Lot 5, internal to the site and adjacent to the SP to the south, draws access from an easement on the private drive in this SP development.

### **APPLICABLE SUBDIVISION REGULATIONS**

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

Prior versions of Subdivision Regulations for Nashville and Davidson County contained a uniform set of standards that were applied Metro-wide. This did not consider the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is within the Suburban Neighborhood Evolving (T3 NE) policy. For T3 NE, the conventional regulations found in Chapter 3 are utilized.

### **SUBDIVISION REGULATIONS – CHAPTER 3**

#### **3-1 General Requirements**

This subdivision is required to meet on standards of Chapter 3. Staff finds that all standards are met with an exception to 3-5 minimum lot frontage requirements and a variance to the standards of 3-4.2.b.2.c. See Infill Subdivision Regulations 3-5.

### **3-2 Monument Requirements**

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

### **3-3 Suitability of the Land**

Land which the Planning Commission finds to be unsuitable for development due to flooding, steep slopes, rock formations, problem soils, sink holes, other adverse earth formations or topography, utility easements, or other features which may be harmful to the safety, health and general welfare of inhabitants of the land and surrounding areas shall not be subdivided or developed unless adequate methods to solve the problems created by the unsuitable land conditions are formulated.

The property includes stream buffers and the proper treatment of these buffers will be reviewed with the final site plan application. The concept plan shows the buffers as being preserved on an open space parcel.

### **3-4 Lot Requirements**

All proposed lots comply with the minimum lot size of the zoning code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of the R6 zoning district at the time of building permit.

The subject application is requesting one variance from the lot requirements standards.

The variance request is related to permitting lot 5 to front onto a common open space located more than 150 feet from a public street. In situations with lots fronting common open space, a pedestrian connection is required for each residential unit to a public sidewalk and a vehicular connection is required from a public or private alley, or a shared driveway easement. This is provided with the proposed concept plan; lot 5 provides a pedestrian connection from both units to Maudina Avenue and the lot draws access from a private drive with an access easement in the adjacent SP development to the south.

The Subdivision Regulations also requires the following specific standards for lots more than 150 feet from a public street:

- a. The vehicular access shall serve as a fire lane as well as providing access to dwelling units and shall be in blocks of no greater than 400 feet in length.*
- b. A public alley shall be approved by the Public Works Department.*
- c. Alleys shall extend from street to street.*

In review of these standards, the Fire Marshal has found the private drive with an access easement to adequately provide emergency access to lot 5 so staff finds standard a. to be met.

Standards b. and c. of 3-4.2.b.2. require a variance as the alley is private and does not extend from street to street. Staff supports granting a variance from these two standards.

The private drive being used to access proposed lot 5 was originally approved as a public alley with preliminary SP 2015SP-099-001(BL2017-553) and Metro Staff supported converting this to a private driveway considering it was unlikely to ever extend from street to street and should therefore be private infrastructure.

Staff supports granting a variance to the infill standards to allow lot 5 to draw vehicular access from this private drive as the proposed situation is not found to 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. The conditions are unique and a hardship would result as public alley status was previously approved for this access drive and Metro Staff has since found this situation to be inappropriate and requested the alley be made a private drive with an access easement.

Additionally, staff finds the proposed lot layout to be consistent with the general plan and the development pattern of the SP that the access is drawn through. The criteria for considering a variance to the subdivision regulations is below:

### **1-11 Variances**

1. *General. If the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations, a variance from these regulations may be granted, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations. The Planning Commission shall make findings based upon the evidence presented to it in each specific case that:*
  - a. *The granting of the variance shall not be detrimental to the public safety, health, or welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

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

**3-5 Infill Subdivisions**

In order to ensure compatibility with the General Plan, the Commission has adopted specific regulations applicable to infill subdivisions, defined as residential lots resulting from a proposed subdivision within the R, R-A, RS, and RS-A zoning districts on an existing street. If a proposed infill subdivision meets all of the adopted applicable regulations, then the subdivision is found to be harmonious and compatible with the goals of the General Plan.

The subject application is requesting an exception from the infill standards.

The exception request is to provide a lot within the T3 NE policy with less than 50 feet of street frontage. Lot 6 proposes 33.8 feet of frontage onto Demoss Road. The overall property currently consists of 33.8 of frontage onto Demoss Road so this proposal is the maximum frontage potential for the current property configuration. To address this frontage deficiency, the application proposes a minimum front setback of 65' from Demoss Road and at this setback distance, the lot width is approximately 49 feet wide. Additionally, the adjacent lot to the south has approximately 40' of frontage onto Demoss Road. Staff supports the proposed exception because of the proposed setback provision as well as the surrounding lot size context.

**3-6 Blocks**

No new streets or blocks are proposed with this application.

**3-7 Improvements**

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

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

The proposed subdivision includes improvements to the existing public streets and sidewalks are provided consistent the Metro local street standard.

**3-9 Requirements for Streets**

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

**3-10 Requirements for Dedication, Reservations, or Improvements**

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

**3-11 Inspections During Construction**

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

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

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

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

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

**3-14 Drainage and Storm Sewers**

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

**3-15 Public Water Facilities**

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

**3-16 Sewerage Facilities**

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

### **3-17 Underground Utilities**

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

**Subdivision Variances or Exceptions Requested:** Yes. This request requires an exception to 3-5 minimum lot frontage requirements and a variance to the standards of 3-4.2.b.2.c. See Infill Subdivision Regulations 3-5.

### **PLANNING STAFF COMMENTS**

Staff finds the proposed subdivision consist with the intent of the Chapter 3 of the Subdivision Regulations. Future development will be required to meet the standards of the Metro Zoning Code regarding setbacks, etc. Staff recommends approval with conditions, including a variance to the standards of 3-4.2.b.2.c. and an exception to 3-5 minimum lot frontage requirements, as the proposed subdivision meets the requirements of the Zoning Code and Subdivision Regulations.

### **POLICY CONSIDERATIONS**

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

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

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

### **COMMENTS FROM OTHER REVIEWING AGENCIES**

#### **FIRE MARSHAL RECOMMENDATION**

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

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

#### **STORMWATER RECOMMENDATION**

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

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

#### **NASHVILLE DOT RECOMMENDATION**

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

- For any work located within the public right of way, obtain any necessary permits from the Nashville Department of Transportation - Permit Office. All Nashville Department of Transportation design standards shall be met prior to any final approvals and permit issuance. Final design and improvements may vary based on actual field conditions.
- Driveway access to comply with Section 13.12 of the Metro Code.

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

##### **Approve**

#### **WATER SERVICES RECOMMENDATION**

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

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

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions including a variance to the standards of 3-4.2.b.2.c. and an exception to 3-5 minimum lot frontage requirements.



**CONDITIONS**

- 1. Comply with all conditions and requirements of Metro agencies.
- 2. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**RECOMMENDED ACTION**

Motion to approve proposed subdivision Case No. 2022S-264-001 with conditions including an exception to 3-5 minimum lot frontage requirements and a variance to the standards of 3-4.2.b.2.c. See Infill Subdivision Regulations 3-5, based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

**Mr. Henley moved Mr. Tibbs seconded the motion to put Item 40 back on the Consent agenda. (6-0)**

**Resolution No. RS2023-150**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022S—264-001 is approved with condition including a variance to the standard of 3-4.2.b.2 and an exception to 3-5 minimum lot frontage requirement. (6-0)

**CONDITIONS**

- 1. Comply with all conditions and requirements of Metro agencies.
- 2. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**41. 2022S-266-001**

**WEMBLEY PARK**

Council District 12 (Erin Evans)  
Staff Reviewer: Jason Swaggart

A request for final plat approval to create 54 lots and dedicate right-of-way on property located at 6280 N. New Hope Road, at the western terminus of Landings Way, zoned SP (10 acres), requested by Dale & Associates, applicant; Lux Development Group, LLC, owner

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Final plat to create 54 residential lots.**

Final Plat

A request for final plat approval to create 54 lots and dedicate right-of-way on property located at 6280 N. New Hope Road, at the western terminus of Landings Way, zoned Specific Plan (SP), (10 acres).

**CASE HISTORY**

The subject site is zoned SP. The Planning Commission recommended approval of the preliminary SP at the December 13, 2018, Planning Commission meeting. Council later approved the SP (BL2019-1465). A final site plan for 54 lots was approved on July 7, 2020. The subject final plat is consistent with the approved preliminary SP and final site plan.

**SITE DATA AND CONTEXT**

**Location:** The site is located along the west side of New Hope Road.

**Approximate Acreage:** 10 acres

**PROPOSAL DETAILS**

**Number of lots:** 54

**Subdivision Variances or Exceptions Requested:** None

**UPDATED FINAL PLAT RULES AND PROCEDURES**

At its March 9, 2023, meeting, the Metro Planning Commission approved an amendment to the Rules and Procedures, following Metro Council adoption of RS2023-2047, reflecting recent changes to Tennessee State law regarding administrative approval of final plats. The amended State law allows staff to approve final plats that create no more than 5 lots, if certain criteria is met, and final plats of up to 25 lots for subdivisions that received

preliminary/concept plan approval. Prior to this change, staff was delegated authority to approve final plats that created no more than 2 lots, if certain criteria are met, and all final plats for subdivisions that received preliminary/concept plan approval.

The subject site received preliminary SP approval in 2019, and the final site plan for 54 lots was subsequently administratively approved with conditions by staff in 2020. Since the plat contains more than 25 lots, it requires consideration by the Commission per amended TCA Sections 13-3-402 and 13-4-302 under Public Chapter 994.

#### **APPLICABLE SUBDIVISION REGULATIONS**

Staff previously determined that this plat is consistent with the Council approved SP plan, the approved final site plan and the Subdivision Regulations.

#### **COMMENTS FROM OTHER REVIEWING AGENCIES**

##### **FIRE MARSHAL RECOMMENDATION**

**Approve**

##### **STORMWATER RECOMMENDATION**

**Approve**

##### **NASHVILLE DOT RECOMMENDATION**

**Approve with conditions**

- Bond is required for public infrastructure.
- The public roads are to be brought to binder prior to plat recording.

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

**Approve**

##### **WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Attached is a copy of the above-referenced subdivision (uploaded by Planning on October 26, 2022) on which we have noted our comments and recommend approval. Approval is contingent on construction and completion of MWS Project #'s 19SL210 and 19WL0087. A bond amount of \$538,000.00 is assigned to 19SL0210 and an amount of \$304,000 is assigned to 19WL0087.

##### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

##### **CONDITIONS**

1. If you plan to record the final plat without constructing the required public infrastructure improvements (roads, water and sewer line extensions), then you must request a bond for those improvements. Submit a completed bond application with a check in the amount of \$400 made payable to the "Metropolitan Government" **at least three weeks** prior to when you plan to record the plat with the Metro Register of Deeds. The bond review and approval process is subject to receiving estimates from Metro departments and outside utilities for the amount that is required to be bonded. Amounts are calculated after all plat revisions have been made and approved by the Metro agencies. Contact: *the Bond Desk at 862-7202, bond.desk@nashville.gov*. Utilities are to be placed underground, as provided in Section 17.28.103 of the Zoning Code.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. After approval, submit the corrected mylar or vellum copy of the plat reflecting all Conditions of Approval, with name printed under signatures and dates from property owner(s) and surveyor, one paper copy, a CD with the electronic copy of the plat (.dwg) saved on it, and recordation fee, to Planning.
4. Owner's signature must be shown with name printed under signature. If the property is owned by a corporation, LLC, LLP, company, etc. then the authorized individual's printed name and signature must be provided underneath the company's name in the Owner's Certificate. You'll also need to submit a letter(s) on each company's letterhead or documentation that the individual is authorized on behalf of the entity.
5. 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 No. 2022S-266-001 with conditions based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

**Approve with conditions. (8-0)**

**Resolution No. RS2023-151**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2022S264-001 is approved with conditions. (8-0)  
**CONDITIONS**

1. If you plan to record the final plat without constructing the required public infrastructure improvements (roads, water and sewer line extensions), then you must request a bond for those improvements. Submit a completed bond application with a check in the amount of \$400 made payable to the "Metropolitan Government" **at least three weeks** prior to when you plan to record the plat with the Metro Register of Deeds. The bond review and approval process is subject to receiving estimates from Metro departments and outside utilities for the amount that is required to be bonded. Amounts are calculated after all plat revisions have been made and approved by the Metro agencies. Contact: *the Bond Desk at 862-7202, bond.desk@nashville.gov*. Utilities are to be placed underground, as provided in Section 17.28.103 of the Zoning Code.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. After approval, submit the corrected mylar or vellum copy of the plat reflecting all Conditions of Approval, with name printed under signatures and dates from property owner(s) and surveyor, one paper copy, a CD with the electronic copy of the plat (.dwg) saved on it, and recordation fee, to Planning.
4. Owner's signature must be shown with name printed under signature. If the property is owned by a corporation, LLC, LLP, company, etc. then the authorized individual's printed name and signature must be provided underneath the company's name in the Owner's Certificate. You'll also need to submit a letter(s) on each company's letterhead or documentation that the individual is authorized on behalf of the entity.
5. 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.

**42. 2023S-016-001**

**840 OLD LEBANON DIRT ROAD**

Council District 12 (Erin Evans)  
Staff Reviewer: Dustin Shane

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

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Final plat to create 11 lots.**

Final Plat

A request for final plat approval to create 11 lots on property located at 840 Old Lebanon Dirt Road, at the southwest corner of Old Lebanon Dirt Road and New Hope Road, zoned Single-Family Residential (RS15) (5.3 acres).

**SITE DATA AND CONTEXT**

**Location:** The site is located at the southwest corner of the intersection of Old Lebanon Dirt Road and North New Hope Road.

**Street Type:** The site has frontage onto Old Lebanon Dirt Road, which is an Arterial Boulevard, and North New Hope Road, which is a collector avenue.

**Approximate Acreage:** 5.30 acres or 230,736.44 sq. ft.

**Parcel/Site History:** This site is comprised of one parcel created in 1991.

**Zoning History:** The site is zoned Single-Family Residential (RS15). It has been zoned RS15 since 2005.

**Existing land use:** The parcel contains an existing single-family home.

**Surrounding land use and zoning:**

- North: Agricultural/Residential (AR2a); Specific Plan (SP)
- South: Single-Family Residential (RS15)
- East: Single-Family Residential (RS15)
- West: Agricultural/Residential (AR2a); Single-Family Residential (RS15)

**Zoning: Single-Family Residential (RS15)**

- Min. lot size: 15,000 sq. ft.
- Min. lot coverage: 0.35
- Max. height: 3 stories
- Min. street setback: 40’.
- Min. rear setback for all properties: 20’
- Min. side setback for all properties: 10’

**PROPOSAL DETAILS**

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

**Number of lots:** 11 single-family lots.

**Lot sizes:** Lots range in size from 15,004 sq. ft. to 26,209 sq. ft.

**Access:** Lots 1-5 have frontage onto North New Hope Road, and lots 5-11 have frontage onto Old Lebanon Dirt Road (being at the intersection, Lot 5 has frontage onto both roads). Joint access easements are proposed for several lots to minimize curb cuts. Lot 7’s driveway is required to be at least 185 feet from the intersection (memorialized in Note 22 and shown on the plat).

**Open space:** No open space is required or proposed.

**Subdivision Variances or Exceptions Requested:** None

**APPLICABLE SUBDIVISION REGULATIONS**

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

Prior versions of Subdivision Regulations for Nashville and Davidson County contained a uniform set of standards that were applied Metro-wide. This did not take into account the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is within the Suburban Neighborhood Evolving (T3 NE) policy. For sites within the T3 Suburban transect, the conventional regulations found in Chapter 3 are utilized.

**3-1 General Requirements**

Staff finds that all standards are met.

**3-2 Monument Requirements**

Monuments will be placed on property corners or referenced to property lines consistent with the requirements of the subdivision regulations.

**3-3 Suitability of the Land**

Not applicable to this case. Based on available data, this site does not contain FEMA floodway or floodplain, steep slopes as identified on Metro’s topographical maps, rock formations, problem soils, sinkholes, other adverse earth formations or topography, utility easements, or other features which may be harmful to the safety, health, and general welfare of the inhabitants of the land and surrounding areas.

**3-4 Lot Requirements**

All proposed lots comply with the minimum lot size of the Zoning Code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of RS15 zoning at the time of building permit. All proposed lots have frontage on existing public streets.

**3-5 Infill Subdivisions**

In order to ensure compatibility with the General Plan, the Commission has adopted specific regulations applicable to infill subdivisions, defined as residential lots resulting from a proposed subdivision within the R, R-A, RS, and RS-A zoning districts on an existing street. If a proposed infill subdivision meets all of the adopted applicable regulations, then the subdivision is found to be harmonious and compatible with the goals of the General Plan. An exception to

the compatibility criteria may be granted by the Planning Commission for a SP, UDO or cluster lot subdivision by approval of the rezoning or concept plan.

*3-5.2 Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Maintenance, except where a Special Policy and/or a Designated Historic District exists.*  
Not applicable to this case.

*3-5.3 Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Evolving and/or Special Policies, except within Designated Historic Districts.*

a. *All minimum standards of the zoning code are met.*

All proposed lots meet the minimum standards of the zoning code.

b. *Each lot has street frontage or meets the requirements of Section 3-4.2.b for fronting onto an open space or meets the requirements of Sections 4-6.3 or 5-3.1 fronting onto an open space.*

All lots have frontage along either Old Lebanon Dirt Road or North New Hope Road.

c. *Each lot oriented to an existing street shall meet minimum lot frontage requirements as follows:*

1. *Within T3 Suburban Neighborhood Evolving policy areas, each lot oriented to an existing street shall have a minimum frontage of 50 feet. Lots oriented to the terminus of an existing permanent dead-end shall have a minimum frontage of 35 feet.*

All lots meet the minimum lot frontage requirement.

2. *Within T4 Urban Neighborhood Evolving policy areas, each lot oriented to an existing street shall have a minimum frontage of 40 feet. Lots oriented to the terminus of an existing permanent dead-end shall have a minimum frontage of 35 feet.*

Not applicable to this case.

*The Commission may grant an exception to the minimum lot frontage requirements of this subsection by considering the development pattern of the area, any unique geographic, topographic and environmental factors, and other relevant information.*

Not applicable to this case.

*3-5.4 Criteria for Determining Compatibility for Designated Historic Districts.*

Not applicable to this case.

*3-5.5 Infill Subdivision Frontage*

Not applicable to this case.

*3-5.6 Reasonable Conditions*

Staff is not proposing any special conditions.

### **3-6 Blocks**

Not applicable to this case. This proposal is for an infill subdivision. No new blocks are being created.

### **3-7 Improvements**

Construction plans for any required private improvements (private stormwater, water and sewer lines and connections) will be reviewed at the time of building permit.

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

Not applicable to this case. Sidewalks are required only in association with new streets. The proposed subdivision is located on existing streets. Sidewalk requirements will be reviewed at the time of building permit, pursuant to Section 17.20.120 of the Zoning Code.

### **3-9 Requirements for Streets**

Not applicable to this case. The proposal is for an infill subdivision located on an existing street. No new streets are proposed.

### **3-10 Requirements for Dedication, Reservations, or Improvements**

The application proposes to dedicate right-of-way along both public street frontages per MCSP requirements.

### **3-11 Inspections During Construction**

Construction plans for any required private improvements (private stormwater, water and sewer lines and connections) will be reviewed at the time of building permit.

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

Not applicable to this case. No new streets are proposed.

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

Not applicable to this case. No new streets are proposed.

**3-14 Drainage and Storm Sewers**

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

**3-15 Public Water Facilities**

Public Water is provided to this site by Metro Water Services. Water Services has reviewed this plat and has recommended approval.

**3-16 Sewerage Facilities**

Public sewer is available to this site from Metro Water Services. Water Services has reviewed the plat and found it to be in compliance with all requirements of this section.

**3-17 Underground Utilities**

Not applicable to this case. Utilities in subdivisions are required to be located underground whenever a new street is proposed. No new streets are proposed.

**PLANNING STAFF COMMENTS**

The proposed subdivision meets the standards of the Metro Subdivision Regulations for a major subdivision 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.

The Community Character Manual (CCM) policy applied to the site is Suburban Neighborhood Evolving (T3 NE). T3 NE areas are predominately residential areas with neighborhoods featuring shallow and consistent setbacks and closer building spacing. T3 NE areas within the suburban transect are intended to provide greater housing choice and improved connectivity.

Moderate to high levels of connectivity with existing street networks are a key feature of T3 NE areas. Lot sizes within the broader policy can vary and zoning districts ranging from RS7.5 up to RM20-A are supported depending on context.

**COMMENTS FROM OTHER REVIEWING AGENCIES**

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**NASHVILLE DOT RECOMMENDATION**

**Approve with conditions**

- New driveway connections or access points will require a permit from NDOT. Adequate sight distance must be provided per AASHTO for new driveway connections,

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- With latest submission lot 7 does not need a cross access easement. On final plat recordation revise note 22 to state access to be 185' from intersection.

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Attached is a copy of the above-referenced subdivision (uploaded by Planning on April 6, 2023) on which we have noted our comments and recommend approval. Approval is contingent on construction and completion of MWS Project #'s 22SL0110 and 22WL0048. A bond amount of \$150,000.00 is assigned to 22SL0110, and an amount of \$30,000.00 is assigned to 22WL0048.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. After approval, submit the corrected mylar or vellum copy of the plat reflecting all Conditions of Approval, with name printed under signatures and dates from property owner(s) and surveyor, one paper copy, a CD with the electronic copy of the plat (.dwg) saved on it, and recordation fee, to Planning.
3. 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.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**RECOMMENDED ACTION**

Motion to approve with conditions proposed subdivision Case No. 2023S-016-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

**Approve with conditions. (8-0)**

**Resolution No. RS2023-152**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023S-016-001 is approved with conditions. (8-0)

**H: OTHER BUSINESS**

43. Employment contract renewal for Seth Harrison & Dustin Shane.

**Resolution No. RS2023-153**

“BE IT RESOLVED by The Metropolitan Planning Commission that the Employee contract renewal for Seth Harrison & Dustin Shane is **approved. (8-0)**

44. Historic Zoning Commission Report
45. Board of Parks and Recreation Report
46. Executive Committee Report

47. Accept the Director's Report

**Resolution No. RS2023-154**

“BE IT RESOLVED by The Metropolitan Planning Commission that the director’s report is approved. (8-0)

48. Legislative Update

## **I: MPC CALENDAR OF UPCOMING EVENTS**

**May 11, 2023**

MPC Meeting

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

**May 25, 2023**

MPC Meeting

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

## **J: ADJOURNMENT**

The meeting adjourned at 8:36 p.m.