



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

August 24, 2023
4:00 pm Regular Meeting

2601 Bransford Avenue

Metro School Administration Building, School Board Meeting Room

MISSION STATEMENT

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

Commissioners Present:

Jessica Farr, Vice Chair
Stewart Clifton
Edward Henley
Kathy Leslie
Dennie Marshall
Matt Smith
Brian Tibbs
Councilmember Brett Withers

Staff Present:

Todd Okolichany, Deputy Executive Director
Lisa Milligan, Assistant Director of Land Development
Tara Ladd, Legal
Amelia Lewis, Planner II
Olivia Ranseen, Planner I

Commissioners Absent:

Greg Adkins, Chair
Mina Johnson

Lucy Alden Kempf

Secretary and Executive Director, Metro Planning Commission

Metro Planning Department of Nashville and Davidson County
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Notice to Public

Please remember to turn off your cell phones.

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

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

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

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

Writing to the Commission

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

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

Speaking to the Commission

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

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

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

Legal Notice

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



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 Randi Semrick, ADA Compliance Coordinator, at (615) 880-7230 or e-mail her at randi.semrick@nashville.gov. For Title VI inquiries, contact Human Relations at (615) 880-3370. For all employment-related inquiries, contact Human Resources at (615) 862-6640.

MEETING AGENDA

A: CALL TO ORDER

The meeting was called to order at 4:03 p.m.

Vice Chair Farr introduced and welcomed the new Planning Commissioner, Ms. Kathy Leslie.

Vice Chair Farr advised the meeting of September 14, 2023 is canceled due to the special election. She stated the next meeting will be on September 28, 2023 at their normal location.

B: ADOPTION OF AGENDA

Mr. Smith moved and Mr. Marshall seconded the motion to adopt the agenda. (8-0)

Mayor Cooper spoke to the Commission and audience regarding five areas of dramatic change for the Planning Commission which are of incredible importance to the city of Nashville.

Vice Chair Farr recognized Councilmember Withers and gave him a plaque in honor of his service.

C: APPROVAL OF JULY 27, 2023 MINUTES

Mr. Marshall moved and Mr. Clifton seconded the motion to approve the meeting minutes of July 27, 2023. (8-0)

D: RECOGNITION OF COUNCILMEMBERS

No Councilmembers spoke at this time.

E: ITEMS FOR DEFERRAL / WITHDRAWAL 1, 2, 3, 4, 10, 11, 12, 13

Mr. Tibbs moved and Mr. Henley seconded the motion to approve the Deferred and Withdrawn Items. (8-0)

F: CONSENT AGENDA ITEMS 17, 18, 22

Mr. Smith 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. 2023CP-014-002

DONELSON-HERMITAGE-OLD HICKORY COMMUNITY PLAN AMENDMENT

Council District 12 (Erin Evans)

Staff Reviewer: Cory Clark

A request to amend the Donelson-Hermitage-Old Hickory Community Plan to change the community character policy from T3 NE to T3 NM for various properties along Stewarts Ferry Pike and Old Hickory Boulevard located east of Percy Priest Lake and west of Earhart Road, zoned AR2A, CN, RS15 and SP (approximately 228 acres), requested by Metro Planning Department in response to Metro Council Resolution 2022-1326, applicant. Various owners.

Staff Recommendation: Defer to the September 28, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023CP-014-002 to the September 28, 2023, Planning Commission meeting. (8-0)

2. 2023SP-005-001
RIVERSIDE AT METROCENTER SP
Council District 21 (Brandon Taylor)
Staff Reviewer: Donald Anthony

A request to rezone from R6 to SP for property located on Clarksville Pike (unnumbered), approximately 600 feet northwest of Rosa L Parks Blvd (12.99 acres), to permit 590 multi-family residential units, requested by Catalyst Design Group, applicant; Sanjay Patel, owner.

Staff Recommendation: Defer to the September 28, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023SP-005-001 to the September 28, 2023, Planning Commission meeting. (8-0)

3. 2023SP-054-001
CHARLOTTE PIKE MIXED USE
Council District 24 (Kathleen Murphy)
Staff Reviewer: Donald Anthony

A request to rezone from IR to SP zoning for properties located at 3900, 3906, and 3914 Charlotte Avenue, 3905, 3907, 3909, 3911, 3913, and 3915 Alabama Avenue, 411 39th Ave. N., and 406 40th Ave. N., at the northwest corner of Charlotte Avenue and 39th Ave N (2.7 acres), to permit a mixed use development with 249 multi-family residential units, requested by Thomas & Hutton, applicant; Zary & Mohammad Rahimi, 3905 Alabama Ave, LLC, and The Ragan Family Revocable Living Trust, owners.

Staff Recommendation: Defer indefinitely.

The Metropolitan Planning Commission deferred 2023SP-054-001 indefinitely. (8-0)

4. 2023SP-059-001
475 HUMPHREYS STREET
Council District 17 (Colby Sledge)
Staff Reviewer: Donald Anthony

A request to rezone from CS to SP zoning for properties located at 475, 481, 483, 485, and 487 Humphreys Street, approximately 115 feet east of Chestnut Street, (0.93 acres), to permit a nonresidential development, requested by Pfeffer Torode Architecture, applicant; MTP-481 Humphreys Street Propco, LLC and MTP-487 Humphreys Street Propco, LLC, owners.

Staff Recommendation: Defer to the September 28, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023SP-059-001 to the September 28, 2023, Planning Commission meeting. (8-0)

5. 2023SP-069-001
3800 OLD HICKORY BOULEVARD
Council District 11 (Larry Hagar)
Staff Reviewer: Laszlo Marton

A request to rezone from RS20 to SP zoning for property located at 3800 Old Hickory Boulevard, at the corner of Anthony Street and Old Hickory Boulevard, (0.39 acres), to permit five multi-family residential units, requested by Dale & Associates, applicant; J. Arthur, LLC, owner.

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

The Metropolitan Planning Commission deferred 2023SP-069-001 to the September 28, 2023, Planning Commission meeting. (8-0)

6. 2022S-200-001

PLAN OF HAMILTON PLACE

Council District 01 (Jonathan Hall)

Staff Reviewer: Jason Swaggart

A request for final plat approval to create 10 lots on property located at 3465 W Hamilton Avenue, approximately 223 feet southeast of Haynes Park Court, zoned RS10 (20.85 acres), requested by Clint Elliott Survey, applicant; Thomas G. Williams, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Request for final plat to create 10 residential lots.

Final Plat

A request for final plat approval to create 10 lots on property located at 3465 W. Hamilton Avenue, approximately 223 feet southeast of Haynes Park Court, zoned Single-Family Residential (RS10) (20.85 acres).

SITE DATA AND CONTEXT

Location: The property is located on the south side of West Hamilton Avenue approximately 0.25 miles east of Clarksville Pike.

Street type: The property has frontage on West Hamilton Avenue. The Major and Collector Street Plan (MCSP) classifies West Hamilton Avenue as a residential collector (T3-R-CA2). The Regulations require some form of shared access for multiple lots on collector streets.

Approximate Acreage: 20.85 acres or 908,226 square feet.

Parcel/Site History: This property is comprised of Lot 2, Hamilton Place Resub, recorded in 1995.

Zoning History: This property has been zoned RS10 since 1998. Prior to 1998, it was zoned AR2a. The property is also within the Flood Plain Overlay District associated with Whites Creek which runs along the rear property.

Existing land use and configuration: Metro records indicate the property is vacant residential land. A majority of the property is in floodplain and floodway with most in floodway. There is also a line of steep slopes that run parallel with West Hamilton Avenue. The high end runs along West Hamilton Avenue and the floodplain and floodway is at the bottom end.

Surrounding land use and zoning:

- North (opposite side of West Hamilton Avenue): Single-Family Residential (RS7.5)
- South: Metro Park (Hartman Park) (R10)
- East: Golf Driving Range (AR2a)
- West: Single-Family Residential (RS10)

Zoning: Single-Family Residential (RS10)

Min. lot size: 10,000 square feet

Min. street setback: Contextual per Zoning Code

Min. rear setback: 20'

Min. side setback: 5'

Max. building coverage: 0.40

Max. height: 3 stories

PROPOSAL DETAILS

This proposal is for subdivision plat (final plat) under existing zoning entitlements. No rezoning is proposed with this application.

Number of lots: 10 single-family lots

Lot sizes: Lots range from approximately 67,765 sq. ft. (1.5 acres) to 162,427 sq. ft. (3.7 acres).

Access: Access is provided from West Hamilton Avenue. Shared access is provided for lots 2-9.

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 located within a Suburban Neighborhood Maintenance (T3 NM) policy. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For sites within a 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

Staff finds that the internal monuments and lot pins comply with monument requirements.

3-3 Suitability of the Land

A majority of the property is in floodway/floodplain associated with Whites Creek that runs along the back of the property. The front of the property is higher than the back of the property and is outside of the floodway/floodplain. An area of steep slopes runs parallel to West Hamilton Avenue creating the change in elevation. A TVA easement bisects the lower part of the property. Future building locations will be limited to areas outside of floodway and related buffers, the TVA easement or the greenway easement. Given the floodway/floodplain and steep slope, all lots are denoted as critical. Future homes must meet Stormwater requirements as well as critical lot requirements.

3-4 Lot Requirements

All lots comply with the minimum standards of the zoning code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of RS10 zoning at the time of building permit.

3-5 Infill Subdivisions

In order to ensure compatibility with the General Plan, the Commission has adopted specific regulations applicable to infill subdivisions, defined as residential lots resulting from a proposed subdivision within the R, R-A, RS, and RS-A zoning districts on an existing street. If a proposed infill subdivision meets all of the adopted applicable regulations, then the subdivision is found to be harmonious and compatible with the goals of the General Plan. An exception to the compatibility criteria may be granted by the Planning Commission for a SP, UDO or cluster lot subdivision by approval of the rezoning or concept plan.

3-5.2 Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Maintenance, except where a Special Policy and/or a Designated Historic District exists. The following criteria shall be met to determine compatibility of proposed infill lots to surrounding parcels.

- a. All minimum standards of the zoning code are met.
Complies. All lots meet the minimum standards of the zoning code.
- b. Each lot has street frontage or meets the requirements of Section 3-4.2.b for fronting onto an open space or meets the requirements of Sections 4-6.3 or 5-3.1 fronting onto an open space.
Complies. All lots have frontage on West Hamilton Avenue.
- c. The resulting density of lots does not exceed the prescribed densities of the policies for the area. To calculate density, the lot(s) proposed to be subdivided and the surrounding parcels shall be used. For a corner lot, both block faces shall be used.
The T3 NM policy that applies to this site does not specifically identify an appropriate density; however, the policy supports the underlying RS10 zoning district and its prescribed density.
- d. The proposed lots are consistent with the community character of surrounding parcels as determined below:
 1. Lot frontage is either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater. For a corner lot, only the block face to which the proposed lots are to be oriented shall be used.
Complies. The minimum lot width required along West Hamilton Avenue is 75 feet. All lots are over 75 feet wide.
 2. Lot size is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than smallest surrounding lot, whichever is greater. For a corner lot, only the block face to which the proposed lots are to be oriented shall be used.

- Complies. The minimum lot size required is 53,856 sq. ft. The smallest lot is 67,765 sq. ft.*
3. Where the minimum required street setback is less than the average of the street setback of the two parcels abutting either side of the lot proposed to be subdivided, a minimum building setback line shall be included on the proposed lots at the average setback. When one of the abutting parcels is vacant, the next developed parcel shall be used. For a corner lot, both block faces shall be used.
New homes will be required to meet the contextual setback standards per the Metro Zoning Code.
 4. Orientation of proposed lots shall be consistent with the surrounding parcels. For a corner lot, both block faces shall be evaluated.
Complies. All lots are oriented to West Hamilton Avenue.
 - e. The current standards of all reviewing agencies are met.
All agencies have recommended approval or approval with conditions.

3-6 Blocks

Not applicable to this case. This proposal is for an infill subdivision.

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 an existing street. 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.

3-10 Requirements for Dedication, Reservations, or Improvements

Plan to Play: Countywide Parks and Greenways Master Plan calls for a greenway along Whites Creek. A greenway easement is provided and has been approved by Metro Greenways.

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

Water is available.

3-16 Sewerage Facilities

Sewer is available per construction of new sewer line by the developer as approved by Metro Water Services.

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.

Subdivision Variances or Exceptions Requested

No variances or exceptions are necessary for this plat.

PLANNING STAFF COMMENTS

Staff finds that all proposed lots meet the standards of the Metro Subdivision Regulations and the standards of the Metro Zoning Code. Staff recommends approval with conditions

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

TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approval is contingent on construction and completion of MWS Project #'s 23SL0004. A bond amount of \$200,000.00 is assigned to 23SL0004.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. 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 \$750 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.*
3. 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.
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.
5. Developer shall continue to work with Metro Parks to formalize the Conservation Greenway Easement Agreement. Provide confirmation of formalized agreement prior to issuance of use and occupancy permits.
6. A corrected copy shall include the metes and bounds for the greenway easement.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2022S-200-001 with conditions based upon finding that the subdivision complies with Metro Subdivision Regulations and Metro Zoning Code.

Approve with conditions. (8-0)

Resolution No. RS2023-299

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022S-200-001 is approved with conditions. (8-0)

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. 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 \$750 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.*
3. 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.
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.
5. Developer shall continue to work with Metro Parks to formalize the Conservation Greenway Easement Agreement. Provide confirmation of formalized agreement prior to issuance of use and occupancy permits.
6. A corrected copy shall include the metes and bounds for the greenway easement.

7. 2023S-115-001

D.C. KELLEY'S SUBDIVISION

Council District 04 (Robert Swope)

Staff Reviewer: Celina Konigstein

A request for final plat approval to create three lots on property located at 5444 Franklin Pike Circle, approximately 340 feet south of Stonegate Place, zoned R20 (1.6 acres), requested by Clint Elliott Survey, applicant; Brad Whitfield, owner.

Staff Recommendation: Approve with conditions, including exceptions to Sections 3-5.2.d.1 for lot frontage and 3-5.2.d.2 for lot area.

APPLICANT REQUEST

Request for final plat approval to create three lots.

Final Plat

A request for final plat approval to create three lots on property located at 5444 Franklin Pike Circle, approximately 340 feet south of Stonegate Place, zoned One and Two-Family Residential (R20) (1.6 acres).

SITE DATA AND CONTEXT

Location: The site consists of one property located along the eastern side of Franklin Pike Circle.

Street Type: The site has frontage on Franklin Pike Circle, which is classified as a T3 suburban collector avenue.

The site has frontage on Franklin Circle Pike, which is classified as a collector avenue in the Major and Collector Street Plan (MCSP). This section of Franklin Circle Pike has an existing right-of-way width of approximately 40 feet. The right-of-way width required to meet the MCSP is 51 feet.

Approximate Acreage: 1.6 acres or approximately 69,696 square feet.

Parcel/Site History: This site consists of one parcel in its current configuration, created by deed in 1971.

Zoning History: The property has been zoned R20 since 1995.

Existing land use and configuration: The property is currently occupied by a single-family home.

Surrounding Land Use and Zoning:

- North: Single-Family Residential/R40/PUD (Planned Unit Development)
- South: Single-Family Residential/R40
- East: Single-Family Residential/R40/PUD (Planned Unit Development)
- West: Public Right of Way

Zoning: One and Two-Family Residential (R20)

Min. lot size: 20,000 square feet

Max. building coverage: 0.35

Min. rear setback: 20'

Min. side setback: 20'

Max. height: 3 stories

Min. street setback: Contextual per Zoning Code

PROPOSAL DETAILS

Number of lots: 3

Lot sizes: Proposed Lot 1 is approximately 0.464 acres or 20,205 square feet, proposed Lot 2 is approximately 0.474 acres or 20,664 square feet, and proposed Lot 3 is approximately 0.509 acres or 22,168 square feet.

Access: Two 16 foot shared access easements are proposed to access the lots. One is proposed between Lots 1 and 2, and the other is proposed between Lots 2 and 3. Shared access is required as this proposed subdivision fronts a collector avenue.

Subdivision Variances or Exceptions Requested: An exception is required for lot frontage and lot area.

APPLICABLE SUBDIVISION REGULATIONS

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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 located within the Suburban Neighborhood Maintenance (T3 NM) policy. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For sites within the T3 Suburban transect, the regulations found in Chapter 3 are utilized.

3-1 General Requirements

The proposal meets the requirements of 3-1.

3-2 Monument Requirements

Permanent monuments, in accordance with this section of the regulations, shall be placed in all subdivisions when new streets are to be constructed. The proposal does not propose any new streets.

3-3 Suitability of the Land

There are no known sensitive or environmental features on the site.

3-4 Lot Requirements

The proposed lots comply with the minimum standards of the Zoning Code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of R20 zoning at the time of building permit. All proposed lots are greater than 20,000 square feet and have frontage on a public street, Franklin Pike Circle. Shared access is provided as the proposed subdivision is located along an existing collector avenue per Sec. 3-4.4. a.

3-5 Infill Subdivisions

In order to ensure compatibility with the General Plan, the Commission has adopted specific regulations applicable to infill subdivisions, defined as residential lots resulting from a proposed subdivision within the R, R-A, RS, and RS-A zoning districts on an existing street. If a proposed infill subdivision meets all of the adopted applicable regulations, then the subdivision is found to be harmonious and compatible with the goals of the General Plan. An exception to the compatibility criteria may be granted by the Planning Commission for a SP, UDO or cluster lot subdivision by approval of the rezoning or concept plan.

3-5.2 *Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Maintenance, except where a Special Policy and/or a Designated Historic District exists.*

a. *All minimum standards of the zoning code are met.*

Complies. All lots meet the minimum standards of the zoning code.

b. *Each lot has street frontage or meets the requirements of Section 3-4.2.b for fronting onto an open space or meets the requirements of Sections 4-6.3 or 5-3.1 fronting onto an open space.*

Complies. All lots front Franklin Pike Circle.

c. *The resulting density of lots does not exceed the prescribed densities of the policies for the area. To calculate density, the lot(s) proposed to be subdivided and the surrounding parcels shall be used. For a corner lot, both block faces shall be used.*

The T3 NM policy that applies to the site does not specifically identify an appropriate density; however, the policy supports the underlying R20 zoning district and its prescribed density.

d. *The proposed lots are consistent with the community character of surrounding parcels as determined below:*

1. *Lot frontage is either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater. For a corner lot, only the block face to which the proposed lots are to be oriented shall be used; and*

The proposed lots do not meet the minimum lot frontage requirement. The minimum frontage width requirement per this section is 110.31 feet. The proposed Lot 1 frontage is 74.69 feet, proposed Lot 2 is 81.73 feet, and proposed Lot 3 is 81.54 feet.

2. *Lot size is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than smallest surrounding lot, whichever is greater. For a corner lot, only the block face to which the proposed lots are to be oriented shall be used; and*

The proposed lots do not meet the minimum lot size requirement. The minimum lot size requirement per this section is approximately 0.618 acres, or 29,920 square feet. Proposed Lot 1 is approximately 0.464 acres or 20,205 square

feet, proposed Lot 2 is approximately 0.474 acres or 20,664 square feet, and proposed Lot 3 is approximately 0.509 acres or 22,168 square feet.

3. *Where the minimum required street setback is less than the average of the street setback of the two parcels abutting either side of the lot proposed to be subdivided, a minimum building setback line shall be included on the proposed lots at the average setback. When one of the abutting parcels is vacant, the next developed parcel shall be used. For a corner lot, both block faces shall be used; and*

New homes will be required to meet the contextual setback standards per the Metro Zoning Code.

4. *Orientation of proposed lots shall be consistent with the surrounding parcels. For a corner lot, both block faces shall be evaluated.*

All lots are oriented to Franklin Pike Circle, consistent with surrounding lots.

e. *The current standards of all reviewing agencies are met.*

All agencies have recommended approval or approval with conditions, except for compatibility requirements.

f. *If the proposed subdivision meets subsections a, b, c and e of this section but fails to meet subsection d, the Planning Commission, following a public hearing in accordance with the Planning Commission Rules and Procedures, may consider whether the subdivision can provide for the harmonious development of the community by otherwise meeting the provisions of TCA 13-4-303(a). In considering whether the proposed subdivision meets this threshold, the Commission shall specifically consider the development pattern of the area, any unique geographic, topographic and environmental factors, and other relevant information. The Commission may place reasonable conditions, as outlined in Section 3-5.6, necessary to ensure that the development of the subdivision addresses any particular issues present in an infill subdivision and necessary to achieve the objectives as stated in TCA 13-4-303(a).*

Section 3-5.2.f. above states that if the compatibility requirements are not met, the Planning Commission may consider other factors including the development pattern of the area. The initial compatibility analysis evaluated only the three properties to the south fronting Franklin Pike Circle, minus the open space parcel associated with a nearby subdivision, as section 3-5.2 details excluded parcels include but are not limited to schools, churches, and parks. Staff determined that an open space should be excluded based on this guidance. The proposed lots do not meet the minimum frontage or lot size requirement to meet compatibility.

Because of the limited number of parcels included in the compatibility based on the Subdivision Regulations, the requirements are not reflective of the broader lot pattern.

Even though the lots do not meet the frontage requirements for compatibility, if the larger development pattern of the area is considered, there are three nearby subdivisions serviced by separate roads with varying frontage measurements and lot sizes. The frontage of these lots range from 35 feet to 152 feet, though they are not visible from Franklin Pike Circle. Frontage is more visually perceived from the public realm than lot depth, thus the proposed lots would visually fit within the larger development pattern.

With regard to lot size, there is a range of lot sizes in the immediate area in three nearby subdivisions. Lots range in size from 10,000 square feet to 40,000 square feet.

Given this information, staff finds the proposed lots to be appropriate due to the surrounding development pattern.

3-5.5 Infill Subdivision Frontage

A shared access easement is provided.

3-5.6 Reasonable Conditions

Staff is not recommending additional conditions.

3-6 Blocks

Not applicable. No new blocks are being created.

3-7 Improvements

No public infrastructure or improvements are required with this subdivision. 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

For subdivisions, sidewalks are not required along existing streets. Per a recent court case, the section of the Zoning Code that requires sidewalks along existing streets has been voided.

3-9 Requirements for Streets

Not applicable. No new streets are proposed.

3-10 Requirements for Dedication, Reservations, or Improvements

Right-of-way to meet the MCSP is being dedicated with this 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

Not applicable. No new streets are proposed.

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

Not applicable. No private 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 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 final plat for water and has recommended approval with conditions.

3-16 Sewerage Facilities

Metro Water Services has reviewed this proposed final plat for sewer and has recommended approval with conditions.

3-17 Underground Utilities

There are no new utilities proposed.

PLANNING STAFF COMMENTS

With the exception for the minimum lot frontage and lot size of the compatibility criteria, the proposed subdivision meets the standards of the Metro Subdivision Regulations and Metro Zoning Code. Future development will be required to meet the standards of the Metro Zoning Code regarding setbacks, building heights, etc. Staff recommends approval with conditions based on a finding that the proposal can provide for harmonious development.

POLICY CONSIDERATIONS

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

NashvilleNext includes a Community Character Manual (CCM) which established character areas for each property within Metro Nashville. The community character policy applied to this property is T3 Suburban Neighborhood Maintenance. The intent of T3 NM policy is to maintain the general character of suburban neighborhoods as characterized by their development pattern, building form, land use, and associated public realm. The proposed subdivision maintains the land use, and largely meets the compatibility standards of the subdivision regulations intended to maintain the existing development standards.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve.

STORMWATER RECOMMENDATION

Approve.

NASHVILLE DOT RECOMMENDATION

Approve.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions.

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

WATER SERVICES RECOMMENDATION

Approve with conditions.

- W&S Capacity Fees for new Lots must be paid before issuance of building permits.

STAFF RECOMMENDATION

Approve with conditions, including an exception to Sections 3-5.2.d.1 and 3-5.2.d.2.

CONDITIONS

- 1. Comply with all conditions and requirements of Metro reviewing agencies.
- 2. 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. 2023S-115-001 with conditions including an exception to 3-5.2.d.1 and 3-5.2.d.2 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions, including exceptions to Sections 3-5.2.d.1 for lot frontage and 3-5.2.d.2 for lot area. (8-0)

Resolution No. RS2023-300

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023S-115-001 is approved with conditions, including exceptions to Sections 3-5.2.d.1 for lot frontage and 3-5.2.d.2 for lot area. (8-0)

CONDITIONS

- 1. Comply with all conditions and requirements of Metro reviewing agencies.
- 2. 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.

8. 2023Z-084PR-001

Council District 21 (Brandon Taylor)

Staff Reviewer: Dustin Shane

A request to rezone from RS5 to R6-A for property located at 2406 Merry Street, approximately 385 feet east of 25th Avenue North and located within a Detached Accessory Dwelling Unit Overlay District (0.17 acres), requested by So Bro Law Group, PLLC, applicant; 2406 Merry St. LLC C/O Victor Ghatas, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential–Alternative (R6–A) for property located at 2406 Merry Street, approximately 385 feet east of 25th Avenue North and located within a Detached Accessory Dwelling Unit Overlay District (0.17 acres).

Existing Zoning

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

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

Proposed Zoning

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

NORTH NASHVILLE COMMUNITY PLAN

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.

ANALYSIS

The application consists of one parcel (Map 092-07, Parcel 267) totaling 0.17 acres in size located on the northern side of Merry Street east of 25th Avenue North. The property contains a single-family home built in 1953. Surrounding uses include single-family residential, vacant land, a parking lot for an office to the south, and variously zoned R6-A, RS5, and R6 properties. Industrial uses zoned IR are also present on Merry Street farther to the east. The TR policy acts as a transitional buffer between the T4 NM, Urban Neighborhood Maintenance, policy to the north and the adjacent T4 MU, Urban Mixed Use Neighborhood, policy to the south.

The application proposes to rezone the property from RS5 to R6–A. The requested R6-A zoning is supported by the TR Transition policy. According to the Community Character Manual, TR areas “serve a limited function of providing transitions in scale, intensity, and use at locations between high-intensity and low-intensity policy categories or development. The predominant uses in TR areas are small-scale offices and moderate to high density residential in various building types ... Housing in TR areas can include a mix of building types and is especially appropriate for ‘missing middle’ housing such as plex houses, house courts, and multifamily housing with small to medium-sized footprints.” The proposed zoning allows for one or two-family residential uses, which would increase housing choice in the area. The standards for building placement, parking, and access included in the R6-A district would also improve the relationship of development to the street, creating a more walkable neighborhood consistent with the goals of the TR policy and NashvilleNext as a whole.

The R6-A zoning district is also appropriate for the area and policy given the presence of an alley in the rear.

FIRE 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.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.17	7.41 D	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.17	7.71 D	2 U	28	7	2

*Based on two-family lots

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

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

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 district: 0 Elementary 0 Middle 0 High

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

The proposed R6-A zoning is not expected to generate any more students than the existing RS5 zoning district. Any additional students would attend Park Avenue Elementary School, McKissack Middle School, and Pearl-Cohn High School. All three schools are identified as having capacity for additional students. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0)

Resolution No. RS2023-301

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-084PR-001 is approved. (8-0)

9. 2023CP-007-002

WEST NASHVILLE COMMUNITY PLAN AMENDMENT

Council District 21 (Mary Carolyn Roberts)

Staff Reviewer: Olivia Ranseen

A request to change policy from T4 NE, T4 NM, and T4 NC to T4 MU and T4 NE to T4 NC for several properties located along Robertson Avenue, Vernon Avenue, Duluth Avenue, Deal Avenue, and Nall Avenue (61.1 acres) requested by Metro Planning, applicant; various owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend West Nashville Community Plan to change the policy.

Major Plan Amendment

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

WEST NASHVILLE COMMUNITY PLAN

Current Policy

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

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

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

Conservation (CO) policy is intended to preserve undisturbed environmentally sensitive land features in a natural state and remediate environmentally sensitive features that previously have been disturbed when new development or redevelopment takes place. This policy is applicable to areas with sensitive environmental features, including, but not limited to, stream corridors, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils. In this location, CO policy recognizes small areas of steep slopes. CO policy is not proposed to change.

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

Urban Mixed Use Neighborhood (T4 MU) policy is intended to maintain, enhance, and create urban, mixed use neighborhoods with a development pattern that contains a variety of housing along with mixed use, commercial, institutional, and even light industrial development. T4 MU areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways, and existing or planned mass transit. T4 MU policy is being proposed for the area along Robertson Avenue, Duluth Avenue, and Deal Avenue near Charlotte Park, along with a supplemental policy.

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

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

BACKGROUND

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

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

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

COMMUNITY PARTICIPATION

Meeting 1 – 11/17/2022

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

Figure 1: 11/17/2022 Policy Proposal

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

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

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

Staff collected 44 comment cards at the meeting. Comment cards showed that most attendees (77%) were generally supportive, and 59% of those folks were in strong support; 23% of attendees were opposed with 16% of those indicating strong opposition. In their comments, several attendees emphasized their support of a Sylvan Park model along with the need for traffic calming measures along Robertson Avenue. Those in opposition voiced concerns about parking and traffic. Some comment cards in opposition mentioned support of a smaller area for mixed use development.

Meeting 2 – 1/19/2023

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

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

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

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

Meeting 3 – 3/16/2023

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

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

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

Meeting 4 – 6/13/2023

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

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

In June of 2023, the CRNA Development Committee reached out to Planning and requested staff attend their monthly meeting at Travis Electric, 4400 Michigan Avenue. On June 13, 2023, staff distributed revised maps (Figure 2) and responded to questions and comments at the CRNA Development Committee meeting.

Figure 2: 6/13/2023 Policy Proposal

Approximately 15 people were present at the meeting. Those opposed to the change, the majority in attendance, suggested that only current industrial and commercial properties be included in the policy change, and they would like for height to be limited. Those in favor of the policy change expressed a desire for a mix of uses and voiced satisfaction with the current policy revision.

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

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

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

Builds upon existing mix of uses.

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

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

Fosters a complete community.

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

Activates a major neighborhood amenity.

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

Creates opportunity for street calming and pedestrian investments.

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

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

- Approximately half (28 acres) of the T4 MU study area is currently zoned commercial or industrial (Figure 3). However, industrial zoning and the current commercial zoning are more intensive and allow uses beyond the desired neighborhood-scale restaurants and retail. The policies currently assigned to these properties, T4 NM and T4 NE, limit existing commercial and industrial areas to residential development if someone is seeking a rezoning to redevelop.
- The neighborhood would like to see more neighborhood-serving amenities. This policy change enables existing commercial and industrial properties to redevelop into mixed use that combines housing and amenities at a neighborhood-scale.

Figure 3: Existing Zoning within Study Area

Aligns with surrounding policies.

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

Adding a Supplemental Policy

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

Begin text:

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

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

Building Form and Site Design – Height

To maintain the neighborhood-scale of the streets in the area, buildings are limited to 4 stories in height.

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

Analysis Summary

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

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

STAFF RECOMMENDATION

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

Ms. Ranseen presented the staff recommendation to approve.

Vice Chair Farr advised they are the applicant and opened it up for Public Hearing.

Ben Passino, 5710 Maxon Avenue, spoke in favor of the application.

Eric Deems stated he lives on Eastboro Drive next to Charlotte Park. He spoke in favor of the application.

John Mummert, 6370 Ivy Street #4, spoke in favor of the application.

Becky Warren, 809 William Howard Court, spoke in favor of the application.

Brittany Passino, 5710 Maxon Avenue, spoke in favor of the application.

Christa Shreffler, 712 Burleigh Court, spoke in favor of the application.

Kaitlyn Jones, 530 American Road, spoke in favor of the application.

Eric Marksbury, 6412 B Edsel Drive, spoke in opposition to the application.

Chuck Smith, 6207 Robertson Avenue, spoke in opposition to the application.

Wes Aucoin stated he represents Rock Harbor Marina. He spoke in opposition to the application.

Keyne Vellert, 627 Eastboro Drive, spoke in opposition to the application.

Elaine Corn, 607 A James Avenue, spoke in opposition to the application.

Daniel Pickney stated he lives on Leslie Avenue. He spoke in opposition to the application.

Sara Stewart, 600 Basswood Avenue, spoke in opposition to the application.

Julie Smith, 6207 Robertson Avenue, spoke in opposition to the application.

Tim Moore stated he lives on Lovell Street. He spoke in opposition to the application.

Vice Chair Farr closed the Public Hearing.

Ms. Milligan advised Councilmember Roberts is out of town and could not attend the meeting but sent a letter to the Commission indicating her support for the Plan Amendment.

Mr. Henley said there was not a change in the overall study area but rather just a change in the proposed amendment and asked for clarification.

Ms. Ranseen pulled up a presentation slide and showed the original proposal for Mixed Use Corridor and Mixed Use Neighborhood. She stated they asked the community for feedback and then further refined it to the current proposal.

Mr. Henley said the reason he asked is because they are proposing additional density and the thoroughfare has never been one for a lot of traffic flow. He thought it was important to think about the entirety of that thoroughfare. Mr. Henley asked about the exclusion of Rock Harbor Marina. He said he likes what is being done regarding the activation and extension of the park.

Ms. Ranseen stated Rock Harbor was excluded because it is in the district impact area and directly across from the quarry and they wanted to address quarry concerns separately. She said they are working with an applicant to change Rock Harbor. Ms. Ranseen said regarding infrastructure, she spoke at length with NDOT about the opportunities there. She explained Robertson Avenue is more low density residential and is not prioritized in the documents. She further explained that with more private development and more multifamily, additional density could help receive greater prioritization, but that is where they are as far as infrastructure. Ms. Ranseen advised they were trying to see if they could pair this with some infrastructure promises but could not do so.

Mr. Henley thought there was an interesting dynamic between the value and the utilization of an SP and said those are conversation points the Commissioners should take further.

Mr. Clifton said the presentation points on both sides are very interesting and he is having mixed feelings. He realized they are not rezoning anything today but simply making a preliminary decision that would make it easier for rezoning to happen. Mr. Clifton said he is not prepared to vote on this today as he would like to hear the thoughts of the incoming Councilmember.

Mr. Marshall said the original proposal shown was much larger and downsized to where it is now. He asked if that was a result of the meetings with the community members and if those were their wishes.

Ms. Ranseen said the initial study area covered the entirety of Robertson and parts of Duluth and Vernon. She advised in that initial November meeting they issued over 2,000 notices for folks, which was the most heavily and represented meeting. She stated they did comment cards and those comment cards indicated that people were supportive of mixed use development in this area and they wanted it to be a more targeted condensed area and had concerns about height. They continued to attend neighborhood meetings and made changes after each meeting.

Mr. Marshall asked if this project aligns with the plan for NashvilleNext.

Ms. Ranseen responded in the affirmative.

Ms. Leslie stated she is familiar with the area as she is a native Nashvillian. She said she understands the concerns of how it may look in the future.

Councilmember Withers said he is familiar with this area and has worked with Councilmember Roberts in the past and knows how carefully she looks at development proposals in her communities. He asked how they would compare and contrast the revised staff recommendation with Sylvan Park.

Ms. Ranseen explained one key difference in this neighborhood is it has legacy industrial and commercial zoning. Sylvan Park does have a tad on Murphy Road but it does not have the history of industrial and commercial as this neighborhood. Currently the policy applied to those properties is Neighborhood Evolving or Neighborhood Maintenance which means they cannot develop into a mixed use opportunity; so, part of the difference is looking at the existing zoning. Ms. Ranseen further explained one of the key advantages of Mixed Use Neighborhood is they can have a single family home next to a Mixed Use. It does not mean the entirety will be mixed use as this allows for different uses to exist which is in alignment with how the current neighborhood exists and further promotes neighborhood scale amenities.

Councilmember Withers believed this plan and the revised staff recommendation is closer to a Sylvan Park model than what was initially proposed. He asked if Mixed Use Neighborhood is more supportive of housing in greater amounts, especially in lower density, and how does the Mixed Use Corridor differ from what is proposed now.

Ms. Ranseen responded Mixed Use Corridor is applied along corridors and areas where there are a lot of commercial businesses already and not necessarily in neighborhoods. It seeks a higher intensity than the neighborhood wanted because it allows up to a MUG rezone which Mixed Use Neighborhood does not. A Mixed Use Neighborhood policy has a heavier emphasis on residential more so than Mixed Use Corridor.

Councilmember Withers thought the cap at four stories helps to provide some guidance if an SP came through or if someone wanted to do MUG-A on a large parcel.

Ms. Milligan advised Ms. Ranseen and the Long Range Planning team did this first piece of setting the policy and if it were to pass, then her team, Land Development, would be reviewing any zone change requests against the policy as it's requested.

Councilmember Withers said he wanted to remind everyone this is not a zone change proposal and any future zone changes would have to work through the future Councilmember, as well as come before the Commission for a recommendation before going on to Council. He thought it was a good idea to do a Mixed Use policy with a heavier emphasis on housing and to activate the park. He asked how the Planning Department is looking at applying zone changes and whether or not they can require sidewalk and other infrastructure improvements.

Ms. Milligan stated the Sidewalk Ordinance, which required sidewalk construction with most new development, was voided by an Appeals Court decision. She explained that does not mean they cannot get sidewalks. There is a legal test called the Nollan and Dolan test which relates to nexus and proportionality. They can still require sidewalks for developments so long as there is a nexus between what is being built and the sidewalk required and the requirement is proportional to the development.

Councilmember Withers said he wishes the Sidewalk Bill would have been in place because there would be new sidewalks constructed in redevelopments. He stated with this development, having a cohesive vision about encouraging more housing density in a particular node and encouraging commercial mixed uses in that same node, there are still a lot of tools in place and that having this policy change in place would make it more likely to get the kinds of rezoning applications that the Commission would want to see. Mr. Withers thought it was good that NDOT is working with the Neighborhood Association on traffic calming measures and that there are additional applications on file.

Mr. Tibbs said that because this is a policy change and it is going to direct a lot of the decisions moving forward, he feels this is a good thing to be deferred for the new Council person because he is going to be the steward of this going forward. He stated this is a good plan but feels this is more for a deferral for the next Council person.

Mr. Smith said he is generally supportive of the city's goals and liked the activation of the park. He asked if he is correct in thinking study area two seems less controversial than study area one.

Ms. Ranseen responded Mr. Smith is correct in his thinking.

Mr. Smith asked if those two were tied together in staff's view.

Ms. Ranseen answered they do not have to be tied together but what they are trying to put forward is a mixed use vision for the area which is why they were included together.

Vice Chair Farr stated they have seen a lot of requests for SPs in this area. She remembered cases where the community reaction was that they do not want to be the next Nations and put steps in place so they are not doing all of these changes in a one off basis. She said this seems like a good plan but also understands the possibility of a deferral.

Mr. Clifton stated there are a lot of good things about this plan but not quite prepared to vote for it at this time.

Mr. Okolichany said if they consider a deferral, he recommended to defer to September 28, 2023 to allow Planning staff to take feedback and see if they missed anything.

Ms. Milligan stated that deferring to the second meeting in October would be better from a staff timing perspective.

Mr. Tibbs moved and Mr. Henley seconded the motion to defer to the October 26, 2023, Planning Commission meeting with direction to staff to explore ways to increase connectivity for pedestrians and transit, and to further evaluate the study area. (8-0)

Resolution No. RS2023-302

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023CP-007-002 is deferred to the October 26, 2023, Planning Commission meeting with direction to staff to explore ways to increase connectivity for pedestrians and transit, and to further evaluate the study area (8-0)

10. 2007SP-146-001

1420 OLD HICKORY BLVD (AMENDMENT)

Council District 03 (Jennifer Gamble)

Staff Reviewer: Dustin Shane

A request to amend a specific plan for property located at 1420 Old Hickory Boulevard, approximately 680 feet east of the intersection of Brick Church Pike and Old Hickory Boulevard, zoned SP (3.86 acres), to permit community education and school daycare uses, requested by 615 Design Group, applicant; Davidson Academy, owner.

Staff Recommendation: Defer to the September 28, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2007SP-146-001 to the September 28, 2023, Planning Commission meeting. (8-0)

11. 2023SP-048-001

THE GROVE AT BUENA VISTA

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Jason Swaggart

A request to rezone from R8 to SP zoning for properties located at 2130, 2132 A, 2140 and 2142 Buena Vista Pike and 3005 A, 3005 B, 3007 and 3009 Cliff Drive, at the southwest corner of Buena Vista Pike and Cliff Drive (5.29 acres), to permit up to 75 multifamily residential units, requested by Williams Engineering, applicant; Fed Development, LLC, owner.

Staff Recommendation: Defer to the September 28, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023SP-048-001 to the September 28, 2023, Planning Commission meeting. (8-0)

12. 2023SP-073-001

909 & 917 CHEATHAM PLACE

Council District 19 (Freddie O'Connell)

Staff Reviewer: Logan Elliott

A request to rezone from R6-A to SP zoning for properties located at 909 and 917 Cheatham Place, at the southeastern corner of Cheatham Place and 10th Ave. N., (0.38 acres), to permit eight multi-family residential units, requested by Dale & Associates, applicant; Barbara Turner & N.M.Pollock CO-TRS, owners.

Staff Recommendation: Defer to the September 28, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023SP-073-001 to the September 28, 2023, Planning Commission meeting. (8-0)

13. 2023S-121-001

CLARKSVILLE PIKE

Council District 01 (Jonathan Hall)

Staff Reviewer: Laszlo Marton

A request for final plat approval to create two lots on properties located at 5081 Clarksville Pike and Clarksville Pike (unnumbered), approximately 450 feet northeast of Waller Road, zoned RS40 (2.87 acres), requested by Dale & Associates, applicant; Joseph & Wendy Ingram and William Sugg, owners.

Staff Recommendation: Defer to the September 28, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023S-121-001 to the September 28, 2023, Planning Commission meeting. (8-0)

14. 2022M-003SR-001

RENAMING OF A PORTION OF DUE WEST AVENUE

Council District 07 (Emily Benedict)

Staff Reviewer: Lisa Milligan

A request to rename Due West Avenue to Montague Way, requested by the Councilmember Emily Benedict.

Staff Recommendation: Approve.

APPLICANT REQUEST

Rename a portion of Due West Avenue to Montague Way.

Street Renaming

A request to rename Due West Avenue to Montague Way.

STREET RENAMING PROCEDURE

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

APPLICATION INFORMATION

This application was filed by Councilmember Emily Benedict at the request of some residents that live on the street. Notification of the proposed change was sent to all properties with addresses along the portion of the street to be renamed. The Planning Department has received opposition to the request. Given that there was opposition, the item will have a public hearing at Planning Commission.

The homeowners along Due West Avenue, which spans east of Gallatin Pike to Fernbank Drive, must use “E” Due West Avenue or Due West Avenue “E” for mailing and Enhanced 911 because there are duplicate addresses on W. Due West Avenue, the street which spans west of Gallatin Pike; however, the official name Due West Avenue is documented in the Tax Records and on the GIS Map. The Department of Emergency Communications has notified NDOT that this discrepancy between the official street name and the street name that must be used is a confusing street name issue.

METRO HISTORICAL COMMISSION RECOMMENDATION

Per Ordinance No. BL2019-110, the Historical Commission staff will submit a report to the Metropolitan Council regarding any historical significance associated with the current/original street name upon filing of the legislation.

STAFF RECOMMENDATION

Given the confusion related to the multiple uses of Due West Avenue, Planning staff recommends approval.

Approve. (8-0)

Resolution No. RS2023-303

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023M-003SR-001 is approved. (8-0)

15. 2023Z-074PR-001

Council District 21 (Brandon Taylor)
Staff Reviewer: Logan Elliott

A request to rezone from RS5 to R6-A zoning for property located at 2810 Georgia Ave, approximately 270 feet west of 28th Ave N (0.26 acres), requested by Clifton Property TN LLC, applicant and owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential (R6-A) zoning for property located at 2810 Georgia Ave, approximately 270 feet west of 28th Ave N (0.26 acres).

Existing Zoning

Single-Family Residential (RS5) requires a minimum of 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 2 units, based on acreage only.*

Proposed Zoning

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

NORTH NASHVILLE COMMUNITY PLAN

T4 Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate to high density

development patterns with shallow setbacks and minimal spacing between buildings. T4 NE areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. T4 NE policy may be applied either to undeveloped or substantially under-developed "greenfield" areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors.

SITE

The application includes a single parcel comprising approximately 0.26 acres located on the north side of Georgia Avenue in the North Nashville neighborhood. An improved and substandard alley exists at the rear of the site. Georgia Avenue is a local street and the site currently contains a single-family land use and the area has a pattern of single-family, two-family, and multi-family residential uses. The site is approximately 270 feet west of 28th Avenue North, identified as an arterial boulevard in the Major and Collector Street Plan.

ANALYSIS

The application proposes to rezone the property from RS5 to R6-A. The requested R6-A zoning is supported by the T4 NE policy and the site is designated in NashvilleNext as appropriate for infill development because of its proximity to a center or corridor. The proposed zoning allows for one or two-family residential uses, which would increase housing choice in the area. Several surrounding parcels have recently been rezoned with higher densities as well. The Alternative zoning standards will also ensure a more appropriate design and access situation than the existing RS5 zoning does.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.26	7.41 D	2 U	28	7	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (week7day)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.26	7.71 D	2 U	28	7	2

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+0	+0	+0

METRO SCHOOL BOARD REPORT

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

The proposed R6-A zoning is expected to generate no additional students than the existing RS5 zoning. Students would attend Park Avenue Elementary School, McKissack Middle School, and Pearl-Cohn High School. All three schools are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0)

Resolution No. RS2023-304

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-074PR-001 is approved. (8-0)

16. 2023Z-087PR-001

Council District 21 (Brandon Taylor)
Staff Reviewer: Celina Konigstein

A request to rezone from CS to MUN-A-NS zoning for property located at 1829 Jo Johnston Ave., and from R6 to MUN-A-NS and RS5-A for property located at 513 19th Ave. N., approximately 130 feet north of the intersection of Pearl Street and Jo Johnston Ave. (0.42 acres) requested by Joshua Boyd, applicant; Joshua & Nicole Boyd, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from CS to MUN-A-NS and from R6 to MUN-A-NS and RS5.

Zone Change

A request to rezone from CS to MUN-A-NS zoning for property located at 1829 Jo Johnston Avenue, and from R6 to MUN-A-NS and RS5-A for property located at 513 19th Avenue N, approximately 130 feet north of the intersection of Pearl Street and Jo Johnston Avenue (0.42 acres).

Existing Zoning

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

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 one lot with zero duplex lots for a total of one unit for the portion of the site that is zoned R6. This calculation is based solely on a minimum lot size of 6,000 square feet as required by the zoning, and does not account for infrastructure, road layout, functional lot configuration, or meeting all requirements of the Metro Subdivision Regulations. Duplex eligibility will be determined by the Metro Codes Department.*

Proposed Zoning

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

Single Family Residential – Alternative (RS5-A) 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 and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RS5-A would permit a maximum of 1 unit.*

NORTH NASHVILLE PLAN

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

ANALYSIS

The request is to rezone two parcels in North Nashville. The property located at 1829 Jo Johnston Avenue is 0.22 acres and requested to be rezoned completely from CS to MUN-A-NS. The property at 513 19th Avenue N is 0.2 acres, presently zoned R6, and requested to be split-zoned to MUN-A-NS and RS5-A. The portion proposed to be rezoned as RS5-A is approximately 0.13 acres (~5,600 SF) and is just over the required minimum amount of square footage required in this district. The site is approximately 130 feet north of the intersection of Pearl Street and Jo Johnston Avenue.

At 1829 Jo Johnston Avenue, there is an office, while 513 19th Avenue N has one house on the property. The site is a total of 0.42 acres and is within a large mixed-use area consisting of office, commercial, institutional, and various intensities of residential. Surrounding zoning districts include Specific Plan (SP), One and Two-Family Residential

(R6), Multi-Family Residential (RM20), Mixed Use Intensive (MUI), Mixed Use General – Alternative (MUG-A), and Office/Residential (OR20).

The policy on this site is T4 MU. A rezone to MUN-A-NS would further the goals of the policy in this area by introducing and encouraging a mix of uses within this district. The portion of 513 19th Ave N proposed to be RS5-A is just above 5,000 square feet and would maintain the solely residential use. The Alternative designation (-A) would further policy goals by increasing walkability within the neighborhood.

Additionally, the site is located close to Dr DB Todd Jr Boulevard a road classified as a T4 arterial boulevard, signifying its ability to support a modest increase as allowed by the proposed zoning. the two proposed zoning districts align with policy and are appropriate given the context and location; therefore, staff recommends approval.

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.22	0.6 F	5,750 SF	217	5	22

Maximum Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family* (210)	0.2	7.71 D	2 U	28	7	2

*Based on two-family lots

Maximum Uses in Proposed Zoning District: RS5-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	.12	7.41 D	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	.15	0.6 F	3 U	15	1	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	.15	0.6 F	3,920 SF	148	3	15

Traffic changes between maximum: CS/R6 and RS5-A/MUN-A-NS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-67	-3	-6

METRO SCHOOL BOARD REPORT

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

The proposed RS5-A zoning is not expected to generate any additional students beyond the existing R6 zoning. Additionally, MUN-A-NS zoning includes a mix of uses which could vary and assumption of impact at this point is premature.

Students would attend Park Avenue Elementary School, McKissack Middle School, and Pearl-Cohn High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0)

Resolution No. RS2023-305

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-087PR-001 is approved. (8-0)

H: OTHER BUSINESS

17. Employment contract amendment for Jared Islas & Kyle Lampert

Resolution No. RS2023-306

"BE IT RESOLVED by The Metropolitan Planning Commission that the New Employment Amendment for Jared Islas & Kyle Lampert is approved. (8-0)

18. Employment contract renewal for Olivia Ranseen

Resolution No. RS2023-307

"BE IT RESOLVED by The Metropolitan Planning Commission that the Employment Contract Renewal for Olivia Ranseen is approved. (8-0)

19. Historic Zoning Commission Report
20. Board of Parks and Recreation Report
21. Executive Committee Report
22. Accept the Director's Report

Resolution No. RS2023-308

"BE IT RESOLVED by The Metropolitan Planning Commission that the director's report is approved. (8-0)

23. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

September 14, 2023

MPC Meeting

CANCELLED

September 28, 2023

MPC Meeting

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

J: ADJOURNMENT

The meeting adjourned at 6:03 p.m.