



METROPOLITAN PLANNING COMMISSION REVISED DRAFT MINUTES

September 28, 2023
4:00 pm Regular Meeting

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

MISSION STATEMENT

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

Commissioners Present:	Lucy Kempf, Executive Director
Jessica Farr, Vice Chair	Todd Okolichany, Deputy Executive Director
Stewart Clifton	Lisa Milligan, Assistant Director of Land Development
Edward Henley	Amelia Lewis, Planner II
Mina Johnson	Tara Ladd, Legal
Dennie Marshall	
Matt Smith	
Brian Tibbs	

Commissioners Absent:
Greg Adkins, Chair
Kathy Leslie

Lucy Alden Kempf
Secretary and Executive Director, Metro Planning Commission

Metro Planning Department of Nashville and Davidson County
800 President Ronald Reagan Way, P.O. Box 196300 Nashville, TN 37219-6300
p: (615) 862-7190; f: (615) 862-7130

Notice to Public

Please remember to turn off your cell phones.

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

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

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

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

Writing to the Commission

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

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

Speaking to the Commission

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

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

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

Legal Notice

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



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 4:07 p.m.

B: ADOPTION OF AGENDA

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

C: APPROVAL OF AUGUST 24, 2023 MINUTES

Ms. Johnson moved and Mr. Tibbs seconded the motion to approve the meeting minutes of August 24, 2023. (7-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Kimbrough stated she is not in a position to support Items 13 and 27 until they have a community meeting to discuss rezoning. Mr. Clifton asked if she is requesting a deferral. Councilmember Kimbrough responded she would like it to be deferred until November to allow time to have the community meeting that is planned for October.

Councilmember Kimbrough expressed her support for Item 23.

Councilmember Kupin spoke in favor of Item 11.

E: ITEMS FOR DEFERRAL / WITHDRAWAL 1, 2, 3, 7, 9, 10, 15, 17, 19, 24, 29, 30

Mr. Marshall moved and Mr. Henley seconded the motion to approve the Deferred and Withdrawn Items. (7-0)

F: CONSENT AGENDA ITEMS 32, 36

Ms. Kempf advised there are two Items that Councilmember Kimbrough stated she was not prepared to support. Ms. Kempf suggested Ms. Lewis read the Items on the Consent Agenda to see if there is opposition and suggested the Commissioners have a discussion on the applicant's wishes and then decide.

Ms. Kempf stated Councilmember Kimbrough spoke on the rezoning of Items 13 and 27. She explained there are a couple of different ways to look at this. The Commission will routinely defer to Councilmembers in the event they request a deferral. The Commission's role and Council's role are different and for rezonings, the Commission is providing advice to Council. If they decide to move this case forward on Consent, as there is no opposition, then the Councilmember would have the option to bring that forward at Council. Ms. Kempf further explained this Commission can review a case and the case does not move forward at Council because the Councilmember chooses to move it or not.

Ms. Milligan added that because of where they are in the month, these Bills would not be filed until the end of October for introduction at the first meeting in November, so there is time for a community meeting to happen. She said it is not unusual for Councilmembers to have community meetings between when the Planning Commission hears it and when the Council has their Public Hearing.

Mr. Clifton stated he is inclined to defer because it was requested by the Councilmember.

Mr. Tibbs agreed with Mr. Clifton to defer based on the Councilmember's request.

Ms. Johnson said the prudent thing to do is to defer.

Ms. Kempf stated her sense, hearing from Commissioners, is they would like to recommend deferral of Items 13 and 27. She advised Ms. Lewis to read the Consent Items again with Items 13 and 27 removed and the Commissioners to vote on Items 13 and 27 separately after the Consent Items.

Ms. Lewis read the Consent Items without Items 13 and 27.

Mr. Tibbs moved and Mr. Smith seconded the motion to approve the Consent Agenda. (7-0)

Ms. Kempf suggested Items 13 and 27 be deferred to the October 12, 2023 meeting, which will still give the Councilmember time to hold the community meeting, and then the Councilmember can request another deferral, if needed.

Ms. Johnson moved and Mr. Clifton seconded the motion to defer Items 13 and 27 to the October 12, 2023, Planning Commission meeting. (7-0)

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-013-001

DONELSON-HERMITAGE-OLD HICKORY COMMUNITY PLAN AMENDMENT Pu
Council District 13 (Russ Bradford)
Staff Reviewer: Anita McCaig

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

Staff Recommendation: Defer to the October 12, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023CP-013-001 to the October 12, 2023, Planning Commission meeting. (7-0)

2. 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 by changing the community character policy from Suburban Neighborhood Evolving (T3 NE) to Rural Maintenance (T2 RM) for various properties along Stewarts Ferry Pike and Old Hickory Boulevard, east of Percy Priest Lake and west of Earhart Road (approximately 228 acres).

Staff Recommendation: Defer to the October 12, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023CP-014-001 to the October 12, 2023, Planning Commission meeting. (7-0)

3. 2014SP-050-002

4214 CENTRAL PIKE (AMENDMENT)
Council District 12 (Erin Evans)
Staff Reviewer: Laszlo Marton

A request to amend a Specific Plan for property located at 4214 Central Pike, at the southwest corner of N. New Hope Road and Central Pike, zoned SP (14.02 acres), to permit 320 multi-family residential units, requested by Kimley-Horn, applicant; NHC/OP, LP, owner.

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

The Metropolitan Planning Commission deferred 2014SP-050-002 to the December 14, 2023, Planning Commission meeting. (7-0)

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

APPLICANT REQUEST

Preliminary SP to permit a multi-family residential development.

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan (SP) for property located on Clarksville Pike (unnumbered), approximately 600 feet northwest of Rosa L. Parks Boulevard (12.99 acres), to permit 590 multi-family residential units.

Existing Zoning

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *Based on acreage, R6 would permit a maximum of 100 lots with 25 duplex lots for a total of 150 units.*

Proposed Zoning

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

NORTH NASHVILLE COMMUNITY PLAN

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

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

SITE CONTEXT

The preliminary SP application is for a 590-unit multi-family residential development on a 12.99-acre parcel located along the southwest side of Clarksville Pike between Ed Temple Boulevard and the Cumberland River. The subject property is currently zoned R6, which permits one and two-family residential units and requires a minimum lot area of 6,000 square feet. The property also lies within the Urban Zoning Overlay district. Adjacent zoning includes: R8 on the north; R6 on the south; CS and RM20 on the east; and R6 on the west. Adjacent land uses include public parks on the north, south, and west, and commercial and multi-family residential on the east. The western, southern, and eastern edges of the subject property lie within the 100-year floodplain and include slopes of 20 percent and greater; no construction is proposed within the floodplain or steep slopes.

PLAN DETAILS

The proposed SP would include 590 multi-family residential units in four buildings on a single parcel located along the southwest side of Clarksville Pike. The proposed density is 45.42 residential units per acre.

Building and Site Layout Details

The proposed SP would be constructed in two phases. Phase 1 would include the buildings identified on the site layout as buildings 1, 2, and 3, as well as the associated surface parking lots and internal private drives. Phase 1 would also include a clubhouse and amenity area. The total proposed unit count for Phase 1 is 294 units in approximately 263,626 square feet of floor area.

Phase 2 would include one building (identified on the site layout as building 4) with 296 multi-family residential units in approximately 249,391 square feet of floor area. Building 4 would include an internal parking garage, which would be accessed via a single ingress/egress point near the entrance to the development. Building 4 would be located adjacent to a proposed greenway connection and would be broken by a paseo providing additional access to the greenway. A courtyard, leasing office, and amenity area would also be included in Phase 2.

All proposed buildings would have heights of four stories in 60 feet. Existing trees would provide screening between parking lots and the greenway on the west and south. Multiple bioretention areas for stormwater would be located across the site, particularly on the western half of the site. The proposed maximum floor area ratio (FAR) for the development is 1.1, and the proposed maximum impervious surface ratio (ISR) is 0.73.

Site Access and Roadway Improvements

The site would have vehicular access from Clarksville Pike. Improvements to Clarksville Pike would include a new intersection with a left-turn lane into the site for vehicles approaching from the southeast and a designated lane for vehicles exiting the site and turning left (toward the northwest). Discussions regarding whether signalization is warranted are ongoing between NDOT and TDOT. The SP application proposes dedicating sufficient right-of-way to provide a consistent width of 60.5 feet between the centerline of Clarksville Pike and the property line; this right-of-way dedication would support the 6-foot bikeway, 8-foot sidewalk, and 4-foot landscape strip currently envisioned by the Major and Collector Street Plan (MCSP). A 14-foot wide paved greenway connection would connect to Clarksville Pike on the easternmost side of the property. This connection would also serve as a secondary access for emergency vehicles.

Greenway, Landscaping, and Preservation

The site lies adjacent to Ted Rhodes Golf Course on the north and south. Additionally, an existing greenway lies adjacent to the site on the south and west. The SP proposes a public connection to the greenway near the southwestern corner of building 4. Pedestrians and cyclists would be able to access the greenway via a dedicated paved connection in a 14-foot wide public access easement on the eastern portion of the property.

The western and southern edges of the subject property include slopes of 20 percent and greater. The proposed SP shows existing landscaping along these edges remaining in place; the plan notes that additional landscaping will be provided to supplement the existing landscaping where needed. In addition to keeping construction out of the steep slopes, the landscaping in these areas will provide a buffer between the greenway and the surface parking lots in the development.

ANALYSIS

The T4 CM policy is intended to enhance urban mixed use corridors by encouraging a greater mix of higher-density residential and mixed use development. The Community Character Manual further characterizes T4 CM areas as pedestrian-friendly, prominent arterial-boulevard and collector-avenue corridors that accommodate residential, commercial, and mixed use development. T4 CM areas are served by multiple modes of transportation. Recommended building types in the T4 CM policy area include low and mid-rise townhouses, low and mid-rise mixed use, and low and mid-rise flats. Buildings in the T4 CM policy area are generally three to five stories in height. The policy emphasizes high access management and pedestrian and bicycle connectivity.

Clarksville Pike is an arterial-boulevard that currently consists of six vehicular travel lanes and five-foot wide sidewalks adjacent to the subject property; the sidewalk is separated from the travel lanes only by curb and gutter. The proposed development would enhance the pedestrian experience along the subject property's frontage by widening the sidewalk to eight feet and installing a four-foot wide landscape buffer between the sidewalk and street, consistent with the MCSP. The proposed SP also includes a public connection to an existing greenway, providing residents and visitors an alternative means for recreation and practical transportation. The proposed improvements to Clarksville Pike and the greenway connection are consistent with the T4 CM policy's emphases on connectivity and pedestrian and bicycle-friendly development.

The proposed building height of four stories is consistent with the T4 CM policy's range of three to five stories. Parking would be divided between a garage and surface lots. The proposed garage would be located internally in building 4 and would not be permitted to exceed the height of the residential portions of building 4. The proposed surface lots would be situated throughout the property, including along the north side of the property near Clarksville Pike. An existing, tree-covered Metro-owned property is located between a large portion of the subject property and Clarksville Pike, providing screening between the roadway and parking lot.

The proposed density of 45.42 units per acre aligns with the T4 CM policy's guidance on higher-density residential uses. Further, multi-family flats are an acceptable building type within the T4 CM policy area. Because the proposed SP is consistent with the T4 CM policy, staff recommends approval.

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.

GREENWAYS RECOMMENDATION**Approve with conditions**

- The greenway and greenway trail to be designed, constructed, and maintained by applicant and/or developer per Metro Parks' standards and terms approved by Metro Parks Greenways staff. All to be memorialized in a Participation Agreement, with covenants that run with the land, that must be approved by Division of Greenways and Open Space, Park Department staff (Greenways Staff) prior to approval of the Final SP. The Participation agreement must be recorded with the Davidson County Register of Deed's Office prior to any use and occupancy or issuance of the first Use and Occupancy letter.
- The greenway and greenway trail must be placed in a Conservation Greenway Easement that includes width to the extent necessary to include all aspects of greenway connectivity throughout the site including full ADA compliance. The minimum easement width is 20' wide. Coordinate with Greenways staff to determine final location of the greenway trail and the extent of easements. The greenway and easement to be delineated and noted on the project plans prior to Final SP approval.
- The Conservation Greenway Easement must be dedicated and memorialized in a Metro Parks' Conservation Greenway Easement Agreement, with two exhibits: a legal description and a boundary survey of the easement, that must be recorded with the Davidson County Register of Deed's Office prior to any use and occupancy or issuance of the first Use and Occupancy letter.
- Coordinate with Metro Parks Greenways staff regarding Park Board and Metro Council approval processes for these Agreements. Approved Agreements to be recorded with the Davidson County Register of Deeds Office prior to Final SP approval.
- The landscape plan will identify trees to be maintained as well as new plantings.
- The access point at Clarksville Pike must be a "trail head" that is immediately adjacent to the greenway and that contains adequate space for standard signage (not in parklet), furniture, and lighting, as well as necessary landscaping to create an appropriate greenway look and feel.
- Minimum 2' shoulder on each side of the paved greenway trail.
- Greenway lighting, signage, trailhead structure, furniture, and landscaping to be approved by Parks as part of Final Site Plan/ SP approval and installed by applicant as part of the greenway construction.
- Greenway must be fully ADA compliant. Coordinate with Metro ADA Division of General Services for requirements and approval process. ADA compliance must be approved as part of Final Site Plan approval.
- Greenway trail to be open to the public 365 days/year per Metro Parks approved operating hours, except for times of routine maintenance where temporary closure is required for public safety.
- No dumpsters, loading zones, HVAC units, or like fronting the greenway and must be screened from greenway view.
- No conflict between pedestrians and parking garage and loading zone ingress and egress.
- Access from individual residential units onto the greenway shall not be allowed and access will be consolidated and limited. All access, including access from commercial uses to be approved by Metro Parks as part of Final Site Plan/SP approval.
- No obstructions will be in a greenway easement, unless approved by Metro Parks staff, including, but not limited to site furniture, signage, and lighting.
- Barriers that prohibit vehicles, except those necessary for Metro fire protection, to be installed at the access point at Clarksville Pike and at the access point to the development's internal parking area.
- Applicant/developer is responsible for the construction of the greenway connection all the way to the existing greenway.
- The greenway and related improvements necessary to connect Phase 1 of the development to the existing greenway must be constructed along with the first building permitted for new construction in Phase 1 and must be complete prior to the use and occupancy of the permitted building in Phase 1. The entire greenway and related improvements necessary to connect Phase 2 of the development to the existing greenway and Clarksville Pike must be constructed along with the first building permitted for new construction in Phase 2 and must be complete prior to the use and occupancy of the permitted building in Phase 2.
- Construction of greenway must be approved by Metro Parks and Metro ADA prior to any use and occupancy or issuance of first Use and Occupancy letter.
- The final design and location of the greenway and the location of the greenway easement shall be determined prior to Final Site Plan/SP submittal. The applicant should coordinate with Metro Parks and Greenways to determine final design and locations.

STORMWATER RECOMMENDATION**Approve with conditions**

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

METRO WATER SERVICES RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- For the final: Callout the following per NDOT ST- detail sections and specifications: access and ADA ramps, sidewalks, curb & gutter.
- Any actual ROW frontages shall adhere to the Major Collector Street Plan(MCSP). Dedicate ROW along frontage(s) to accommodate MCSP requirements.
- Provide call outs on final site plan for MCSP requirements.
- Provide internal stop control at private or public intersections. Where there may be potential vehicular or pedestrian sight distance issues, provide stopping sight distance exhibits at any relevant intersections, accesses off public ROW or internal to site.
- Provide a loading/unloading, waste plan for each aspect/phase of the total development. Provide any truck turning movements relevant to loading/unloading waste plan activities.
- Note: A private hauler will be required for site waste/recycle disposal. Refer to NDOT traffic comments.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- The site's driveway intersection configuration is still being determined - this shall be finalized with NDOT prior to the Final SP submittal. A continuous green T-intersection is not likely to be the final design.
- Coordinate with NDOT and WeGo on transit improvements in the area prior to Final SP. A pair of new stops in front of the development may be appropriate.
- Coordinate with Parks on greenway connections from the site.
- Pedestrian infrastructure improvements shall be coordinated with NDOT and determined prior to Final SP.

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 Residential* (210)	12.99	7.260 D	100 U	1,040	76	102

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	-	-	590 U	3,214	495	244

Traffic changes between maximum: **R6 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+490 U	+2,174	+419	+142

METRO SCHOOL BOARD REPORT

Projected student generation existing R6 district: 9 Elementary 4 Middle 6 High

Projected student generation proposed SP-R district: 22 Elementary 10 Middle 13 High

The proposed SP is anticipated to generate 26 additional students beyond what is generated under the current R6 zoning. Students would attend Churchwell Elementary, John Early Middle School, and Pearl-Cohn High School. All three schools have been identified as having additional capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to 590 multi-family residential units. Short term rental property, owner occupied, and short term rental property, not owner occupied, shall be prohibited.
2. Maximum building height shall not exceed that included in the preliminary SP. Height shall be measured from average elevation of finished grade at the four most exterior corners to top of parapet. Height of parking structure in building 4 shall not exceed the height of the residential portions of building 4.
3. Parking calculations shall be reviewed with final SP. Parking shall not exceed maximum permitted in Urban Zoning Overlay.
4. Building elevations submitted with final SP shall have building design—including massing, glazing, and façade articulation—that is substantially similar to the elevations approved with the preliminary SP.
5. Building materials shall be consistent with the materials shown on the elevations or substantially similar in form and function.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
9. The final site plan shall label all internal driveways as “Private Driveways”. A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association
10. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
11. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
12. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
13. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approve with conditions and disapprove without all conditions. (7-0)

Resolution No. RS2023-309

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-005-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to 590 multi-family residential units. Short term rental property, owner occupied, and short term rental property, not owner occupied, shall be prohibited.
2. Maximum building height shall not exceed that included in the preliminary SP. Height shall be measured from average elevation of finished grade at the four most exterior corners to top of parapet. Height of parking structure in building 4 shall not exceed the height of the residential portions of building 4.
3. Parking calculations shall be reviewed with final SP. Parking shall not exceed maximum permitted in Urban Zoning Overlay.
4. Building elevations submitted with final SP shall have building design—including massing, glazing, and façade articulation—that is substantially similar to the elevations approved with the preliminary SP.
5. Building materials shall be consistent with the materials shown on the elevations or substantially similar in form and function.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
9. The final site plan shall label all internal driveways as “Private Driveways”. A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association
10. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

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

5. 2023SP-059-001

475 HUMPHREYS STREET

Council District 17 (Terry Vo)

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: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Preliminary SP to permit a nonresidential development.

Preliminary SP

A request to rezone from Commercial Service (CS) to Specific Plan (SP) for properties located at 475, 481, 483, 485, and 487 Humphreys Street, approximately 114 feet east of Chestnut Street (0.93 acres), to permit a nonresidential development.

Existing Zoning

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

Proposed Zoning

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

SOUTH NASHVILLE COMMUNITY PLAN

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

Supplemental Policy

The site lies within the Wedgewood-Houston Chestnut Hill Planning Study area, and more specifically Character Area 1, North Wedgewood-Houston. Supplemental policies are intended to provide additional guidance beyond the Community Character Manual (CCM) policies, often identifying a smaller area and providing guidance based on context and specific goals for the area. Additional information on the supplemental policy is included in the analysis section in this report.

SITE CONTEXT

The preliminary SP application is for five parcels totaling 0.93 acres located along the south side of Humphreys Street between Chestnut Street and Martin Street. All five parcels are currently zoned CS. The site is also located in the Urban Zoning Overlay, which is intended to ensure that new development is compatible with existing development patterns.

A single-family residential unit is currently located on the easternmost parcel (475 Humphreys Street), and a small warehouse is located on the adjacent property to the west (481 Humphreys Street). The three remaining parcels are currently vacant. All of the parcels included in the preliminary SP application have frontage on Humphreys Street and have access to a rear public alley.

Adjacent zoning includes: CS on the west, east, and northeast; IR and MUL-A-NS on the northwest; SP on the southeast; and IWD on the southwest. The site is surrounded by a mix of land uses including light industrial, commercial, and multi-family residential. A single-family residential structure lies on the north side of Humphreys Street, directly across the street from the subject property. The broader area includes a mix of building styles and uses, ranging from repurposed one-story industrial and warehouse buildings to newly-constructed three and four-story mixed-use buildings. Among the new developments is Martin Flats, a four-story mixed use building located immediately east of the subject property. In 2020, Metro Council approved an SP along Gray Street, south of the subject property; this future development—Finery North—will include a mix of uses and a maximum height of six stories.

PLAN DETAILS

The preliminary SP application is for a 96,224-square foot mixed commercial and office building on a 0.93-acre site located along the south side of Humphreys Street. The proposed SP would generally follow the bulk standards for the MUL-A-NS zoning district with an exception for floor area ratio (FAR).

Bulk Standards

The proposed FAR in the SP would be 2.35, which exceeds the 1.0 maximum FAR permitted in the MUL-A-NS zoning district. Proposed bulk standards include: a zero to fifteen-foot build-to zone on Humphreys Street; 15-foot rear setback; and impervious surface ratio (ISR) of 0.90. Building height would be limited to three stories in 45 feet in the build-to zone and a total of four stories in 60 feet after a 15-foot setback above the third story. The exhibit below shows the proposed building height and indicates how the proposed building would relate to both Humphreys Street and the public alley.

Humphreys Street Right-of-Way

Humphreys Street is classified in the Major and Collector Street Plan (MCSP) as a local street with pedestrian enhancements. The MCSP requires a 56-foot right-of-way, which would accommodate eight-foot sidewalks and four-foot planting strips on each side of the street. The proposed SP includes a 3.8-foot right-of-way dedication to provide the required eight-foot sidewalk and four-foot planting strip along the site's frontage.

Site Access and Parking

As shown in the previous exhibit, the proposed building would include a multi-level, underground parking garage. Vehicular access to the site would be from the alley only. No curb cuts or vehicular access would be permitted on Humphreys Street. In addition to the underground parking garage, a surface-level parking lot would be provided at the rear of the site. Parking would be limited to the maximum permitted in the Urban Zoning Overlay for each proposed land use. The following exhibit shows the ground-level layout for the site, including the parking entryway from the alley.

Land Uses and Open Space

The proposed SP would permit a total of 96,224 square feet of nonresidential uses. The SP application proposes 11,737 square feet of non-residential uses on the ground floor and 84,487 square feet of office uses in the upper stories. The SP application lists several prohibited uses, including alternative financial services and beer and cigarette markets; the SP would specifically permit artisan manufacturing. As shown on the ground-level layout exhibit above, retail bays would have direct pedestrian access from sidewalks situated along Humphreys Street. A pedestrian plaza would be situated near the center of the building's Humphreys Street frontage. A ground-level breezeway would connect the pedestrian plaza at the front of the building with the surface-level parking lot behind the building. The following exhibit shows the proposed front building façade and plaza as viewed from Humphreys Street.

ANALYSIS

Planning staff reviewed the proposed SP in light of both the T4 MU policy and the Wedgewood-Houston Chestnut Hill Planning Study. While both policies have similar goals, the Wedgewood-Houston Chestnut Hill Planning Study contains guidance specifically tailored for the subject property and its surrounding neighborhood.

Consistency with T4 MU Policy

The T4 MU policy is intended to maintain, enhance, and create urban, mixed use neighborhoods with a diverse mix of moderate to high-density residential, commercial, office, and light industrial land uses. In addition to supporting a mix of land uses, the T4 MU policy is characterized in part by: active first-floor tenant spaces limited to 10,000 square feet per individual space; shallow and regular setbacks with buildings constructed to the back edge of the sidewalk; heights of up to five stories for mixed use, nonresidential, and multi-family residential buildings; the incorporation of inviting, functional, and accessible open spaces; and parking located behind, beneath, or beside buildings and accessed from alleys and side streets.

The proposed SP is generally consistent with the T4 MU policy guidance. The proposed SP includes various nonresidential land uses; the upper floors would be designated primarily for office use, while the first floor would be designated for commercial uses. No single first-floor tenant space would be permitted to exceed 10,000 square feet in area. A zero to fifteen-foot build-to zone would be incorporated on the front façade, ensuring that the building is constructed at or near the back of the sidewalk. The proposed building height would be limited to four stories with a

stepback above the third floor. A publicly-accessible pedestrian plaza would be provided along the Humphreys Street frontage; renderings included in the SP application suggest this plaza will be both functional and inviting for pedestrians. Finally, parking would be provided in an underground parking garage and a small parking lot located behind the building. All parking areas would be accessed from a public alley.

Consistency with Wedgewood-Houston Chestnut Hill Planning Study

The site lies within the Wedgewood-Houston Chestnut Hill (WHCH) Planning Study Area, Character Area 1 – North Wedgewood-Houston. The study emphasizes the adaptive reuse of older light industrial buildings in the area, noting that many have been converted for residential, restaurant, and maker spaces. New construction in Character Area 1 should both reflect and respond to surrounding industrial buildings. The study limits height for mixed use buildings to three to four stories, though greater height may be appropriate in limited situations.

The subject property currently contains a single-family residential structure and a small warehouse. The SP application does not propose reusing these structures. Rather, these structures would be replaced by a four-story structure with an underground parking garage. The proposed building style is consistent with certain traditional light industrial building styles. Notably, the WHCH study emphasizes continuity of both style and use. Incorporating maker spaces on the first floor would support such continuity; Planning staff recommends that maker spaces be permitted and encouraged on the first floor. The proposed building height of four stories is consistent with the WHCH study's guidance for mixed use buildings.

Because the proposed preliminary SP is generally consistent with both the T4 MU policy and the Wedgewood-Houston Chestnut Hill Planning Study, staff recommends approval.

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve with conditions

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

METRO WATER SERVICES RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, with a final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Dimension ROW pavement widths for clarity.
- Note: A private hauler will be required for waste/recycle disposal.
- Additional 1-1/2' mill and overlay may be required to cover full extents of utility work in public ROWs. (cont.) Extents to be coordinated in field with NDOT inspector. Reference traffic comments.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- The applicant shall develop a parking & striping plan to restrict on-street parking to the southside of Humphreys, from Chestnut St to Martin St. Provide 'no parking' signage along property frontage as well.
- Off-site improvements to be designed and constructed by this development include the following: a. Stripe in a crosswalk across Humphreys Street at Chestnut Street. b. Refresh the crosswalk striping at Humphreys Street and Martin Street, if faded or missing.
- A contribution towards the Chestnut Multimodal Project shall be made by this development; the dollar amount shall be determined and coordinated with NDOT prior to the Final SP submittal.

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.93	0.6 F	24,306 SF	907	23	92

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	-	-	84,487 SF	901	106	97

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	-	-	11,737 SF	443	11	44

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+437	+94	+49

METRO SCHOOL BOARD REPORT

The proposed development does not include a residential component. Therefore, it is not expected to generate any students. Should a residential component be introduced to the development, students would attend Fall-Hamilton Elementary School, Cameron College Prep Middle School, and Glencliff High School. All three schools have additional capacity per the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to all uses permitted in the MUL-A-NS zoning district with the following exceptions, which shall be prohibited: alternative financial services; automobile convenience; beer and cigarette market; donation center, drop-off; mobile storage unit, and commercial amusement (outside). The first story shall be limited to non-office uses and maker spaces such as artisan manufacturing. Office uses—other than accessory offices necessary for the support of primary retail, restaurant, and maker spaces—shall not be permitted on the first floor. Short-term rental property, owner-occupied, and short-term rental property, non-owner occupied, shall not be permitted.
2. General note 1 shall be revised to reflect permitted uses.
3. Maximum building height shall not exceed that shown in the preliminary SP. Building height shall be measured from the average elevation (average of four most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch (vertical distance from eave to midpoint) or to the top of the parapet for a flat roof. Ancillary roofs shall not be higher than the primary roof.
4. Building elevations submitted with final site plan shall have building design—including massing, glazing, building materials, and façade articulation—that is substantially similar to the elevations approved with the preliminary SP.
5. Maximum floor area ratio shall be 2.35.
6. Vehicular access shall be provided from the alley only. No vehicular access shall to the site shall be permitted from Humphreys Street.
7. No individual tenant space on the first floor shall exceed 10,000 square feet.
8. Any on-site parking shall be located either beneath or behind the building and shall be accessed from the public alley.
9. Final site plan shall show proposed locations of all ground-mounted transformers and mechanical, electrical, and HVAC units. All ground-mounted units shall be fully screened from public view and shall not obstruct sidewalk or otherwise impede access to the building or public plaza.
10. Parking calculations shall be reviewed with final site plan and shall not exceed the maximums permitted in the Urban Zoning Overlay.
11. Sidewalks shall be provided as shown in the preliminary SP.
12. Perimeter and internal landscaping shall be provided per the Metro Zoning Code.
13. Uncovered exterior stairs shall be permitted to extend five feet into the rear setback.
14. With corrected copy of preliminary SP, revise parking note on site section sheet to limit parking to garage and rear surface lot as shown on preliminary SP.
15. With corrected copy of preliminary SP, revise ground floor uses as nonresidential rather than retail. Uses shall be consistent with those permitted in condition 1.
16. Comply with all conditions and requirements of Metro reviewing agencies.

17. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
18. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
19. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association
20. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
21. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
22. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
23. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approve with conditions and disapprove without all conditions. (7-0)

Resolution No. RS2023-310

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-059-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to all uses permitted in the MUL-A-NS zoning district with the following exceptions, which shall be prohibited: alternative financial services; automobile convenience; beer and cigarette market; donation center, drop-off; mobile storage unit, and commercial amusement (outside). The first story shall be limited to non-office uses and maker spaces such as artisan manufacturing. Office uses—other than accessory offices necessary for the support of primary retail, restaurant, and maker spaces—shall not be permitted on the first floor. Short-term rental property, owner-occupied, and short-term rental property, non-owner occupied, shall not be permitted.
2. General note 1 shall be revised to reflect permitted uses.
3. Maximum building height shall not exceed that shown in the preliminary SP. Building height shall be measured from the average elevation (average of four most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch (vertical distance from eave to midpoint) or to the top of the parapet for a flat roof. Ancillary roofs shall not be higher than the primary roof.
4. Building elevations submitted with final site plan shall have building design—including massing, glazing, building materials, and façade articulation—that is substantially similar to the elevations approved with the preliminary SP.
5. Maximum floor area ratio shall be 2.35.
6. Vehicular access shall be provided from the alley only. No vehicular access shall to the site shall be permitted from Humphreys Street.
7. No individual tenant space on the first floor shall exceed 10,000 square feet.
8. Any on-site parking shall be located either beneath or behind the building and shall be accessed from the public alley.
9. Final site plan shall show proposed locations of all ground-mounted transformers and mechanical, electrical, and HVAC units. All ground-mounted units shall be fully screened from public view and shall not obstruct sidewalk or otherwise impede access to the building or public plaza.
10. Parking calculations shall be reviewed with final site plan and shall not exceed the maximums permitted in the Urban Zoning Overlay.
11. Sidewalks shall be provided as shown in the preliminary SP.
12. Perimeter and internal landscaping shall be provided per the Metro Zoning Code.
13. Uncovered exterior stairs shall be permitted to extend five feet into the rear setback.
14. With corrected copy of preliminary SP, revise parking note on site section sheet to limit parking to garage and rear surface lot as shown on preliminary SP.
15. With corrected copy of preliminary SP, revise ground floor uses as nonresidential rather than retail. Uses shall be consistent with those permitted in condition 1.
16. Comply with all conditions and requirements of Metro reviewing agencies.
17. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.

18. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

19. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association

20. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

21. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.

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

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

7. 2023Z-066PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Celina Konigstein

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

Staff Recommendation: Defer to the October 12, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023Z-066PR-001 to the October 12, 2023, Planning Commission meeting. (7-0)

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

APPLICANT REQUEST

Amend previously approved SP to permit educational and daycare center uses.

Zone Change

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 Specific Plan (SP) (3.86 acres), to permit community education and school day care uses.

Existing Zoning

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

Proposed Zoning

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

PARKWOOD – UNION HILL COMMUNITY PLAN

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

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

Currently Approved

Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

CASE HISTORY

The site was zoned from R20 to SP in 2007 to permit a 49,700-square foot assisted-care living facility with 69 units. The 31,405-square foot facility as constructed includes one driveway access onto Old Hickory Boulevard. Parking is located in front of the building with a drive extending around the western side of the property to the rear, where another row of parking is located. A stream, along with portions of 100-year floodplain, extend along the eastern edge of the property.

PLAN DETAILS

The proposed amendment to the Preliminary SP adds to the list of allowed uses community education and school day care. The property has been acquired by neighboring Davidson Academy and is planned to become part of that institution’s campus. The day care use will be ancillary to the principal education use. No changes to the building are planned at this time. A sidewalk connection from the rear parking area to the wooden foot bridge that crosses the stream will be provided that will connect the site plan to the rest of the Davidson Academy campus.

Parking needs will change with the change in use, but the applicant has demonstrated that the existing spaces adequately provide for the increased parking demand generated by the new uses (32 spaces currently exist on the site). ROW dedication is shown along Old Hickory Boulevard in line with MCSP requirements. Construction of ROW improvements will not be required based on the state of the existing network and the small impact to pedestrian traffic that is expected.

Height is limited on the SP per the policy recommendation to three stories. A note indicates height will be measured from the average elevation at the finished grade to the midpoint of the primary roof pitch or the top of the parapet for a flat roof.

ANALYSIS

With the amendment, the property will merge institutionally with the adjacent Davidson Academy, a private K-12 school. T3 NE policy, which is intended to create and enhance suburban neighborhoods with the best qualities of classic suburban neighborhoods by providing greater housing choice; improved connectivity; and more creative, innovative, and environmentally sensitive development techniques, lists institutional uses as appropriate. The existing assisted living facility is also appropriate per the policy, and so allowing the building to be used for the community education and school day care uses will not affect the site’s compliance with T3 NE policy guidance.

FIRE MARSHAL RECOMMENDATION

Approved

STORMWATER RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, with a final: Callout roadway sections, ramps,

sidewalks, curb & gutter, etc. per NDOT detail standards. Prior to building permit approval, submit any recorded ROW dedications to NDOT. Note: A private hauler will be required for waste/recycle disposal. Additional 1-1/2' mill and overlay may be required to cover full extents of utility work in public ROW. (cont.) Extents to be coordinated in field with NDOT inspector.

NASHVILLE DOT TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Prior to Final SP, a traffic study shall be completed and recommendations shall be approved by NDOT. Changes to the site's driveway on Old Hickory Blvd may be warranted. Off-site improvements may be required.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Senior Adult Housing – Attached (252)	-	-	69 U	250	13	19

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office Building (710)	-	-	31,946 SF	351	57	38

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+101	+44	+19

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to community education, school day care, and assisted-care living as specified on the plan. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited within the entire SP.
2. On the corrected copy, change the allowable uses, existing use, and purpose notes to reference “assisted-care living” rather than “nursing home.”
3. On the corrected copy, change the fallback zoning note to reference “RM9.”
4. On the corrected copy, update note 6 with this language: The final site plan/building permit site plan shall depict any required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within any required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of any required sidewalk. Vertical obstructions are only permitted within any required grass strip or frontage zone.
5. On the corrected copy, remove “proposed” from the max building height note.
6. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
7. The final site plan shall label all internal driveways as “Private Driveways.” A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association.
8. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
9. Comply with all conditions and requirements of Metro reviewing agencies.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
11. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
12. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an

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

Approve with conditions and disapprove without all conditions. (7-0)

Resolution No. RS2023-312

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-146-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to community education, school day care, and assisted-care living as specified on the plan. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited within the entire SP.
2. On the corrected copy, change the allowable uses, existing use, and purpose notes to reference “assisted-care living” rather than “nursing home.”
3. On the corrected copy, change the fallback zoning note to reference “RM9.”
4. On the corrected copy, update note 6 with this language: The final site plan/building permit site plan shall depict any required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within any required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of any required sidewalk. Vertical obstructions are only permitted within any required grass strip or frontage zone.
5. On the corrected copy, remove “proposed” from the max building height note.
6. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
7. The final site plan shall label all internal driveways as “Private Driveways.” A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association.
8. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
9. Comply with all conditions and requirements of Metro reviewing agencies.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
11. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
12. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

9. 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 multi-family residential units, requested by Williams Engineering, applicant; Fed Development, LLC, owner.

Staff Recommendation: Defer to the October 12, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023SP-048-001 to the October 12, 2023, Planning Commission meeting. (7-0)

10. 2023SP-070-001

206 N 1ST ST. HOTEL

Council District 19 (Jacob Kupin)

Staff Reviewer: Dustin Shane

On Consent: No

Public Hearing: Open

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

Staff Recommendation: Defer to the October 12, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023SP-070-001 to the October 12, 2023, Planning Commission meeting. (7-0)

11. 2023SP-073-001

909 & 917 CHEATHAM PLACE

Council District 19 (Jacob Kupin)

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: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Preliminary SP to permit 8 multi-family residential units.

Preliminary SP

A request to rezone from One and Two-Family Residential-Alternative (R6-A) to Specific Plan (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.

Existing 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 2 duplex lots for a total of 4 units. Duplex eligibility would need to be confirmed by the Codes Department.*

Proposed Zoning

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

NORTH NASHVILLE COMMUNITY PLAN

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

PLAN DETAILS

The approximately 0.38-acre site is located at the southeastern corner of 10th Avenue North and Cheatham Place. Both streets are local streets and an alleyway exists at the rear of the site. There are no environmental features on the site and the surrounding area is developed with a mixture residential uses.

Site Plan

The application proposes 8 multi-family residential units and vehicle access is limited to the alleyway. Five of the residential units address Cheatham Place, one unit addresses the intersection and includes a wrap-around deck feature addressing both streets, one unit addresses 10th Avenue North, and one unit is internal to the site. The plan

provides a 10' setback on Cheatham Place and 15' setback on 10th Avenue North to reflect the existing development pattern of the neighborhood. The plan proposes to improve the sidewalks on both streets to the standard local street requirements. The buildings that front the street are limited to 30' and have a requirement to provide a roof pitch at a minimum slope of 4:12. The one internal unit is limited to 2 stories in 25'. The plan also includes architectural standards to ensure a high quality urban form is provided with the final site plan application.

ANALYSIS

Staff finds the proposed form to be consistent with the T4 NM policy intent to provide moderate density residential development that retains the existing character of the neighborhood. The proposed form is consistent with the guidance provided in the Community Character Manual for T4 residential neighborhoods and the plan includes additional standards that requires a context sensitive form that reflects the surrounding development pattern. The plan also proposes to improve both street frontages, the intersection with crosswalks, and the existing alleyway. Staff finds the proposed SP plan to be consistent with the T4 NM policy in this context and recommends approve with conditions and disprove without all conditions.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Per notes; all units < 30' height. Alley widened to 20' along property. Will need architectural elevations and fire hydrant flow test report with Final SP submittal.

METRO HISTORIC ZONING STAFF

Approve with conditions

- Project located within Buena Vista National Register Historic District, but subject properties are considered non-contributing.

STORMWATER RECOMMENDATION

Approve with conditions

- Preliminary review only. Must comply with all regulations in the Stormwater Management Manual at the time of final submittal for approval.
- Applicant to have approved construction drawings that follow CSEP directive prior to final SP approval.

WATER SERVICES RECOMMENDATION

Approve with conditions

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

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Strip in crosswalks at the intersection of Cheatham and 10th Ave for the stop controlled approaches. Provide pedestrian warning mats where absent at the corners of this intersection.
- Comply with NDOT Roads conditions.
- The applicant's final construction drawings shall comply with the design regulations established by the Nashville Department of Transportation, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, with a final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Update Standard SP Note #10 - A private hauler will be required for site waste/recycle disposal. Identify on the plan the container location for the waste management / recycling collection plan. Recycling is to be included along with the solid waste disposal. Additional 1-1/2' mill and overlay may be required to cover full extents of utility work in public ROW. (cont.) Extents to be coordinated in field with NDOT inspector.

Maximum Uses in Existing 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)	0.38	7.71 D	4 U	54	8	5

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	0.38	-	8 U	42	3	4

Traffic changes between maximum: **R8 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+4 U	-12	-5	-1

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed SP-R district: 0 Elementary 0 Middle 0 High

The proposed SP-R zoning is expected to generate no more students than the existing R6-A zoning district. Students would attend Jones Paideia Elementary School, John Early Middle School, and Pearl-Cohn High School. All three schools are identified as having additional capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 8 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not owner occupied are prohibited.
2. On the corrected copy, remove the stories and roof pitch from the maximum height language in the site data table and replace with the following: Maximum height shall be limited to 30 feet. Maximum height of Unit 8 shall be limited to 25 feet.
3. Architectural elevations of all facades shall be provided with the final site plan application.
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved plan.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Approve with conditions and disapprove without all conditions. (7-0)

Resolution No. RS2023-313

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-073-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 8 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not owner occupied are prohibited.

2. On the corrected copy, remove the stories and roof pitch from the maximum height language in the site data table and replace with the following: Maximum height shall be limited to 30 feet. Maximum height of Unit 8 shall be limited to 25 feet.
3. Architectural elevations of all facades shall be provided with the final site plan application.
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved plan.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

12. 2023SP-074-001

304 OLDHAM SP

Council District 05 (Sean Parker)

Staff Reviewer: Donald Anthony

A request to rezone from IR to SP for property located at 304 Oldham Street, at the eastern terminus of Oldham Street (1.78 acres), to permit a self-service storage facility, requested by Wedgewood Avenue, applicant; BFC Properties, LLC, owner.

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

APPLICANT REQUEST

Preliminary SP to permit a self-service storage facility.

Preliminary SP

A request to rezone from Industrial Restrictive (IR) to Specific Plan (SP) for property located at 304 Oldham Street, at the eastern terminus of Oldham Street (1.78 acres), to permit a self-service storage facility.

Existing Zoning

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

Proposed Zoning

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

EAST NASHVILLE COMMUNITY PLAN

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

SITE CONTEXT

The proposed preliminary SP includes a 1.78-acre parcel located at the western terminus of Oldham Street. The subject property has frontage on Oldham Street on the southeast and Spring Street on the north. An existing railroad lies to the south and east of the property. The property slopes downward from north to south; Spring Street lies approximately ten feet above the northern property line.

The subject property is currently zoned Industrial Restrictive (IR), which permits light industrial uses within completely enclosed buildings with limited outdoor storage. The property is also located within the Urban Zoning Overlay, which is intended to ensure that new development is compatible with existing development patterns.

The adjacent property to the west is zoned IR and is currently used for light manufacturing. Railroad right-of-way lies adjacent to the subject property on the south and east. The Spring Street right-of-way lies to the north. The property on the north side of Spring Street is zoned RM20 and contains a multi-family residential complex consisting of two-story duplexes.

PLAN DETAILS

The preliminary SP application is for a five-story self-service storage facility on a 1.78-acre site located at the eastern terminus of Oldham Street. Among the proposed bulk standards listed in the application are: a maximum floor area ratio (FAR) of 4.0; a maximum impervious surface ratio (ISR) of 0.90; setbacks of 20 feet along Oldham Street and zero on the side and rear; and a build-to zone of zero to 15 feet on Spring Street.

Building Height

The proposed SP would permit a maximum building height of five stories in 75 feet. As shown in the image below, the building would appear as a four-story building along the Spring Street frontage due to the change in grade between the street and the site.

Site Layout

The proposed storage building would be accessed from Oldham Street. No access from Spring Street would be permitted. As shown on the image below, the building would have an internal parking area with two vehicular access points, one near each end of the Oldham Street façade.

Because the subject property is bordered by right-of-way on three sides, opportunities for new vehicular connectivity are limited. However, there is an opportunity for future pedestrian and bicycle connectivity through the site. As shown in the exhibit below, the *Imagine East Bank* plan, adopted in October 2022, calls for a greenway connecting the East Bank to Cleveland Park, following the path of an existing railroad, a portion of which lies adjacent to the subject property. The proposed SP shows a future greenway connection along the south and southeastern portions of the lot. Stormwater would be collected at two bioretention areas located along the south side of the property. Landscaping would be required per the Metro Zoning Code with a heavier landscape screen being required adjacent to the proposed greenway. The SP application shows pervious pavers being incorporated into the site. Pervious surfaces would account for approximately 24,800 square feet or 32 percent of the site. The proposed greenway would account for an additional 6,647 square feet or 8.5 percent of the site.

ANALYSIS

The subject property lies within the T5 Center Mixed Use Neighborhood (T5 MU) policy area. The Community Character Manual indicates that T5 MU areas are intended to be among the most intense areas in Davidson County with a diverse mix of residential and nonresidential uses. The T5 MU policy supports a range of uses, including light industrial and services that meet the needs of both local residents and a regional service area.

Design principles in the T5 MU policy area include: high lot coverage; well-defined transitions between industrial buildings and surrounding non-industrial buildings; buildings built to the back edge of the sidewalk; minimal spacing between buildings; high pedestrian and bicycle connectivity; and height of two to 20 stories, depending on context, and with step-downs when transitioning to lower-intensity policy areas.

The proposed SP is generally consistent with the T5 MU policy. The SP would: permit lot coverage of up to 90 percent; establish a zero to 15-foot build-to zone on the Spring Street frontage; require no side and rear setbacks; include a greenway easement, allowing for future pedestrian and bicycle connectivity through the site; and cap building height at five stories in 75 feet. The proposed five-story building would be four stories higher than the adjacent one-story industrial building on the west. The proposed building would also be higher than the two-story residential buildings on the north side of Spring Street. However, those buildings lie more than 200 feet away from the subject property and are separated from the subject property by a major roadway; any impacts from the height of the proposed building should be minimal.

Because the proposed SP is consistent with the T5 MU policy, staff recommends approval with conditions and disapproval without all conditions.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

PARKS RECOMMENDATION

Approve with conditions

- Applicant/developer to install all required landscaping at the time of building construction.
- The greenway and greenway trail to be designed and grading to be completed by applicant/developer per Metro Parks' standards and terms approved by Metro Parks Greenways staff. Metro to construct the future paved greenway trail.
- Greenway design and Applicant/Developer's maintenance responsibility to be memorialized in Metro Parks' standard Conservation Greenway Easement Agreement, with covenants that run with the land.
- Grading design of greenway base to meet ADA requirements and approved by Metro prior to Final SP approval.
- Terms of the Conservation Greenway Easement Agreement must be approved by Park's Division of Greenways and Open Space staff prior to approval of the Final SP.
- The Conservation Greenway Easement must be dedicated and memorialized in a Metro Parks' standard Conservation Greenway Easement Agreement, with two exhibits: a legal description and a boundary survey of the easement, that must be recorded with the Davidson County Register of Deed's Office prior to any use and occupancy or issuance of the first Use and Occupancy letter.
- The greenway and easement to be delineated and noted on the project plans prior to Final SP approval.
- Coordinate with Metro Parks Greenways staff regarding Park Board and Metro Council approval processes for these Agreements. Approved Agreements to be recorded with the Davidson County Register of Deeds Office prior to Final SP approval.
- When constructed, greenway trail to be open to the public 365 days/year per Metro Parks approved operating hours, except for times of routine maintenance where temporary closure is required for public safety.
- No dumpsters, loading zones, HVAC units, or like fronting the greenway and must be screened from greenway view.
- No conflict between pedestrians and driveway, loading zone, or dumpster ingress and egress.
- Access from commercial use, if any, to be approved by Metro Parks as part of Final Site Plan/SP approval.
- No obstructions will be in a greenway easement, unless approved by Metro Parks staff, including, but not limited to site furniture, signage, and lighting.
- Barriers that prohibit vehicles, except those necessary for Metro fire protection, to be installed at the access point at the Oldham St cul-de-sac if accessed at and onto Applicant's property.
- The final design and location of the greenway and the location of the greenway easement shall be determined prior to Final Site Plan/SP submittal. The applicant should coordinate with Metro Parks and Greenways to determine final design and locations.
- No storm water inlets or manholes to be in paved surface of the greenway.

STORMWATER RECOMMENDATION

Approve with conditions

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

METRO WATER SERVICES RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, with a final: Callout any roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards.
- Note: A private hauler will be required for waste/recycle disposal.
- Additional 1-1/2' mill and overlay may be required to cover full extents of utility work in public ROW. (cont.) Extents to be coordinated in field with NDOT inspector.
- Comply w/ NDOT traffic.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Provide pedestrian ramps and cross-walk striping on the Eastern leg of the intersection of Oldham St & N 1st Street.
- The applicant's final construction drawings shall comply with the design regulations established by the Nashville Department of Transportation, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	1.78	0.6 F	46,522 SF	119	8	8

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Mini-Warehouse (151)	-	4.0	310,437 SF	469	31	53

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	263,915 SF	+350	+24	+45

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to self-service storage facility.
2. General note 1 shall be revised to reflect permitted uses.
3. Maximum building height shall not exceed five stories in 75 feet, as shown in the preliminary SP. Building height shall be measured from the average elevation (average of four most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch (vertical distance from eave to midpoint) or to the top of the parapet for a flat roof. Ancillary roofs shall not be higher than the primary roof.
4. Building elevations submitted with final site plan shall have building design—including massing, glazing, and building materials—that is substantially similar to the elevations approved with the preliminary SP. Elevations submitted with final site plan shall show building articulation on Spring Street façade at intervals of 30 feet or less; examples of acceptable articulation methods include building projections (such as pilasters) and recesses.
5. Maximum floor area ratio shall be 4.0.
6. Vehicular access shall be provided from Oldham Street only. No vehicular access shall to the site shall be permitted from Spring Street.
7. Final site plan shall show proposed locations of all ground-mounted transformers and mechanical, electrical, and HVAC units. All ground-mounted units shall be fully screened from public view and shall not obstruct sidewalk or otherwise impede access to the building or public plaza.
8. Parking calculations shall be reviewed with final site plan and shall not exceed the maximums permitted in the Urban Zoning Overlay.
9. Perimeter and internal landscaping shall be provided per the Metro Zoning Code.
10. Comply with all conditions and requirements of Metro reviewing agencies.
11. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
13. The final site plan shall label all internal driveways as “Private Driveways.” A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association
14. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
15. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
16. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an

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

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

Approve with conditions and disapprove without all conditions including conditions provided in the memo. (7-0)

Resolution No. RS2023-313

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-074-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to self-service storage facility.
2. General note 1 shall be revised to reflect permitted uses.
3. Maximum building height shall not exceed five stories in 75 feet, as shown in the preliminary SP. Building height shall be measured from the average elevation (average of four most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch (vertical distance from eave to midpoint) or to the top of the parapet for a flat roof. Ancillary roofs shall not be higher than the primary roof.
4. Building elevations submitted with final site plan shall have building design—including massing, glazing, and building materials—that is substantially similar to the elevations approved with the preliminary SP. Elevations submitted with final site plan shall show building articulation on Spring Street façade at intervals of 30 feet or less; examples of acceptable articulation methods include building projections (such as pilasters) and recesses.
5. Maximum floor area ratio shall be 4.0.
6. Vehicular access shall be provided from Oldham Street only. No vehicular access shall to the site shall be permitted from Spring Street.
7. Final site plan shall show proposed locations of all ground-mounted transformers and mechanical, electrical, and HVAC units. All ground-mounted units shall be fully screened from public view and shall not obstruct sidewalk or otherwise impede access to the building or public plaza.
8. Parking calculations shall be reviewed with final site plan and shall not exceed the maximums permitted in the Urban Zoning Overlay.
9. Perimeter and internal landscaping shall be provided per the Metro Zoning Code.
10. Comply with all conditions and requirements of Metro reviewing agencies.
11. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
13. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association
14. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
15. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
16. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
17. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

13. 2023SP-075-001

CATO ROAD ACRES

Council District 01 (Joy Kimbrough)

Staff Reviewer: Donald Anthony

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

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

The Metropolitan Planning Commission deferred 2023SP-075-001 to the October 12, 2023, Planning Commission meeting. (7-0)

14. 2023S-044-001

EATONS CREEK COMMONS

Council District 01 (Joy Kimbrough)

Staff Reviewer: Jason Swaggart

A request for final plat approval to create 45 lots and open space and to dedicate right-of-way on properties located at 4269 Ashland City Highway and Ashland City Highway (unnumbered), south of Drakes Branch Road, zoned SP (22.34 acres), requested by JTA Land Surveying, Inc., applicant; Green Trails, LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Final plat to create 45 residential lots.

Final Plat

A request for final plat approval to create 45 lots and open space and to dedicate right-of-way on properties located at 4269 Ashland City Highway and Ashland City Highway (unnumbered), south of Drakes Branch Road, zoned SP (22.34 acres).

CASE HISTORY

The subject site is located within a SP zoning district, 2018SP-057-001. Metro Council approved the SP in 2020 (BL2020-418). The overall SP is approved for 100 residential units. This plat is for the first phase, and the associated final site plan, 2018SP-057-002 was approved in August of 2022. A final site plan for phase two is also in the review process. The plat includes 44 single-family lots, a public road, and public alleys. The eastern portion of the site that is in Phase 2 is being platted as the 45th lot. This portion will be replatted once the phase 2 final site plan is approved.

SITE DATA AND CONTEXT

Location: The site is located along the south side of Ashland City Highway approximately three quarters of a mile east of Briley Parkway.

Approximate Acreage: 22.34

PROPOSAL DETAILS

Number of lots: 45

Subdivision Variances or Exceptions Requested: None

UPDATED FINAL PLAT RULES AND PROCEDURES

At its March 9, 2023, meeting, the Metro Planning Commission approved an amendment to the Rules and Procedures, following Metro Council adoption of RS2023-2047, reflecting recent changes to Tennessee State law regarding administrative approval of final plats. The amended State law allows staff to approve final plats that create no more than 5 lots, if certain criteria is met, and final plats of up to 25 lots for subdivisions that received preliminary/concept plan approval. Prior to this change, staff was delegated authority to approve final plats that created no more than 2 lots, if certain criteria are met, and all final plats for subdivisions that received preliminary/concept plan approval.

APPLICABLE SUBDIVISION REGULATIONS

Staff previously determined that this plat is consistent with the Council approved SP plan, the approved final site plan and the Subdivision Regulations.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Bond will be required for public infrastructure prior to recording plat.
- Plat is not to be recorded until new roads have been constructed to binder layer.

TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

- Attached is a copy of the above-referenced subdivision (uploaded by Planning on August 15, 2023) on which we have noted our comments and recommend approval. Approval is contingent on construction and completion of MWS Project #'s 21SL0286 and 21WL0121. A bond amount of \$300,000.00 is assigned to 21SL0286, and an amount of \$320,000.00 is assigned to 21WL0121.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. All public infrastructure shall be constructed and accepted by Metro or infrastructure shall be bonded according to Metro standards.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2023S-044-001 with conditions based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions. (7-0)

Resolution No. RS2023-314

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023S-044-001 is approved with conditions. (7-0)

CONDITIONS

1. All public infrastructure shall be constructed and accepted by Metro or infrastructure shall be bonded according to Metro standards.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

15. 2023S-112-001

OAKWOOD PRESERVE

Council District 05 (Sean Parker)

Staff Reviewer: Laszlo Marton

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

Staff Recommendation: Defer to the October 12, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023S-112-001 to the October 12, 2023, Planning Commission meeting. (7-0)

16. 2023S-121-001

CLARKSVILLE PIKE

Council District 01 (Joy Kimbrough)

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 (3.69 acres), requested by Dale & Associates, applicant; Joseph & Wendy Ingram and William Sugg, owners.

Staff Recommendation: Approve with conditions including variances to Section 4-2.5.a.1.a, 4-2.5.a.1.b, 4-2.5.a.1.c and 4-2.5.a.1.d.

APPLICANT REQUEST

Request for final plat approval to create two lots.

Final Plat

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 Single-Family Residential (RS40) (3.69 acres).

SITE DATA AND CONTEXT

Location: The site consists of two properties located along Clarksville Pike.

Street Type: The site has frontage on Clarksville Pike. The Major Collector Street Plan classifies this portion of Clarksville Pike as a scenic arterial boulevard with a minimum half right-of-way of 43 feet.

Approximate Acreage: 3.69 acres or approximately 160,737 square feet.

Parcel/Site History: The site consists of two parcels.

Zoning History: Both properties have been zoned RS40 since 1998.

Existing Land Use and configuration: The property at 5081 is currently developed with a single-family residential use while the property to the north is currently vacant. The existing building at 5081 is identified to remain on the proposed Lot 1. Both properties back up to Dry Fork Road and have a stream that runs along their western boundaries.

Surrounding Land Use and Zoning:

- North: Vacant/RS40
- South: Single-Family Residential/RS40
- East: Single-Family Residential/RS40
- West: Single-Family Residential/AR2a

Zoning: Single-Family Residential (RS40)

Min. lot size: 40,000 square feet

Max. building coverage: 0.25

Min. rear setback: 20'

Min. side setback: 15'

Max. height: 3 stories

Min. street setback: 40' or contextual, whichever is greater, to be determined by Codes at the time of building permit application.

PROPOSAL DETAILS

Number of lots: 2

Lot sizes: The proposed Lot 1 is 54,515 square feet (1.25 acres) and the proposed Lot 2 is 41,437 square feet (0.95 acres).

Access: Access is provided from Clarksville Pike.

APPLICABLE SUBDIVISION REGULATIONS

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

Prior versions of Subdivision Regulations for Nashville and Davidson County contained a uniform set of standards that were applied Metro-wide. This did not take into account the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is within the Conservation (CO) and Rural Countryside (T2 RCS) policy. For T2 RCS, the Rural Subdivision Regulations found in Chapter 4 are utilized. There are several subdivision options in the Rural Subdivision Regulations. This proposal utilizes the Countryside Character Option – Open Alternative as described in Section 4-2.5.a.1 of the subdivision regulations.

4-2. Development Standards

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

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

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

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

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

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

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

While there are no new streets, or joint access easements, any subdivision application shall note proposed building envelopes. The existing building on proposed Lot 1 is identified to remain, while proposed Lot 2 shows a building envelope.

4-2.5 Rural Character Design

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

Lots 1 and 2 are located along existing public streets and were reviewed against below (a) through (d).

- a. *Building Setback along existing public streets.*
The proposed plat does not comply. The average front setback of the abutting parcels along Clarksville Pike is approximately 115 feet, in line with the anticipated contextual setback required by Codes. The existing building on Lot 1 is indicated to remain and therefore the existing setback, which will be retained with the existing home, does not comply. The required setback on Lot 2 would not comply, as it does not fall within the proposed building envelope identified on the plat. The plat does not meet the minimum setback requirements. A variance is needed and will be discussed below.
- b. *Lot Depth along existing public streets.*
The proposed plat does not comply. The minimum depth for lots along existing public streets shall be the building setback required by Sec 4-2.5(a) plus 300 feet. This provision requires a 415-foot lot depth. Lot 1 is approximately 151 feet at its widest point along the southern boundary; however, it narrows gradually at its northern boundary. Lot 2 has a depth of approximately 246 feet at its widest point. A variance is needed and will be discussed below.
- c. *Lot size along existing public streets.*
The proposed plat does not comply. A compatibility analysis was conducted per this requirement. Minimum lot size is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than the smallest of the surrounding parcels, whichever is greater. The outcome of the analysis is that the minimum lot size is 1.35 acres. Lot 1 is 1.25 acres while Lot 2 is 0.95 acres. A variance is needed and will be discussed below.
- d. *Lot frontage abutting existing public streets.*
A compatibility analysis was conducted per this requirement. Minimum lot frontage is either equal to or greater than 70% of the frontage of the average frontage of surrounding parcels or equal to or larger than the frontage of the surrounding parcels, whichever is greater. The outcome of the analysis is that the minimum lot frontage along Clarksville Pike is 271 feet. The frontage for Lot 1 is approximately 820 feet while the frontage for lot 2 is approximately 202 feet. A variance is needed and will be discussed below.
- e. *Street lights.*
Not applicable for this case as the property is located in the GSD.
- f. *Cluster lot option.*
Not applicable for this case as the cluster lot standards are not proposed to be used.

Subdivision Variances or Exceptions Requested: Yes. The request requires a variance from Section 4-2.5.a.1.a. pertaining to the building setback, Section 4-2.5.a.1.b. pertaining to lot depth along existing public streets, Section 4-2.5.a.1.c. pertaining to the lot size along public streets, as well as Section 4-2.5.a.1.d pertaining to lot frontage.

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

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

Variance Analysis

Setback – The stream buffer that follows along the property’s western boundary requires stormwater buffers that push the building envelope closer to Clarksville Pike than the minimum required setback. The Rural Subdivision Regulations call for building setbacks to vary between lots. The existing building on Lot 1 has a shallow building setback, typical of the pattern of surrounding properties, and the proposed building envelope on Lot 2 is close to being in line with the existing building on Lot 1. The location of Dry Fork Road and presence of the stream along the western boundary has contributed to the current character along Clarksville Pike.

Depth – The site’s unique location between two public streets as well as the stream along the site’s western boundary creates a shortened lot depth. Although both lots are short of meeting the depth requirement, the depth is not visually perceived to be dissimilar to surrounding properties between the stream and Clarksville Pike.

Area – The Rural Subdivision Regulations call for individual lot sizes to vary in size to reflect the rural character. The irregularity in size of both Lots 1 and 2 is appropriate given the existing variability of lot sizes along this stretch of Clarksville Pike. The proposed lots do meet the minimum lot size required by the RS40 zoning district.

Lot Frontage – Surrounding properties to the south have frontage widths of approximately 200 feet and 230 feet, similar to the proposed frontage of Lot 2 (202 feet). Properties on the opposite block face, immediately across from the subject property, have frontage widths well below 200 ft. When looking at a wider selection of properties, lot frontages along this stretch of Clarksville Pike range from 100-800 feet, thus a frontage around 200 feet is not uncharacteristic of this area and will maintain the existing character along Clarksville Pike.

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

PLANNING STAFF COMMENTS

With the variances for the building setback (4-2.5.a.1.a.), lot depth (4-2.5.a.1.b.), lot size (4-2.5.a.1.c.) and lot frontage (4-2.5.a.1.d) the proposed subdivision meets the standards of the Metro Subdivision Regulations and Metro Zoning Code.

POLICY CONSIDERATIONS

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

NashvilleNext includes a Community Character Manual (CCM) which established character areas for each property within Metro Nashville. The community character policy applied to the entirety of this property is T2 RCS (Rural Countryside). The goal of the T2 RCS Policy is to maintain the rural countryside as a permanent choice for living and not as a holding or transitional zone for future urban or suburban development. Appropriate land uses in the T2 RCS policy include maintenance of the land in its natural state, Small scale Agricultural and Related Accessory and Support Uses, Residential, Institutional, and Rural Subdivisions. The property is proposed to develop as a Rural Subdivision, as suggested and recommend by policy. Staff finds that the Rural Subdivision regulations meet the intent of the T2 RCS policy.

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

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- Water & Sanitary Sewer Capacity fees must be paid before issuance of building permits for new lot.

STAFF RECOMMENDATION

Staff recommends approval with conditions, including variance to the building setback (4-2.5.a.1.a.), lot depth (4-2.5.a.1.b.) lot size (4-2.5.a.1.c.), lot frontage (4-2.5.a.1.d).

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Pursuant to 2-4.7 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-121-001, including variances to the building setback (4-2.5.a.1.a.), lot depth (4-2.5.a.1.b.), lot size (4-2.5.a.1.c.) and lot frontage (4-2.5.a.1.d) 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 variances to Section 4-2.5.a.1.a, 4-2.5.a.1.b, 4-2.5.a.1.c and 4-2.5.a.1.d. (7-0)

Resolution No. RS2023-315

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023S-121-001 is approved with conditions including variances to Section 4-2.5.a.1.a, 4-2.5.a.1.b, 4-2.5.a.1.c and 4-2.5.a.1.d. (7-0)

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Pursuant to 2-4.7 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.

17. 2023S-123-001

On Consent: No
Public Hearing: Open

FRANKIE LEE MOORE

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

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

Staff Recommendation: Defer to the October 26, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023S-123-001 to the October 12, 2023, Planning Commission meeting. (7-0)

18. 2023S-131-001

MINOR SUBDIVISION OF JOHN D. LILES

Council District 12 (Erin Evans)
Staff Reviewer: Logan Elliott

A request for final plat approval to create one lot on a portion of property located at 3974 Couchville Pike, approximately 3100 feet east of S. Mount Juliet Road, zoned RS80 (2.19 acres), requested by WA Engineering, applicant; John & Lisa Liles, owners.

Staff Recommendation: Approve with conditions including variances from Section 4-2.5.a.1.a and 4-2.5.a.1.b.

APPLICANT REQUEST

Request for final plat approval to create one lot.

Final Plat

A request for final plat approval to create one lot on a portion of property located at 3974 Couchville Pike, approximately 3100 feet east of S. Mount Juliet Road, zoned Single-Family Residential (RS80) (2.19 acres).

SITE DATA AND CONTEXT

Location: The property is located on the north side of Couchville Pike and is approximately 300 feet west of the Rutherford County line.

Street Type: This portion of Couchville Pike is classified as a local street.

Approximate Acreage: 2.187 acres or 95,273 square feet.

Parcel/Site History: The proposed lot is being subdivided from a single 38.28-acre parcel that has existed since 2023.

Zoning History: The property is zoned Single-Family Residential (RS80).

Bulk Standards for RS80:

- Min. lot size: 80,000 square feet
- Max. height: 3 stories
- Min. street setback: For any new construction, setbacks determined by Codes.
- Min. rear and side setback: 20'
- Maximum Building Coverage: 0.20

Existing land use: The site contains a single-family residential land use.

Surrounding land use/zoning:

- North: Vacant and Single-Family Residential/RS80
- South: Single-Family Residential/RS80
- East: Rutherford County
- West: Vacant and Single-Family Residential/RS80

PROPOSAL DETAILS

Number of lots: 1

Lot size: 2.187 acres or 95,273 square feet.

Access: Access is provided from Couchville Pike.

APPLICABLE SUBDIVISION REGULATIONS

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

Prior versions of Subdivision Regulations for Nashville and Davidson County contained a uniform set of standards that were applied Metro-wide. This did not take into account the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is within the T2 Rural Maintenance (T2 RM) policy. For T2 RM, the Rural Character Subdivision Regulations found in Chapter 4 are utilized. There are several subdivision options in the Rural Subdivision Regulations. This proposal utilizes the Countryside Character Design Open Alternative option as described in Section 4-2.5.a.1 of the subdivision regulations.

Add 4-2.1-4-2.4

4-2.5 Rural Character Design

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

Does not comply. The building setbacks are required to be varied, and a minimum setback line is required to be platted when the average setback of abutting parcels is more than the minimum required street setback established by the zoning. The average setback for the two adjacent properties is 353'. Should the existing home be removed, the application proposes a setback requirement of 125.6' as part of the variance request.

b. Lot Depth along existing public streets.

Does not comply. A compatibility analysis was conducted per this requirement. The outcome of the analysis is that the minimum required lot depth is 653'. As proposed, the lot is approximately 426' deep.

c. Lot size along existing public streets.

Complies. A compatibility analysis was conducted per this requirement. The outcome of the analysis is that the minimum required lot is 2.19 acres. The proposed lot is 2.19 acres.

d. Lot frontage abutting existing public streets.

Complies. A compatibility analysis was conducted per this requirement. The outcome of the analysis is that the minimum required lot frontage along Couchville Pike is 149.1 feet. As proposed, the lot has approximately 219.2 feet of frontage.

e. Street lights.

Not applicable. No street lights are proposed with this plat.

f. Cluster lot option.

Not applicable to this case. The plat does not propose utilization of the cluster lot option.

Subdivision Variances or Exceptions Requested: Yes. This request requires a variance from Section 4.2-5.a.1.a. pertaining to building setback along existing public streets and Section 4.2-5.a.1.b. pertaining to lot depth along existing public streets.

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

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

Variance Analysis

As proposed, staff finds that the variance from the building setback from Couchville Pike and the lot depth requirement is consistent with Section 1-11 of the Subdivision Regulations. The granting of the variances will not have any impact on public safety and is not inconsistent with the long-range plan. The area has a varied lot size and setback pattern and the proposed setback reflects the approximate setbacks of the units nearby on Couchville Pike. A strict application of the Subdivision Regulations would require an unnecessarily deep and large parcel. The proposal complies with the lot depth requirement from the proposed building setback of 125.6'.

COMMENTS FROM OTHER REVIEWING AGENCIES

STORMWATER RECOMMENDATION

Approve

FIRE MARSHAL 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

N/A

GLADEVILLE UTILITY DISTRICT

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions including approval of a variance from Section 4.2-5.a.1.a. pertaining to building setback along existing public streets and Section 4.2-5.a.1.b. pertaining to lot depth along existing public streets.

CONDITIONS

1. If the Metro Health Department requires any revisions to this plat, then revisions to the plat, additional review of the plat by applicable reviewing agencies, and additional Planning Commission consideration may be required prior to the recording of the plat.
2. On the corrected set, remove the reference to a 353 foot setback.
3. On the corrected set, add a note as follows for the established front setback: Should the existing home be removed, any future construction must meet the platted front setback.

RECOMMENDED ACTION

Motion to approve subdivision Case No. 2023S-131-001 with conditions, including variances from Sections 4.2-5.a.1.a. and Section 4.2-5.a.1.b.

Approve with conditions including variances to Section 4-2.5.a.1.a, 4-2.5.a.1.b. (7-0)

Resolution No. RS2023-316

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023S-131-001 is approved with conditions including variances to Section 4-2.5.a.1.a, 4-2.5.a.1.b.. (7-0)

CONDITIONS

1. If the Metro Health Department requires any revisions to this plat, then revisions to the plat, additional review of the plat by applicable reviewing agencies, and additional Planning Commission consideration may be required prior to the recording of the plat.
2. On the corrected set, remove the reference to a 353 foot setback.
3. On the corrected set, add a note as follows for the established front setback: Should the existing home be removed, any future construction must meet the platted front setback.

19. 2023S-149-001

SUBDIVISION OF THE ELLIS P. JAKES PROPERTY

Council District 01 (Joy Kimbrough)

Staff Reviewer: Amelia Lewis

A request for final plat approval to create two lots on property located at 3115 Morgan Road, at the southeast corner of Whites Creek Pike and Morgan Road, zoned RS40 (6 acres), requested by Chandler Surveying, applicant; Ellis P. Jakes Revocable Living Trust, owner.

Staff Recommendation: Defer to the October 12, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023S-149-001 to the October 12, 2023, Planning Commission meeting. (7-0)

20. 2023S-154-001

HALLMARK SECTION FIVE

Council District 08 (Deonte Harrell)

Staff Reviewer: Amelia Lewis

A request for final plat approval to create 33 cluster lots on a portion of property located at Pin Hook Road (unnumbered), approximately 120 feet south of Shoreline Lane, zoned RS10 (7.56 acres), requested by Anderson, Delk, Epps & Associates Inc., applicant; Justin Butler Homes, LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Request for final plat approval to create 33 lots.

Final Plat

A request for final plat approval to create 33 cluster lots on a portion of property located at Pin Hook Road (unnumbered), approximately 120 feet south of Shoreline Lane, zoned Single-Family Residential (RS10) (7.56 acres).

CASE HISTORY

The site is a part of an approved cluster lot subdivision approved in 2004 (2004S-326G-13). The previous phases of the development have been platted in phases dating back to 2004 with the most recent plat for Section 4 being approved in 2017. The proposed Section 5 includes 33 lots and is consistent with the concept plan.

SITE DATA AND CONTEXT

Location: The site is located south of Hamilton Church Road and north of Pin Hook Road.

Street type: All street connections proposed are local streets. This phase of the development completes several existing stub road connections including a portion of Lakewalk Drive and Grace Falls Drive.

Approximate Acreage: 7.56 acres or approximately 329,313.6 square feet.

PROPOSAL DETAILS

Number of lots: 33

Subdivision Variances or Exceptions Requested: None

UPDATED FINAL PLAT RULES AND PROCEDURES

At its March 9, 2023, meeting, the Metro Planning Commission approved an amendment to the Rules and Procedures, following Metro Council adoption of RS2023-2047, reflecting recent changes to Tennessee State law regarding administrative approval of final plats. The amended State law allows staff to approve final plats that create no more than 5 lots, if certain criteria is met, and final plats of up to 25 lots for subdivisions that received preliminary/concept plan approval. Prior to this change, staff was delegated authority to approve final plats that created no more than 2 lots, if certain criteria are met, and all final plats for subdivisions that received preliminary/concept plan approval.

The subject site received preliminary plan approval in 2004. Typically, a preliminary/concept plan includes a second step before final plat approval, which is the development plan. The current 3-step review process has been in place since 2006. As the preliminary plan approval predates the adoption of the current subdivision regulations, the development plan is not a required step. Construction plans are still required to be approved by all applicable agencies prior to the review of the plat, and those plans have been approved. All agencies have recommended approval below. Although no changes have been made to the plat, approval by the MPC is now required because the plat contains more than 25 lots, requiring consideration by the MPC per amended TCA Sections 13-3-402 and 13-4-302 under Public Chapter 994.

APPLICABLE SUBDIVISION REGULATIONS

Staff previously determined that all requirements of the Subdivision Regulations applicable to this site had been met during review of the MPC-approved preliminary/concept plan. The proposed plat is consistent with the MPC-approved preliminary/concept plan and all requirements of Chapter 3. No changes have been made to the policy present at this site.

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

- Attached is a copy of the above-referenced subdivision (uploaded by Planning on August 16, 2023) on which we have noted our comments and recommend approval. Approval is contingent on construction and completion of MWS Project #'s 17SL0171 and 17WL0154. A bond amount of \$231,000.00 is assigned to 17SL0171, and an amount of \$201,000.00 is assigned to 17WL0154.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Update Council information: Council District 8; Councilmember Harrell.
2. Remove "Preliminary/Review Copy" from the face of the plat.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. After approval, submit the corrected mylar or vellum copy of the plat reflecting all conditions of approval, with name printed under signatures and dates from property owner(s) and surveyor, one paper copy, a CD with the electronic copy of the plat (.dwg) saved on it, and recordation fee, to Planning.
5. Owner's signature must be shown with name printed under signature. If the property is owned by a corporation, LLC, LLP, company, etc., then the authorized individual's printed name and signature must be provided underneath the company's name in the Owner's Certificate. You will also need to submit a letter(s) on each company's letterhead or documentation that the individual is authorized on behalf of the entity.
6. If you plan to record the final plat without constructing the required public infrastructure improvements (roads, water and sewer line extensions), then you must request a bond for those improvements. Submit a completed bond application with a check in the amount of \$400 made payable to the "Metropolitan Government" at least three weeks prior to when you plan to record the plat with the Metro Register of Deeds. The bond review and approval process is subject to receiving estimates from Metro departments and outside utilities for the amount that is required to be bonded. Amounts are calculated after all plat revisions have been made and approved by the reviewing Metro agencies. Contact: Bond Desk at 862-7202, bond.desk@nashville.gov.
7. 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-154-001 with conditions based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions. (7-0)

Resolution No. RS2023-317

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023S-154-001 is approved with conditions. (7-0)

CONDITIONS

1. Update Council information: Council District 8; Councilmember Harrell.
2. Remove "Preliminary/Review Copy" from the face of the plat.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. After approval, submit the corrected mylar or vellum copy of the plat reflecting all conditions of approval, with name printed under signatures and dates from property owner(s) and surveyor, one paper copy, a CD with the electronic copy of the plat (.dwg) saved on it, and recordation fee, to Planning.
5. Owner's signature must be shown with name printed under signature. If the property is owned by a corporation, LLC, LLP, company, etc., then the authorized individual's printed name and signature must be provided

underneath the company's name in the Owner's Certificate. You will also need to submit a letter(s) on each company's letterhead or documentation that the individual is authorized on behalf of the entity.

6. If you plan to record the final plat without constructing the required public infrastructure improvements (roads, water and sewer line extensions), then you must request a bond for those improvements. Submit a completed bond application with a check in the amount of \$400 made payable to the "Metropolitan Government" at least three weeks prior to when you plan to record the plat with the Metro Register of Deeds. The bond review and approval process is subject to receiving estimates from Metro departments and outside utilities for the amount that is required to be bonded. Amounts are calculated after all plat revisions have been made and approved by the reviewing Metro agencies. Contact: Bond Desk at 862-7202, bond.desk@nashville.gov.

7. 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.

21. 2023S-158-001

CHANDLER RESERVE PHASE 2

Council District 11 (Jeff Eslick)

Staff Reviewer: Donald Anthony

A request for final plat approval to create 53 cluster lots and open space on portions of properties located at Chandler Road (unnumbered), east of Leesa Ann Lane, zoned R10 (29.6 acres), requested by Wilson & Associates, P.C., applicant; Meritage Homes of Tennessee Inc., owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Request for final plat approval to create 53 cluster lots.

Final Plat

A request for final plat approval to create 53 cluster lots and open space on portions of properties located at Chandler Road (unnumbered), east of Leesa Ann Lane, zoned One and Two-Family Residential (R10) (29.6 acres).

CASE HISTORY

The site is located on vacant land west of the Davidson County and Wilson County boundary and north of an existing railroad track. The property has been zoned R10 since 1974. A concept plan for 253 lots was approved by the Planning Commission in January 2021 (Case No. 2020S-207-001). Using the cluster lot option available at the time the concept plan was approved, the minimum lot size was reduced by two zoning districts to 6,000 square feet. A final site plan for phases 1, 2 and 3 was administratively approved in March 2022 (Case No. 2020S-207-002). A final plat for phase 1 was approved by the Planning Commission in June 2023 (Case No. 2020S-207-003).

The proposed Phase 2 final plat application was filed in 2023. It includes 53 lots and is consistent with the concept plan and final site plan.

SITE DATA AND CONTEXT

Location: The site consists of portions of two existing lots, located east of the existing Stoner Mill and Hidden Hill subdivisions, south of the existing Heritage Hills subdivision, north of an existing CSX railroad track, and west of the Davidson County and Wilson County boundary.

Street Type: All proposed lots will have frontage on Drakes Knoll Drive, a planned local street with a right-of-way of 50 feet. Two additional local streets will serve the development, each having a right-of-way of 50 feet: Hidden Hill Drive will be extended from the west, and a new street, Drakes Creek Drive, will connect to a future phase of the development on the west.

Approximate Acreage: 29.6 acres or approximately 1,289,812 square feet.

PROPOSAL DETAILS

Number of lots: 53

Subdivision Variances or Exceptions Requested: None.

UPDATED FINAL PLAN RULES AND PROCEDURES

At its March 9, 2023, meeting, the Metro Planning Commission approved an amendment to the Rules and Procedures—following Metro Council adoption of RS2023-2047—reflecting recent changes to Tennessee state law regarding administrative approval of final plats. The amended state law allows staff to approve final plats that create no more than five lots if certain criteria are met and final plats of up to 25 lots for subdivisions that received concept

plan approval. Prior to this change, staff was delegated authority to approve final plats that created no more than two lots if certain criteria were met and all final plats for subdivisions that received concept plan approval.

The subject property received concept plan approval in 2021 and final site plan approval in 2022. Although the final plat is consistent with the approved concept plan, approval by the Planning Commission is required because the final plat includes more than 25 lots (TCA Sections 13-3-402 and 13-4-302 under Public Chapter 994).

APPLICABLE SUBDIVISION REGULATIONS

Staff previously determined that all requirements of the Subdivision Regulations applicable to this site had been met during review of the MPC-approved concept plan. The proposed final plat is consistent with the MPC-approved concept plan and all requirements of Chapter 3 of the Subdivision Regulations. No changes have been made to the applicable policies for this site since the time of the concept plan approval.

COMMENTS FROM OTHER REVIEWING AGENCIES

HISTORIC ZONING RECOMMENDATION

Approve with conditions

- Submit report on the removal and reinterment of the cemetery for Historic Zoning review.

PARKS RECOMMENDATION

Approve with conditions

- Greenways staff and applicant/developer to discuss the possible inclusion of a greenway conservation easement for the development of a future greenway trail to be constructed by Metro. If agreed to, standard conditions shall be met.

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

- 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

- Approval is contingent on construction and completion of MWS Project #'s 21SL0011 and 21WL0006. A bond amount of \$354,000.00 is assigned to 21SL0011, and an amount of \$244,000.00 is assigned to 21WL0006.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Prior to recording, change layout of mylar, paper version, and electronic version to vertical orientation such that lots are arranged contiguously on page and oriented to true north.
2. Utilities are to be placed underground as required by Section 17.28.103 of the Metro Zoning Code.
3. All public infrastructure shall be constructed and accepted by Metro government or shall be bonded according to Metro standards.
4. Pursuant to Section 2-4.7 of the Metro Subdivision Regulations, the approved final plat shall expire if it is not recorded with the Register of Deeds within one year after the date of approval by the Planning Commission.
5. Comply with all conditions and requirements of Metro reviewing agencies.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2023S-158-001 with conditions based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances, and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions. (7-0)

Resolution No. RS2023-318

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023S-158-001 is approved with conditions. (7-0)
CONDITIONS

1. Prior to recording, change layout of mylar, paper version, and electronic version to vertical orientation such that lots are arranged contiguously on page and oriented to true north.
2. Utilities are to be placed underground as required by Section 17.28.103 of the Metro Zoning Code.
3. All public infrastructure shall be constructed and accepted by Metro government or shall be bonded according to Metro standards.
4. Pursuant to Section 2-4.7 of the Metro Subdivision Regulations, the approved final plat shall expire if it is not recorded with the Register of Deeds within one year after the date of approval by the Planning Commission.
5. Comply with all conditions and requirements of Metro reviewing agencies.

22. 117-85P-001

CROSSGATE VILLAGE PUD (AMENDMENT)

Council District 28 (David Benton)

Staff Reviewer: Laszlo Marton

A request to amend a Planned Unit Development on property located 2361 Murfreesboro Pike, east of Una Antioch Pike, zoned R10 and within a Planned Unit Development Overlay District, (14.84 acres), to permit vocational school uses, requested by Pourz Bar School-Pourz, LLC, applicant; Tower Crossgate Village, LLC, owner.

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

APPLICANT REQUEST

Amend a Planned Unit Development.

PUD Amendment

A request to amend a Planned Unit Development on property located at 2361 Murfreesboro Pike, east of Una Antioch Pike, zoned One and Two-Family Residential (R10) and within a Planned Unit Development Overlay District, to permit vocational school uses (14.84 acres).

Existing Zoning

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

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of Title 17. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. *While the base zoning is One and Two-Family Residential (R10), this PUD permits commercial uses.*

ANTIOCH – PRIEST LAKE COMMUNITY PLAN

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

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

surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

SITE CONTEXT AND PLAN DETAILS

The application consists of one parcel (Map 135, Parcel 072) totaling 14.84 acres, located between Murfreesboro Pike and Una Antioch Pike. The property at 2361 Murfreesboro Pike contains a one-story commercial building with various commercial uses. Surrounding properties are zoned Commercial PUD, One and Two-Family Residential (R10), Commercial Limited (CL), Agricultural/Residential (AR2a), and Multi-Family Residential (RM15) while land uses include retail, financial institution (bank), shopping center, single-family residential and multi-family residential.

The PUD was originally approved in 1986 to permit 104,200 square feet of commercial uses across 5 buildings. In 1997, the plan was revised to permit 67,140 square feet of commercial uses across 3 buildings. In 1999, MPC approved a revision to the PUD to permit a 4,890 square foot Blockbuster Video store located on the western boundary along Murfreesboro Pike. The PUD has had varied commercial uses over time and currently holds retail, personal care services, liquor sales, and restaurant uses.

The proposed amendment is to add vocational school uses as a permitted use within the PUD. The proposed vocational use is located within the last suite of an existing building on the site that currently has a mix of commercial uses (see site plan below). Information from the applicant indicates the vocational use will comprise approximately 1,200 square feet. There is parking directly adjacent to the suite and ample shared parking space across the site.

ANALYSIS

The properties are located within the T3 Suburban Community Center policy area. T3 CC areas are intended to enhance and create suburban communities generally within a 10-to-20-minute drive. T3 CC supports various land uses and educational uses are appropriate in all policy areas. The PUD currently permits commercial uses while the vocational school would be considered an educational use. The addition of Vocational School uses to the PUD at this site is appropriate as it will be supplementary and secondary to the retail and other general commercial activities that currently exists on the site, comprising only 1,200 square feet of the 67,140 square feet of the building space.

G. Status of Earlier Planned Unit Developments (PUDs)The proposed amendment meets the criteria in 17.40.120.G of the Metro Zoning Code. The criteria includes:

- a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
- b. The boundary of the planned unit development overlay district is not expanded;
- c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
- d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
- e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
- f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
- g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
- h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
- i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
- m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

FIRE RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapprove without all conditions.

CONDITIONS

1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Prior to any additional development applications for this property, and prior to or with final PUD plan application, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.

Approve with conditions and disapprove without all conditions. (7-0)

Resolution No. RS2023-319

"BE IT RESOLVED by The Metropolitan Planning Commission that 117-85P-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Prior to any additional development applications for this property, and prior to or with final PUD plan application, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.

23. 2017UD-001-002

WHITES CREEK AT LLOYD ROAD UDO (3922 LLOYD ROAD)

Council District 01 (Joy Kimbrough)

Staff Reviewer: Jared Islas

A request for a modification to the Whites Creek at Lloyd Road Urban Design Overlay District on property located at 3922 Lloyd Road, approximately 655 feet west of Buena Vista Pike, zoned RS15 (5.01 acres), to permit a single-family residential unit, requested by Anointed One Construction LLC, applicant; Sean & Kimberly Page, owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Approve major modifications to the Whites Creek at Lloyd Road UDO.

UDO Modification

A request for a modification to the Whites Creek at Lloyd Road Urban Design Overlay District on property located at 3922 Lloyd Road, approximately 655 feet west of Buena Vista Pike, zoned RS15 (5.01 acres), to permit a single-family residential unit (5.01 acres).

EXISTING ZONING

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre.

Whites Creek at Lloyd Road UDO is an overlay intended to employ appropriate design standards that preserve the integrity and footprint of the existing surrounding development pattern and ensure that future growth respects and is consistent with the wider area and fosters an appropriate sense of place for the community.

Major modifications, like those being requested in this application, are those deviating more than 20% of any numerical standard, or any non-numerical standard.

EXISTING POLICY

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

BACKGROUND

When the Whites Creek at Lloyd Road UDO was adopted in 2017, it included a largely vacant, approximately 100-acre piece of land at the center of it. The UDO anticipated that this piece of land would use the standards of the UDO as it developed over time by one or multiple owners. However, since the UDO's adoption, the owner of this large parcel chose not to develop or sell it.

In Summer 2022, the large 100-acre parcel at the center of the UDO was deeded into smaller parcels of five-acres or greater. This has resulted in several complexly shaped parcels, including the one included in this modification request (Figure 1).

PLAN DETAILS

Earlier this year, the owner for the new parcel at 3922 Lloyd Road sought Final Site Plan approval for a single-family home. While the use, scale, materials, and other UDO and Zoning requirements were all being met, the proposed location of the home on the parcel would not be allowed without the approval of major modifications. Due to the shape and size of the parcel (Figure 2) – particularly the narrow width along Lloyd Road, the proposed home could not meet various requirements of the UDO. Therefore, the applicant team is requesting modifications to the UDO standards to place the home towards the rear of the parcel, oriented away from Lloyd Road (Figure 3).

MODIFICATION REQUEST DETAILS

1) Frontage Width

UDO Requirement: The front façade of the building shall extend at least forty-five percent of the primary lot frontage, or at least twenty-five feet in width, whichever is greater.

Modification Request: Zero percent frontage width on Lloyd Road.

2) Orientation

UDO Requirement: Primary structures shall be oriented toward the primary street frontage.

Modification Request: Orient the primary structure away from Lloyd Road.

3) Principal Entry

UDO Requirement: The main entry to the building shall address the primary street.

Modification Request: The main entry will not address Lloyd Road.

MODIFICATION REQUEST ANALYSIS

The intent of the UDO's frontage width standard is to avoid narrow primary façades fronting the street, and to ensure new development in the area is consistent with built façade widths of nearby houses. Similarly, the intent of the UDO's orientation and principal entry standards are to ensure that new development in the area addresses the street appropriately.

If the proposed single-family home were to be placed within the narrow piece of land directly off Lloyd Road, the resulting massing would not be able to conform to the UDO standards.

Furthermore, by locating this home where it is proposed, the owner keeps the possibility open to explore subdividing the parcel in the future.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Approval of these major modifications are specific to these plans. If site layout, building design, etc. change prior to building permits, and major modifications are still necessary, the major modifications may need to be reconsidered by the Metro Planning Commission.

Approve with conditions. (7-0)

Resolution No. RS2023-320

“BE IT RESOLVED by The Metropolitan Planning Commission that 2017UD-001-002 is approved with conditions . (7-0)

CONDITIONS

1. Approval of these major modifications are specific to these plans. If site layout, building design, etc. change prior to building permits, and major modifications are still necessary, the major modifications may need to be reconsidered by the Metro Planning Commission.

24. 2023Z-078PR-001

Council District 11 (Jeff Eslick)
Staff Reviewer: Laszlo Marton

On Consent: No
Public Hearing: Open

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

Staff Recommendation: Defer to the October 12, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023Z-078PR-001 to the October 12, 2023, Planning Commission meeting. (7-0)

25. 2023Z-082PR-001

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

A request to rezone from RS5 to R6 zoning for property located at 528 31st Ave. N., approximately 375 feet north of Delaware Avenue (0.34 acres), requested by Elliott Thomas, applicant and owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential (R6) zoning for property located at 528 31st Avenue North, approximately 375 feet north of Delaware Avenue (0.34 acres).

Existing Zoning

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

Proposed Zoning

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

NORTH NASHVILLE 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.

ANALYSIS

The site is 0.34 acres and is located at 528 31st Avenue North, approximately 375 feet north of Delaware Avenue. The site is accessible from 31st Avenue North and is situated at the end of the street; there is one house on the property presently. 31st Avenue North is paved, however, the pavement does not extend along the entire frontage of the parcel and the alley to the rear of the site is unbuilt. Surrounding land uses consist primarily of single-family residential with some multi-family residential and vacant parcels.

The site is within a large area of Single-Family Residential (RS5) zoning. Surrounding zoning districts include Multi-Family Residential-Alternative (RM20-A), Office/Residential Intensive-Alternative (OR20-A), and Mixed Use Limited-Alternative (MUL-A).

T4 Urban Neighborhood Evolving policy allows for varying levels of density and encourages an enhanced pedestrian realm and diversity of housing choices. The proposed zoning district at this site, one- and two-family residential (R6), is consistent with the goals of the policy by allowing for a moderate increase in density. This parcel is also larger than surrounding parcels and could support additional housing density characteristic of evolving urban neighborhoods. Given the existing infrastructure conditions adjacent to this site, there may be limitations on future permitting and platting.

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)	0.34	7.41 D	2 U	28	7	2

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 Residential* (210)	0.34	7.71 D	4 U	54	8	5

*Based on two-family lots

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

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

METRO SCHOOL BOARD REPORT

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

The proposed R6 zoning is not expected to generate any additional students beyond the existing RS5 zoning. Students would attend Park Avenue Elementary School, McKissack Middle School, and Pearl-Cohn High School. All three schools have been identified as having additional capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2023-321

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-082PR-001 is approved. (7-0)

26. 2023Z-089PR-001

Council District 16 (Ginny Welsch)

Staff Reviewer: Oscar Orozco

A request to rezone from RS7.5 to R8-A zoning for property located at 209 Chilton Street, approximately 175 feet west of Waller Street, (0.27 acres) requested by Steven Emery, applicant; Chris Haynes, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS7.5 to R8-A.

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to One and Two-Family-Alternative (R8-A) for properties located at 209 Chilton St, approximately 175 feet west of Waller Street (0.27 acres).

Existing Zoning

Single Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of 1 unit.*

Proposed Zoning

One and Two Family Residential – Alternative (R8-A) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 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. *R8-A would permit a maximum of 1 duplex lot for a total of two units. Final determination of duplex eligibility is determined by the Codes Administration.*

SOUTH NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The application consists of Map 133-02, Parcel 263 totaling 0.27 acres, located on Chilton Street, east of Nolensville Pike. The current zoning of the subject property, RS7.5, was approved in 2003 (BL2003-27) along with various surrounding properties for a more single-family pattern of development. The property consists of 12,078 square feet and a two-story single-family dwelling. The property is surrounded by four adjacent parcels with two family land uses that were established prior to 2003, when lots may have been eligible for duplex and two-family development based on the zoning at that time. Surrounding land uses also include office, commercial, education/institutional, and light industrial. Zoning for surrounding properties includes OR20, CS, and R8. Wright Middle School is also found in close proximity at the terminus of Chilton Street.

The application proposes to rezone the property from RS7.5 to R8-A. The property is located within the T4 Urban Neighborhood Maintenance policy which intends to maintain consistent development patterns for urban neighborhoods. The policy is supportive of R8-A districts as it is characterized by single- and two-family land uses compatible with the surrounding Chilton Street.

The property also falls under an Urban Zoning Overlay which accommodates for street parking and alternative vehicular accessibility, allowing for ingress/egress onto the site through the improved alley network. Alternative zoning districts, such as R8-A, are best when applied to areas policed for medium-high density residential development, generally with access to arterial and collector streets, and an improved alley network for connectivity.

Several neighboring properties along Chilton Street, McCall Street, and Antioch Pike have two family land uses, providing for a mixture of housing types. Changing the zoning from RS7.5 to R8-A would allow for a slight increase in residential intensity which the T4 NM policy may support, particularly when served by a rear alley. The request has the potential to support goals of NashvilleNext by locating housing infill and services near mobility corridors to support walking and transit use. For these reasons staff recommends approval of R8-A.

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. Site plans or construction may require changes to meet adopted fire and building codes.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.27	4.94 D	1 U	15	5	1

Maximum Uses in Proposed Zoning District: **R8-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)	0.27	5.79 D	2 U	28	7	2

*Based on two-family lots

Traffic changes between maximum: **RS7.5 and R8**

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

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed R8-A district: 0 Elementary 0 Middle 0 High

METRO SCHOOL BOARD REPORT

Students would attend Glenclyff Elementary School, Wright Middle School, and Glenclyff High School. Glenclyff Elementary and Wright Middle School are identified as having additional capacity, while Glenclyff High School is identified as overcapacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2023-322

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-089PR-001 is approved. (7-0)

27. 2023Z-090PR-001

Council District 01 (Joy Kimbrough)

Staff Reviewer: Amelia Lewis

A request to rezone from RS10 to R10 zoning for property located at 1812 Ashton Avenue, approximately 265 feet east of Hydes Ferry Road, (0.46 acres) requested by C&H Properties, LLC, applicant; Carrie Todd, owner.

Staff Recommendation: Approve.

The Metropolitan Planning Commission deferred 2023Z-090PR-001 to the October 12, 2023, Planning Commission meeting. (7-0)

28. 2023Z-091PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Laszlo Marton

A request to rezone from RS7.5 to R6 zoning for property located at 2327B Whites Creek Pike, approximately 265 feet northeast of Luzon Street, (0.15 acres) requested by RJX Partners, LLC, applicant; Jackson Builders, LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS7.5 and R6.

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to One and Two-Family Residential (R6) zoning for property located at 2327 B Whites Creek Pike, approximately 265 feet northeast of Luzon Street (0.15 acres).

Existing Zoning

Single Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of 1 unit.*

Proposed Zoning

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 could permit a maximum of 1 duplex lot for a total of 2 units. Final determinations on duplex eligibility are provided by Codes.*

COMMUNITY PLAN

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

Haynes Trinity Supplemental Policy

The site is located within the Haynes Trinity Supplemental Policy which was approved and adopted by the Planning Commission on January 11th, 2018. The intent of the supplemental policy is to create and enhance neighborhoods with greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques. The mobility plan component of the policy calls for a more connected street system to provide a strong and cohesive block structure, along with improved sidewalks, bikeways and transit facilities.

ANALYSIS

The application consists of one parcel (Map 071-05, Parcels 228-229) totaling 0.15 acres, located on the eastern side of Whites Creek Pike. The parcel is currently vacant while surrounding land uses are primarily single family residential. Surrounding properties are zoned RS20, RS7.5, R6, and RM20-A-NS further to the south.

The application proposes to rezone the property from RS7.5 to R6. The properties are located within the T4 Urban Neighborhood Maintenance policy area which intends to maintain the general character of existing urban residential neighborhoods. T4 NM may support higher intensity residential building types nearer to centers and corridors. R6 zoning could permit a maximum of 2 units on the property. The subject property is located along Whites Creek Pike which is classified as an arterial boulevard in the Major and Collector Street Plan and has close proximity to a bus stop on Route 14. The proposed R6 district provides a modest increase in density on the site and is supported by the T4 NM policy, as well as NashvilleNext, as it adds to the mixture of housing choice in the area and is located along a transit route. For these reasons, staff recommends approval of R6.

FIRE RECOMMENDATION

Approve.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.15	4.94 D	1 U	15	5	1

Maximum Uses in Existing Zoning District: **R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (week7day)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.15	7.71 D	2 U	28	7	2

*Based on two-family lots

Traffic changes between maximum: **RS7.5 and R6**

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

METRO SCHOOL BOARD REPORT

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

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

The proposed R6 zoning is expected to generate no more students than the existing RS7.5 district. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. All three schools are identified as having additional capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Approve.

Approve. (7-0)

Resolution No. RS2023-323

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023Z-091PR-001 is approved. (7-0)

29. 2023Z-092PR-001

Council District 05 (Sean Parker)

Staff Reviewer: Celina Konigstein

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

Staff Recommendation: Defer to the October 12, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023Z-092PR-001 to the October 12, 2023, Planning Commission meeting. (7-0)

30. 2023Z-093PR-001

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

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

Staff Recommendation: Defer to the October 12, 2023, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023Z-093PR-001 to the October 12, 2023, Planning Commission meeting. (7-0)

31. 2005UD-006-056

Council District 21 (Brandon Taylor)
Staff Reviewer: Eric Hammer

A request to modify the Urban Design Overlay for various properties located at southwestern corner of Parthenon Ave. and 31st Ave. N., zoned RM40 and within the 31st Avenue and Long Boulevard Urban Design Overlay District (0.36 acres), to permit multi-family residential units, requested by Smith Gee Studio, applicant; Parthenon Investments, LLC, owner.

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

APPLICANT REQUEST

Approve a major modification to the 31st Avenue and Long Boulevard UDO.

UDO Modification

A request to modify the Urban Design Overlay for various properties located at southwestern corner of Parthenon Ave. and 31st Ave. N., zoned RM40 and within the 31st Avenue and Long Boulevard Urban Design Overlay District (1.72 acres) to permit a multifamily building.

EXISTING ZONING

Multi-family Residential (RM40) is intended for single-family, duplex, and multi-family dwellings at a density of 40 dwelling units per acre. *RM40 would permit a maximum of 68 units, given 1.72 acres listed within the application.*

31st Avenue and Long Boulevard UDO is an overlay intended to employ appropriate design standards that preserve the integrity and footprint of the existing surrounding development pattern and ensure that future growth respects and is consistent with the wider area and fosters an appropriate sense of place for the community.

Major modifications, like those being requested in this application, are those deviating more than 20% of any numerical standard, or any non-numerical standard.

EXISTING POLICY

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

BACKGROUND

Since the 31st Avenue and Long Boulevard UDO was adopted in 2005, the neighborhood has seen substantial redevelopment, particularly around the eponymous intersection of 31st Avenue and Long Boulevard. While the intersection itself is flat, the surrounding land to the north and south of the intersection has some substantial topographic challenges and steep slopes.

The UDO specifies that height shall be measured to the top of the parapet or bottom of the eave as applicable and shall be measured from the average elevation of the front setback and non- occupiable building elements, such as towers, may exceed the building height by 20%. However, UDO also anticipates some of these topographic

challenges, stating that “where site slope conditions prevent the reasonable application of building height standards, exceptions may be made as long as the design intent of the building height standard is met.”

PLAN DETAILS

The subject property is located at a gateway into the neighborhood and has some substantial topography, falling over 22 feet from highest point of the site on Parthenon Avenue to the lowest point of the site on Long Boulevard. (Figure 1). The project proposes a five-story multifamily building with 52 units and is the second phase of a project to the immediate south, which shares parking with this project. The parcels have been consolidated and split into condominiums with maximum density calculated for the development as a whole.

MODIFICATION REQUEST DETAILS

1) Building Height

UDO Requirement: 4 stories and a maximum of 50 ft measured from the average grade plane at the front setback.

Modification Request: 5 stories with maximum height of 50 ft measured from the average grade plane of the combined average front setback along 31st Avenue and Parthenon Avenue.

MODIFICATION REQUEST ANALYSIS

The UDO clearly and specifically articulates that topography is to be considered when redevelopment occurs. In this case, the property must navigate substantial topography while properly addressing two prominent street frontages and an entrance to a regional park. Staff finds that the project proposes a height that is consistent with these goals and accentuates the corner by including an “eyebrow” architectural feature at the top of the building. This feature directly creates visual interest between the entrance to the park and the building.

Staff also notes that given the height calculation, had the project only consisted of property at the northern corner of this block, the UDO would allow an even taller building than currently proposed by this application. 31st Avenue drops in elevation southbound, so the average grade plane (from which building height is measured from) is lowered due to the width of the building along that frontage.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Approval of these major modifications are specific to these plans. If site layout, building design, etc. change prior to building permits, and major modifications are still necessary, the major modifications may need to be reconsidered by the Metro Planning Commission.

Approve with conditions and disapprove without all conditions. (7-0)

Resolution No. RS2023-324

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005UD-006-056 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Approval of these major modifications are specific to these plans. If site layout, building design, etc. change prior to building permits, and major modifications are still necessary, the major modifications may need to be reconsidered by the Metro Planning Commission.

H: OTHER BUSINESS

32. Memo for New member Appointment to the DTC DRC

Resolution No. RS2023-325

“BE IT RESOLVED by The Metropolitan Planning Commission that the Memo for New member Appointment to the DTC DRC is approved. (7-0)

33. Historic Zoning Commission Report
34. Board of Parks and Recreation Report
35. Executive Committee Report

36. Accept the Director's Report and Approve Administrative Items

Resolution No. RS2023-326

"BE IT RESOLVED by The Metropolitan Planning Commission that the director's report is approved. (7-0)

37. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

October 12, 2023

MPC Meeting

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

October 26, 2023

MPC Meeting

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

November 9, 2023

MPC Meeting

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

December 14, 2023

MPC Meeting

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

J: ADJOURNMENT

The meeting adjourned at 4:50 p.m.