

# Metropolitan Planning Commission



## Staff Reports

**December 14, 2023**



## Metro Planning Commission Meeting of 12/14/23

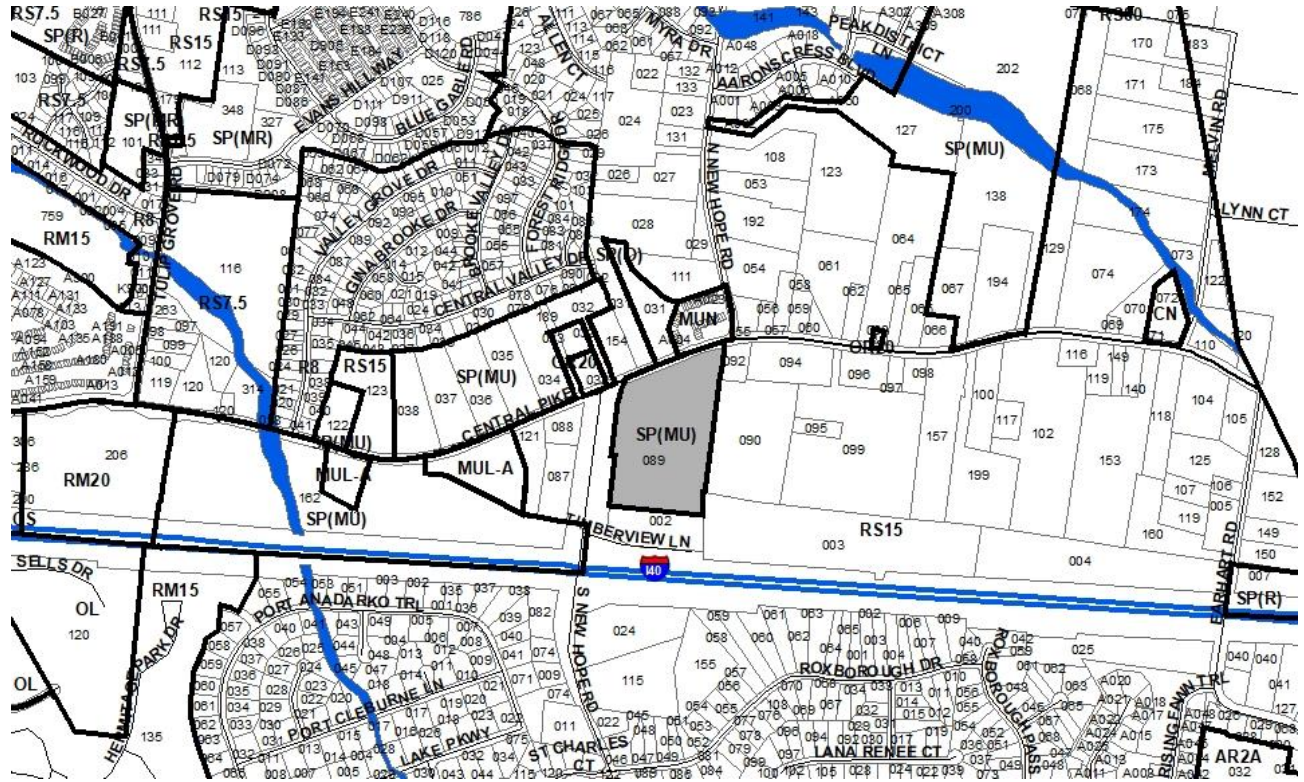
*Mission Statement: The Planning Commission is to guide the future growth and development for Nashville and Davidson County to evolve into a more socially, economically and environmentally sustainable community with a commitment to preservation of important assets, efficient use of public infrastructure, distinctive and diverse neighborhood character, free and open civic life, and choices in housing and transportation.*



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 12/14/23



**2014SP-050-002**  
4214 CENTRAL PIKE (AMENDMENT)  
Map 087, Parcel(s) 089  
14, Donelson – Hermitage – Old Hickory  
12 (Erin Evans)



## Metro Planning Commission Meeting of 12/14/23

<b>Item #1</b>	<b>Specific Plan 2014SP-050-002</b>
<b>Project Name</b>	<b>4214 Central Pike (Amendment)</b>
<b>Council District</b>	12 - Evans
<b>School District</b>	04 – Nabaa-McKinney
<b>Requested by</b>	Kimley Horn, applicant; NHC/OP, LP, owner.
<b>Deferrals</b>	The item was deferred from the June 8, 2023, June 22, 2023, July 27, 2023, and September 28, 2023, Planning Commission meetings. No public hearing was held.
<b>Staff Reviewer</b>	Marton
<b>Staff Recommendation</b>	<i>Defer to the February 8, 2024, Planning Commission meeting.</i>

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### **APPLICANT REQUEST**

**Amend previously approved SP to permit 320 multi-family residential units.**

#### Zone Change

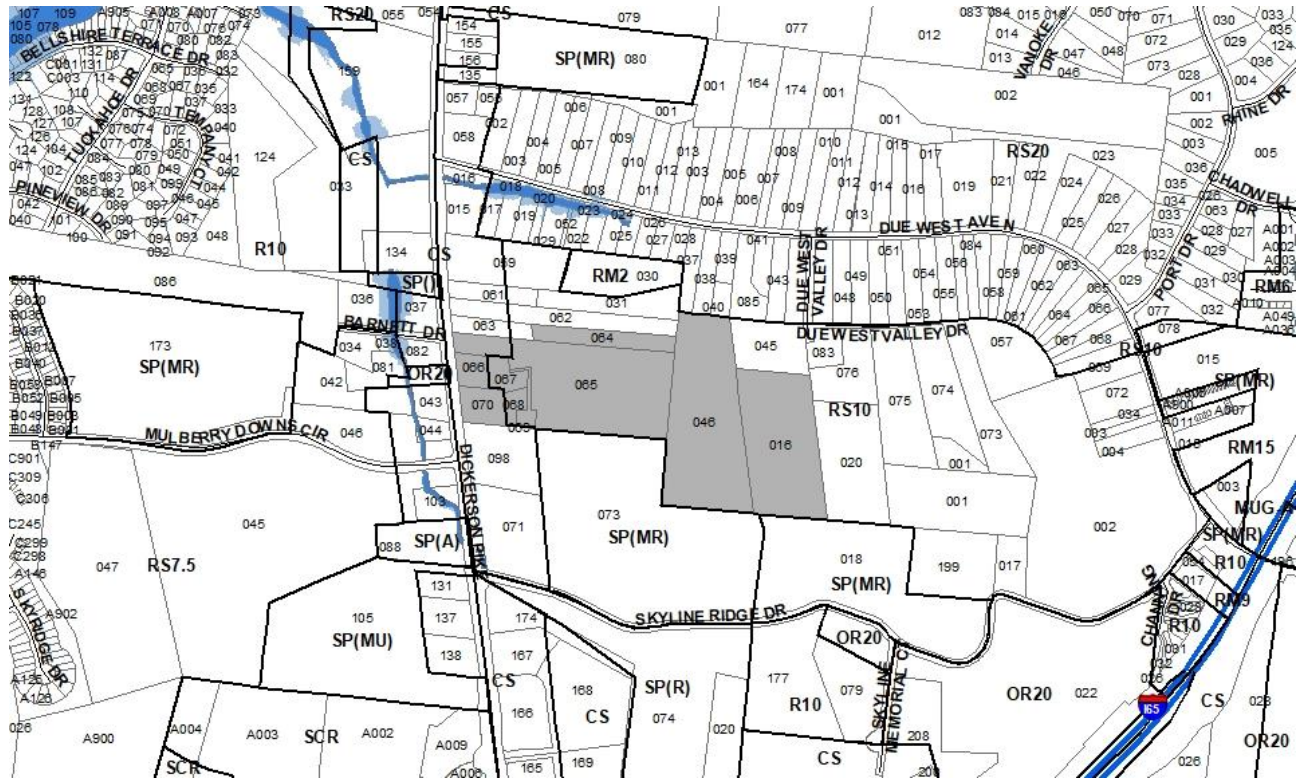
A request to amend the Specific Plan for property located 4214 Central Pike, at the southwest corner of N. New Hope Road and Central Pike, zoned Specific Plan (SP), to 320 permit multi-family residential units (14.02).

### **STAFF RECOMMENDATION**

Staff recommends deferral to the February 8, 2024, Planning Commission meeting.



# Metro Planning Commission Meeting of 12/14/23



## 2022SP-077-001

3539 DICKERSON PIKE  
Map 050, Parcel(s) 064-070  
Map 051-01, Parcel(s) 046  
Map 051-05, Parcel(s) 016  
02, Parkwood – Union Hill  
05 (Sean Parker)



## Metro Planning Commission Meeting of 12/14/23

<b>Item #2</b>	<b>Specific Plan 2022SP-077-001</b>
<b>Project Name</b>	<b>3539 Dickerson Pike</b>
<b>Council District</b>	05 – Parker
<b>School District</b>	01 – Gentry
<b>Requested by</b>	Barge Cauthen & Associates, applicant; 3539 Dickerson Pike, LLC, Lotus Enterprises, Inc., and New Level CDC, owners.

**Deferrals** This item was deferred from the October 26, 2023, and November 9, 2023, Planning Commission meetings. No public hearing was held.

**Staff Reviewer** Anthony  
**Staff Recommendation** *Approve with conditions and disapprove without all conditions.*

**APPLICANT REQUEST**  
**Preliminary SP to permit a mixed use development.**

Zone Change

A request to rezone from Commercial Service (CS) and Single-Family Residential (RS10) to Specific Plan (SP) zoning for properties located at 3525, 3533, 3537, and 3539 Dickerson Pike, Dickerson Pike (unnumbered), and Due West Avenue North (unnumbered), approximately 970 feet south of the intersection of Dickerson Pike and Due West Avenue North (36.92 acres), to permit a mixed use development with 22,000 square feet of non-residential uses and 525 multi-family residential units.

**Existing Zoning**

Commercial Service (CS) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses. *Approximately three acres are currently zoned CS.*

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *Approximately 33 acres are currently zoned RS10. Based on acreage only, RS10 would permit a maximum of 122 single-family residential units.*

**Proposed Zoning**

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

**PARKWOOD – UNION HILL COMMUNITY PLAN**

T3 Suburban Mixed Use Corridor (T3 CM) is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the



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corridor. T3 CM areas are located along pedestrian friendly, prominent arterial-boulevard and collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive, and comfortable access and travel for all users. T3 CM areas provide high access management and are served by highly connected street networks, sidewalks, and existing or planned mass transit.

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 underdeveloped “greenfield” areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers.

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

### **SITE CONTEXT**

The preliminary SP application is for nine parcels totaling 36.92 acres located along the east side of Dickerson Pike. The site has approximately 530 feet of frontage on Dickerson Pike. A preschool is currently located along a portion of the Dickerson Pike frontage. Large portions of the site—particularly the eastern two-thirds of the site—feature natural slopes of 20 percent or greater. Most of the site is also heavily wooded.

The portion of the subject site lying adjacent to Dickerson Pike is currently zoned CS; this zoning extends to a depth of 180 to 350 feet from the right-of-way and accounts for approximately three acres. The remainder of the site is currently zoned RS10. Adjacent zoning includes: CS on the northwest; RS10 and RS20 on the north; RS10 on the east; SP on the south; and CS on the southwest. Properties on the west side of Dickerson Pike across from the subject site are zoned CS and OR20. A mix of land uses is present in the vicinity; uses include single-family residential, two-family residential, multi-family residential, warehouse, commercial, and vacant land.





## Metro Planning Commission Meeting of 12/14/23



North ▲

### Proposed Preliminary SP

#### PLAN DETAILS

The preliminary SP is for a mixed use development on 36.92 acres located along the east side of Dickerson Pike. The development would consist of up to 22,000 square feet of nonresidential uses and 525 multi-family residential units.

#### Site Layout

The site layout included in the preliminary SP application divides the site into three zones: conservation, mixed use, and residential. The easternmost third of the site (approximately 24.5 acres) would be designated as the conservation zone. This area is densely wooded and includes multiple steep slopes. No buildings are proposed in the conservation zone; this area would be set aside for preservation and recreational uses.

The 6.7-acre mixed use zone would be situated between Dickerson Pike on the west and a creek on the east. This zone would include multiple buildings. A proposed mixed use building located near the northwest corner of the site would feature ground-floor office and/or commercial uses and multi-family residential units on the upper floors; this building would also include an internal parking garage. The site layout shows a second mixed use building located near the southwest corner of the site. An additional building identified as retail use is shown on the Dickerson Pike frontage between the two mixed use buildings. A daycare would be located at the rear of the mixed use zone, west of the creek that runs through the site. Up to 22,000 square feet of nonresidential uses and 450 multi-family residential units would be permitted in the mixed use zone; multi-family housing types would include a mix of flats and townhouses.



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The 5.2-acre residential zone would be located between the conservation and mixed use zones and would permit up to 75 multi-family residential units. The preliminary SP application indicates that these units would be divided among various housing types including townhouses, detached units with individual garage parking, and detached units with shared surface parking. The residential zone would include an amenities area; a trail system would connect the residential zone to the mixed use and conservation zones.

Because of steep slopes, the preliminary grading plan shows several retaining walls. These are most prominent in areas south of the private street in the mixed use zone and around the northernmost detached residential structures in the residential zone. In some places, these walls reach heights in excess of 30 feet. Detailed grading plans will be required with the Final SP submittal, and Metro staff will review these plans for compliance with all applicable Metro standards.

### *Access, Parking, and Roadway Improvements*

Access to the site would be provided via a private drive and separate garage driveway connecting to Dickerson Pike. The proposed private drive would connect to Dickerson Pike near the center of the subject site's frontage. The private drive would provide access to both the mixed use and residential zones. The garage driveway would be located near the north side of the site and would provide access to an internal multi-level parking garage in the northernmost mixed use building.

The preliminary SP application proposes a total of 510 parking spaces, 420 of which would be provided in the parking garage in the mixed use zone. The parking garage is intended to serve both the nonresidential and residential components of the mixed use zone. The remaining 90 spaces would be provided in surface lots scattered across the site. These lots are generally located near the proposed multi-family residential units in the residential zone and the proposed daycare in the mixed use zone. Eighteen detached residential units would have individual garages and/or driveway parking; these units are labeled *Type A Units* on the site landscaping plan and are shown in yellow on the site layout plan.

The Major and Collector Street Plan (MCSP) identifies Dickerson Pike as an arterial boulevard with a 102-foot standard right-of-way. The proposed SP includes a 13-foot right-of-way dedication, which will increase the right-of-way between the Dickerson Pike centerline and property line to 51 feet. The proposed SP shows an eight-foot planting strip and twelve-foot sidewalk along the Dickerson Pike frontage. Within the mixed use portion of the proposed development, the north side of the private drive would have a width of 24 feet and include a four-foot planting strip and eight-foot sidewalk. The planting strip and sidewalk would also be provided along a portion of the south side of the private street; grade changes would cause interruptions in sidewalk continuity, particularly along the south side of the private drive, east of the mixed use buildings.

WeGo and NDOT have identified an opportunity for an enhanced public transit stop or station on the subject site. Because this is still in preliminary discussions with the applicant, it is not reflected on the preliminary SP. However, NDOT has included a condition requiring the applicant to continue these discussions with WeGo. Any transit stop on the site should be included in the final SP submittal.



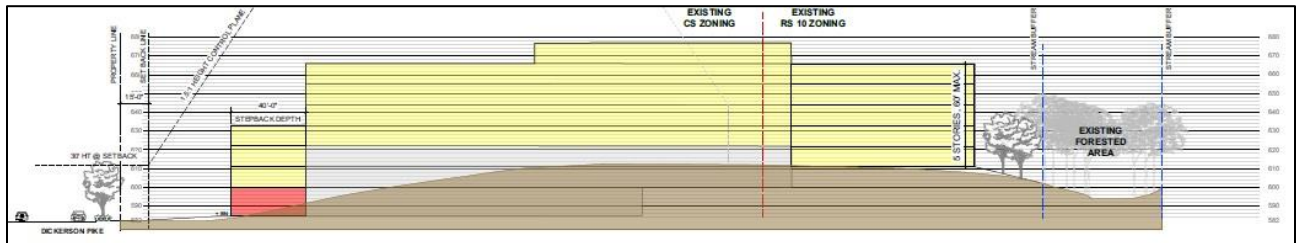
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### *Building Height and Other Bulk Standards*

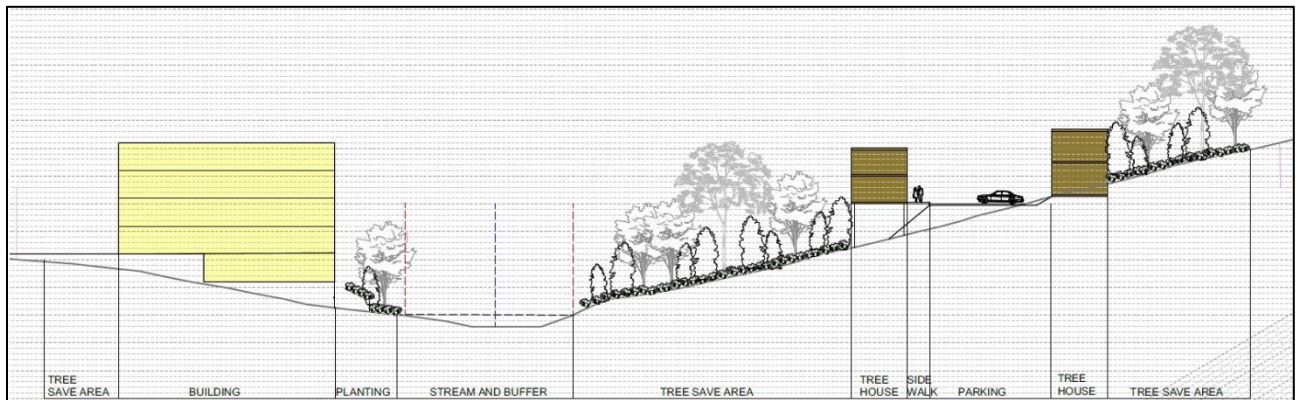
In the mixed use zone, the preliminary SP application proposes a maximum height at the build-to line of 30 feet. A stepback with minimum depth of 40 feet would be required. The maximum overall height for buildings in the mixed use zone would be seven stories in 90 feet. The proposed maximum floor area ratio in the mixed use zone would be 0.6, and the maximum impervious surface ratio would be 0.9. The SP application proposes minimum setbacks of zero on Dickerson Pike, five feet on sides, and 20 feet on the rear in the mixed use zone.

In the residential zone, the proposed maximum height is three stories in 45 feet. Other bulk standards would follow RS10 zoning requirements. These include: maximum building coverage of 0.40, minimum side setbacks of five feet, and minimum rear setback of 20 feet.

The preliminary SP application includes several cross-sections that show how building height will be perceived from various locations. Due to the site's topography, the proposed height of the mixed use buildings would have limited visual impacts on residential properties located along Due West Avenue North and Due West Valley Drive. Two exhibits are provided below: 1) a view of the proposed mixed use zone in relation to Dickerson Pike; and 2) a cross-section of the site showing proposed buildings in relation to site grade changes. Additional cross-sections are provided in the preliminary SP application.



### **Mixed Use Building with Parking Garage**



### **Cross-Section of Site with Grade Changes**

#### *Permitted Land Uses*

Most uses typically permitted in the MUL-A zoning district would be permitted in the mixed use zone. Single-family, two-family, and multi-family residential uses would be permitted in the residential zone. In both the mixed use and residential zones, community gardening, non



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commercial, would be permitted, and short-term rentals (both owner-occupied and non-owner occupied) would be prohibited.

### ANALYSIS

The subject site lies within three policy areas: T3 Suburban Mixed Use Corridor (T3 CM); T3 Suburban Neighborhood Evolving (T3 NE); and Conservation (CO).

#### *Consistency with T3 CM Policy*

The T3 CM policy applies to the westernmost portion of the subject site, which lies adjacent to Dickerson Pike. The T3 CM policy is intended to support higher-density residential and mixed use development with higher-intensity mixed use and commercial uses situated at intersections. Along with a mix of land uses, T3 CM policy areas are characterized by buildings built to the back of the sidewalk, parking behind or beside buildings, and highly connected street networks. Appropriate building types include low and medium-rise townhouses, flats, and mixed use buildings. Building heights are generally limited to one to three stories; however, additional height may be warranted at major intersections in limited situations. Proximity to other policy areas, proximity to transit, the use of building setbacks, and site topography are factors that may be considered when allowing height greater than three stories.

Most of the proposed mixed use zone falls within the T3 CM policy area. The remaining portion of the mixed use zone falls within the T3 NE policy area; the only proposed nonresidential use identified in this portion of the mixed use zone is daycare, which is a use supported by T3 NE. With the exception of building height, the preliminary SP is consistent with the T3 CM policy. The proposed mixed use zone would have a zero street setback. Parking would be provided in an enclosed parking garage and in surface parking lots located away from the Dickerson Pike frontage. Proposed density in the mixed use zone is 67.16 residential units per acre.

The proposed building height of seven stories in 90 feet in the mixed use zone exceeds the three-story maximum recommended by the T3 CM policy. The subject site is located near—though not at—a prominent intersection. Due West Avenue North, a collector-avenue, lies approximately 1,000 feet north of the subject site. The proposed SP appears to meet several of the factors that may warrant additional building height. Among these factors are:

- The subject site is located along Dickerson Pike, which is served by WeGo route 79; the SP application shows a new WeGo bus stop located along the site's frontage.
- The proposed SP incorporates a building setback with a depth of 40 feet.
- The subject site has steep slopes, limiting the developable area.

For these reasons, Planning staff finds that the requested height aligns with the T3 CM policy and is therefore warranted.

#### *Consistency with T3 NE Policy*

Portions of the subject site—specifically near the center and east side of the site—lie within the T3 NE policy area. Properties within the T3 NE policy area are anticipated to be developed at higher densities and with greater housing variety than classic suburban neighborhoods. Characteristics of the T3 NE policy include: moderate-density residential development; lots generally accessed from



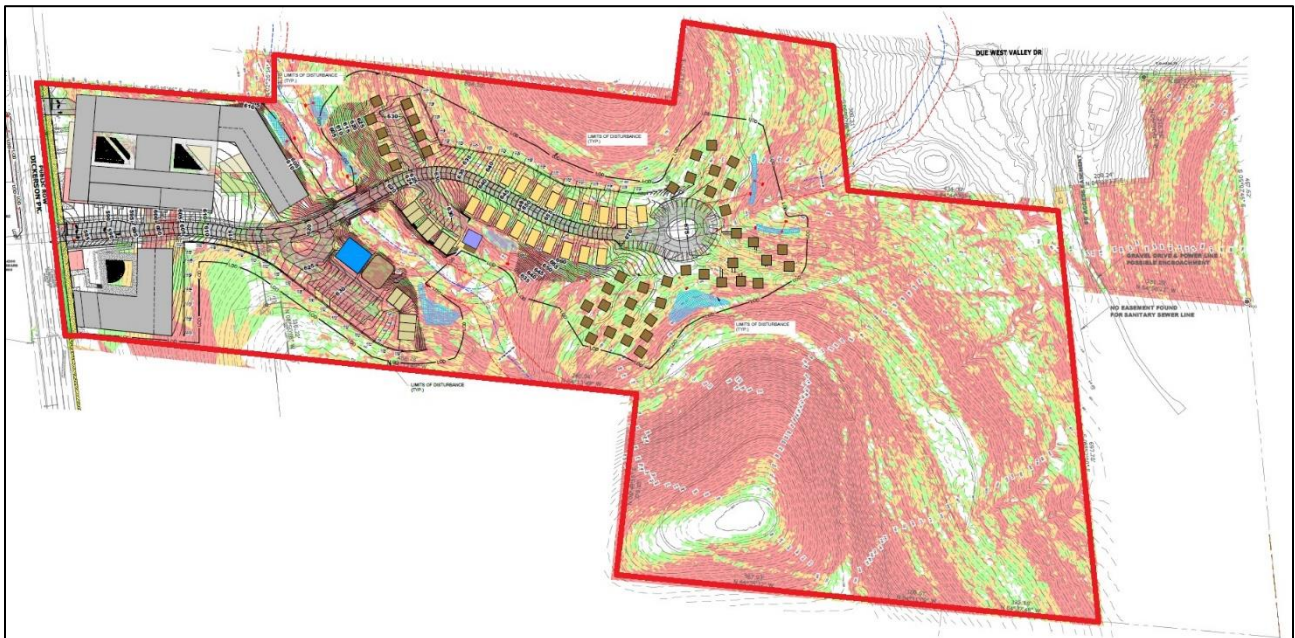
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local streets or alleys; and moderate to high levels of connectivity. Houses, townhouses, and flats are among the building types recommended in the T3 NE policy area. Building heights are generally limited to one to three stories with heights of up to four stories possible in certain locations.

Most of the proposed residential zone lies within the T3 NE policy area. The preliminary SP is generally consistent with the T3 NE policy guidance. The proposed density in the residential zone is 14.42 residential units per acre. All residential parking lots and driveways in the residential zone would be accessed from private streets. Proposed housing types include houses and townhouses. The residential zone would be able to access WeGo public transit along Dickerson Pike. The proposed building height of three stories in 45 feet falls within the T3 NE policy guidance for building height.

### *Consistency with CO Policy*

The CO policy applies to large portions of the site affected by steep slopes and a stream. Much of the CO area is also heavily wooded with large, mature trees. As shown on the following exhibit, development in the proposed SP generally avoids the steepest slopes and stream area. In the exhibit, red represents slopes greater than 25 percent, yellow represents slopes of 20 to 25 percent, and green represents slopes of 15 to 20 percent.



### **Slope Exhibit**

During final SP review, the applicant will be required to submit detailed grading and tree preservation plans to ensure that there is minimal disturbance to environmentally-sensitive areas during the construction process.

Because the proposed SP is mostly consistent with the T3 CM, T3 NE, and CO policies, staff recommends approval with conditions and disapproval without all conditions.



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### **FIRE MARHAL RECOMMENDATION**

#### **Approve with conditions**

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

### **STORMWATER RECOMMENDATION**

#### **Approve with conditions**

- 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 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% Sanitary Sewer Capacity must be paid before issuance of building permits.
- Water provided by Madison Suburban Utility District.

### **NASHVILLE DOT RECOMMENDATION**

#### **Approve with conditions**

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

### **TRAFFIC & PARKING RECOMMENDATION**

#### **Approve with conditions**

- The applicant's traffic engineer will be required to coordinate with NDOT on conducting a new/updated transportation analysis that follows the new MMTA guidelines. The



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new/updated MMTA will need to be submitted and finalized with NDOT prior to the submission of any Final SP for this development.

- The applicant shall coordinate with NDOT to either construct or contribute to the planned/future signal at the intersection of Dickerson Pike and Mulberry Downs. The 'Proposed Pedestrian Crossing Signal' will need to be discussed further with NDOT to determine if it is an appropriate interim solution for this intersection. However, if NDOT determines that a financial contribution is the optimal path forward, then the funds will be delivered to NDOT prior to the approval of U&O of the first phase of this development.
- The applicant shall coordinate with WeGo on the design of the proposed transit stop along the frontage in addition to any other transit improvements within the area along Dickerson Pike.
- At Final SP the referenced 'Shared Parking Study' shall be submitted to NDOT and Planning for review. Provide detailed parking calculations to with bedroom counts to verify parking is being shown per metro code.
- Driveway/access ramps shall be a maximum of 35', per metro code.
- 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: CS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	3.03	0.6 F	79,192 SF	2,989	74	302

**Maximum Uses in Existing Zoning District: RS10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	33.3	3.7 D	145 U	1,464	108	145

**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)	-	-	525 U	2,860	174	218

**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)	-	-	22,000 SF	831	21	84



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Traffic changes between maximum: CS/RS10 and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-762	+13	-145

### METRO SCHOOL BOARD REPORT

**Projected student generation existing RS10 district: 16 Elementary 8 Middle 12 High**  
**Projected student generation proposed SP district: 91 Elementary 39 Middle 46 High**

The proposed SP zoning district is anticipated to generate 140 more students than what would be generated under the current RS10 zoning district. Students would attend Chadwell Elementary School, Jere Baxter Middle School, and Maplewood High School. Chadwell Elementary School is identified as being over capacity, while Jere Baxter Middle School and Maplewood High School are identified as being at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

### STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

### CONDITIONS

1. Permitted uses shall be limited to all uses in the MUL-A-NS zoning district and other nonresidential uses specified on the preliminary SP plan and 525 multi-family residential units. Short-term rental property, owner-occupied and non-owner occupied, shall be prohibited in the entire development. Nonresidential uses (other than daycare and gardening, non-commercial) shall be limited to the portion of the site located within the T3 CM policy area.
2. Development parameters shall not exceed the limits of disturbance identified on sheet C2.0 of the preliminary SP. On corrected copy, revise designated zone boundaries to place the entirety of disturbed area in the residential and mixed use zones.
3. A detailed tree inventory and tree preservation plan shall be required with the Final SP.
4. On corrected copy, revise note 6 under Sidewalks and Trails on sheet L1.00 to the following: Trails outside the identified limits of disturbance shall be constructed of natural materials. Trails and other uses permitted in the conservation zone shall not disturb existing slopes or trees identified for preservation.
5. Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, and glass, or materials substantially similar in form and function, unless otherwise approved on detailed elevations included with the preliminary SP.
6. Internal sidewalks shall be constructed as shown in the preliminary SP. The applicant shall work with NDOT and Planning staff during Final SP review on means of filling in gaps in internal sidewalks where possible and other alternative means of promoting walkability within the development. The applicant shall work with NDOT and Planning staff prior to Final SP approval on appropriate and safe pedestrian street crossing measure(s) at the termination of the sidewalk on the south side of the private street. Signage, street markings, and/or other measures may be required.
7. On corrected copy, revise landscape note on sheet L1.00 to indicate that landscaping shall be provided per Metro Zoning Code.



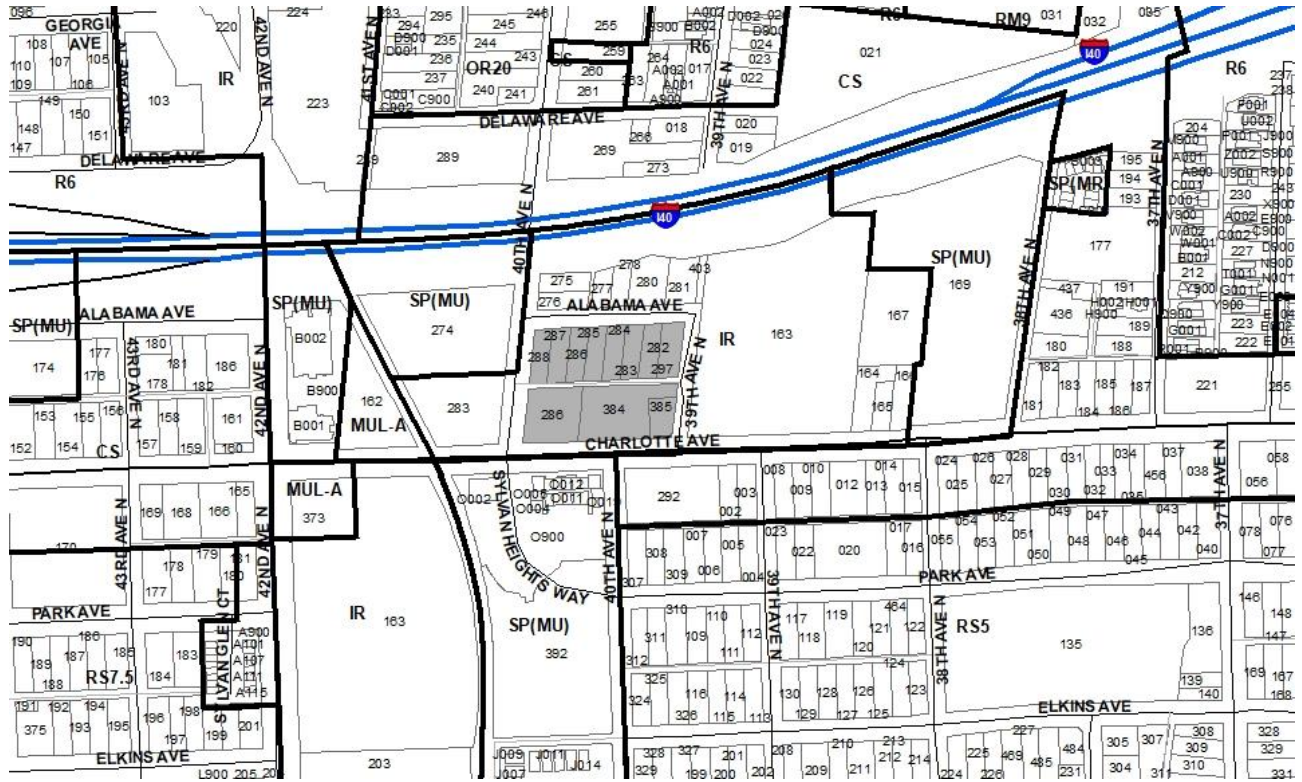


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8. Maximum building height shall not exceed that of elevations included in the preliminary SP. Revise maximum building height measurement standard for residential zone on sheet L1.00A to the following: Height shall be measured from the average elevation (average of 4 most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch (the vertical distance from eave to midpoint) or to the top of the parapet for a flat roof.
9. Parking calculations shall be reviewed with final SP. Uses may necessitate revision of the submitted shared parking study.
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 portion of the property identified as mixed use zone on the plan 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. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the portion of the property identified as residential zone on the plan shall be subject to the standards, regulations and requirements of the RM20-NS 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 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 the required sidewalk. Vertical obstructions are only permitted within any 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.



# Metro Planning Commission Meeting of 12/14/23



**2023SP-054-001**  
CHARLOTTE PIKE MIXED USE  
Map 091-12, Parcel(s) 282-288, 297  
Map 091-16, Parcel(s) 286, 384-385  
07, West Nashville  
24 (Brenda Gadd)



## Metro Planning Commission Meeting of 12/14/23

<b>Item #3</b>	<b>Specific Plan 2023SP-054-001</b>
<b>Project Name</b>	<b>Charlotte Pike Mixed Use</b>
<b>Council District</b>	24 – Gadd
<b>School District</b>	05 – Buggs
<b>Requested by</b>	Thomas & Hutton, applicant; Mohammed and Zary Rahimi, 3905 Alabama Ave, LLC, and The Ragan Family Revocable Living Trust, owners.
<b>Staff Reviewer</b>	Anthony
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions.</i>

### APPLICANT REQUEST

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

#### Preliminary SP

A request to rezone from Industrial Restrictive (IR) to Specific Plan (SP) for properties located at 3900, 3906, and 3914 Charlotte Avenue, 3905, 3907, 3909, 3911, 3913, and 3915 Alabama Avenue, 411 39<sup>th</sup> Avenue North, and 406 40<sup>th</sup> Avenue North, at the northwest corner of Charlotte Avenue and 39<sup>th</sup> Avenue North (2.7 acres), to permit a mixed use development with 249 multi-family residential units.

#### **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-Mixed Use (SP-MU) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan includes multi-family residential and nonresidential uses.*

### WEST NASHVILLE COMMUNITY PLAN

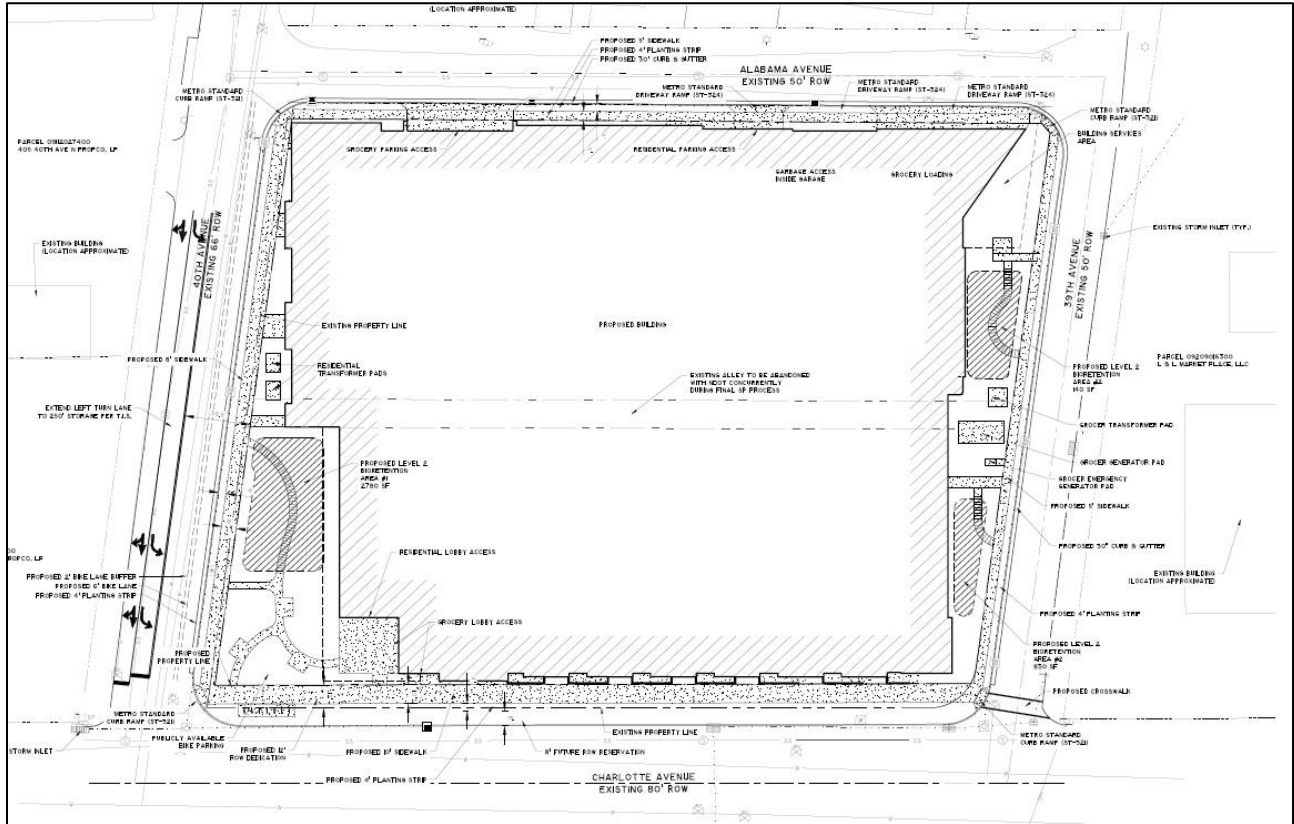
T4 Urban Mixed Use Corridor (T4 CM) is intended to enhance urban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are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

### SUPPLEMENTAL POLICY

The site is located in the Charlotte Avenue Corridor Study supplemental policy area. The site lies within subdistrict 5, the Industrial Heritage Character Area, which is characterized as paying homage to its industrial roots through adaptive reuse of quality historic buildings and redevelopment of a similar character. The supplemental policy restricts height to four stories; up to



# Metro Planning Commission Meeting of 12/14/23



North ▲

## Proposed Preliminary SP

six stories are permitted beyond 150 feet north of Charlotte Avenue with provision for publicly accessible open space or adaptive reuse. Additionally, the policy supports mixed use buildings with residential or office on upper floors and ground floor commercial uses. The policy emphasizes preservation of existing structures where possible; the scale, massing, and street orientation of infill and redevelopment should be compatible with the surroundings.

## SITE CONTEXT

The preliminary SP application is for eleven parcels totaling 2.7 acres, bounded by Charlotte Avenue on the south, Alabama Avenue on the north, 39<sup>th</sup> Avenue North on the east, and 40<sup>th</sup> Avenue North on the west. The subject site is sloped; the west side of the property has an elevation approximately 20 feet higher than that of the east side. All parcels on the site are currently zoned IR and are in the Urban Zoning Overlay. A variety of commercial uses—including auto-oriented uses—are present on the site. Adjacent zoning includes: IR on the north and east; CS and SP on the south; and SP and IR on the west. Adjacent land uses include: commercial and multi-family residential on the north; commercial on the east; commercial and residential on the south; and commercial and mixed use (under construction) on the west.

## PLAN DETAILS

The preliminary SP is for a mixed use building with frontage on Charlotte Avenue, Alabama Avenue, 39<sup>th</sup> Avenue North, and 40<sup>th</sup> Avenue North. The proposed building would include



## Metro Planning Commission Meeting of 12/14/23

approximately 42,000 square feet of commercial use (identified on the plan as a grocery store), 249 multi-family residential units, and a five-level internal parking garage.

### *Site Layout*

The site is surrounded by public right-of-way on all four sides. The proposed building would be oriented primarily toward Charlotte Avenue on the south and 40<sup>th</sup> Avenue North on the west. The proposed commercial anchor, a grocery store, would have its primary entrance near the corner of Charlotte Avenue and 40<sup>th</sup> Avenue North. The entrance would be recessed to accommodate an open space area with plantings and outdoor furnishings such as benches. Other open space areas would be located along the eastern side of the site; the SP application packet indicates that meandering sidewalks, raised boardwalks, and dog park could be incorporated into these open spaces. Open space would make up ten percent of the site.

The proposed building would be built to the back edge of the sidewalk on Charlotte Avenue, 40<sup>th</sup> Avenue North, and Alabama Avenue; sidewalks and landscape strips would be incorporated on all four streets. The plan shows approximately 12 feet of right-of-way dedication on Charlotte Avenue. Street trees would be planted along all four adjacent public streets. The proposed floor area ratio is 2.84, and the proposed impervious surface ratio is 0.90.

### *Parking and Access*

The proposed internal parking garage would be accessed from multiple points along Alabama Avenue on the northern side of the site. Customer parking for the grocery store, residential parking, and the loading area for the grocery store would all have separate garage access points. The proposed four-story garage would be located internally to the building and would include 446 vehicular parking spaces. Additionally, the SP application indicates that 50 bicycle parking spaces would be provided on the site.

The site is currently served by WeGo route 50, which runs east-west along the Charlotte Avenue corridor. An existing bus stop is located at the northeastern corner of Charlotte Avenue and 39<sup>th</sup> Avenue North, adjacent to the subject site. An existing bus shelter is located along the southern side of Charlotte Avenue, approximately 350 feet southwest of the subject site.

### *Building Design and Height*

The building elevations included in the SP application show a mix of building materials including brick, limestone, and cementitious siding. Glazing would constitute at least 20 percent of all four facades and would be most prominent on the ground floors on Charlotte Avenue and 40<sup>th</sup> Avenue North. The proposed parking garage would not be visible from public right-of-way, except on Alabama Avenue, where garage entrances would be located. Service areas would be situated on the eastern side of the building, adjacent to 39<sup>th</sup> Avenue North; all ground-mounted service structures would be screened per the Zoning Code. To soften the appearance of the western side of the building, the application proposes placing open space between the building and the street and incorporating decorative features such as a mural and spandrel glass.

The proposed maximum building height is six stories in approximately 95 feet. Consistent with the supplemental policy, the building would have a height of four stories along Charlotte Avenue to a minimum depth of 150 feet. Beyond 150 feet, building height would increase to six stories. Note



## Metro Planning Commission Meeting of 12/14/23

that a combination of grade change and a first floor height of 30 feet may make the building appear higher than six stories.

The following images show proposed building elevations from each of the four adjacent public rights-of-way.



**West Elevation (40<sup>th</sup> Avenue North)**



**South Elevation (Charlotte Avenue)**



**East Elevation (39<sup>th</sup> Avenue North)**



## Metro Planning Commission Meeting of 12/14/23



### North Elevation (Alabama Avenue)

#### ANALYSIS

The site is subject to both a character policy and a supplemental policy. The applicable character policy is T4 Urban Mixed Use Corridor (T4 CM). The applicable supplemental policy is the Charlotte Avenue Corridor Study, Subdistrict 5, Industrial Heritage Character Area.

#### *Consistency with T4 CM Policy*

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 policy prioritizes mixed use and commercial development at intersections and residential development between intersections. Multi-modal transportation, high levels of pedestrian and vehicular connectivity, shallow setbacks, and structured and rear-of-building parking are emphasized in T4 CM policy areas.

Buildings in the T4 CM policy area are generally three to five stories in height, though greater height may be permitted at major intersections, in tiered centers, and along priority corridors. First floor tenant spaces typically do not exceed 10,000 square feet, though additional square footage may be warranted when certain standards are met. These standards include: strong façade articulation; parking that breaks up large expanses of pavement and encourages safe pedestrian and vehicular movement; the use of smaller buildings to frame larger buildings and create a town center environment; and the incorporation of usable, inviting open space into the development.

A mix of commercial and residential land uses is included in the proposed SP. A grocery store would be the development's commercial component, while the residential component would consist of 249-unit multi-family residential units. The proposed density of 92 residential units per acre is consistent with the T4 CM policy guidance. Likewise, the placement of the commercial component at the intersection of Charlotte Avenue and 40<sup>th</sup> Avenue North is consistent with the policy.

The proposed SP adheres to the Major and Collector Street Plan by including broad sidewalks along both Charlotte Avenue and 40<sup>th</sup> Avenue North. Both a crosswalk across 40<sup>th</sup> Avenue North and a bicycle lane on 39<sup>th</sup> Avenue North are shown on the plan. The proposed improvements to pedestrian and bicycle infrastructure along with the close proximity to a bus route and bus stops are consistent with the T4 CM policy's emphases on multi-modal transportation and connectivity.

The proposed building would be built to the back edge of the sidewalk on Charlotte Avenue, 40<sup>th</sup> Avenue North, and Alabama Avenue. Parking would be available in a parking structure, which would be located internally to the building. The proposed building placement, building orientation, and parking location are consistent with the T4 CM policy.



## Metro Planning Commission Meeting of 12/14/23

The proposed height of six stories in 91 feet appears to satisfy the T4 CM policy's guidance for buildings exceeding five stories. The site is located at a major intersection, within a third tier center, and along a priority corridor. Additionally, the building incorporates a wide stepback from four to six stories, the site has quick access to public transit, and the site has topographical challenges due to an approximate 20-foot grade change.

The proposed 41,950 square foot grocery store exceeds the T4 CM policy's 10,000 square foot maximum for individual first floor tenant spaces. As previously noted, the policy makes exceptions for exceptional development design that meets certain standards. The proposed SP appears to satisfy multiple standards by incorporating strong façade articulation, placing parking in a manner that supports safe pedestrian and vehicular movement, and providing publicly-accessible, usable, and inviting open spaces.

### *Consistency with Charlotte Avenue Corridor Study*

The site is located in Subdistrict 5, Industrial Heritage Character Area, of the Charlotte Avenue Corridor Study area. This supplemental policy emphasizes character and design, mobility, and open space. The policy supports mixed use buildings with residential or office on upper floors and commercial uses on the ground floor and emphasizes compatible infill development. The policy restricts building height to four stories along the Charlotte Avenue corridor with an allowance of up to six stories beyond 150 feet north of Charlotte Avenue. To qualify for the six story allowance, a development should designate a minimum of ten percent of the site as publicly-accessible open space.

The proposed SP includes a building height of four stories along the Charlotte Avenue frontage. Consistent with the supplemental policy, the plan shows a height of six stories beyond 150 feet north of Charlotte Avenue. To qualify for the additional height, the plan includes three open space areas, which constitute approximately ten percent of the entire site. As shown on the plan, the open spaces will be publicly-accessible and will include amenities such as plantings, benches, sidewalks, and boardwalks.

Because the proposed SP is consistent with the T4 CM policy and the Charlotte Avenue Corridor Study, staff recommends approval with conditions and disapproval without all conditions.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

- Limited building details provided for review.

### **STORMWATER RECOMMENDATION**

#### **Approve with conditions**

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





## **Metro Planning Commission Meeting of 12/14/23**

### **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**

- Generally with a final: Callout the following per NDOT ST- detail sections: access and ADA ramps, sidewalks, curb & gutter. All ROW frontages shall adhere to the Major Collector Street Plan(MCSP). Dedicate ROW along all frontages to accommodate MCSP requirements. Provide call outs on final site plan for MCSP requirements. Show 'Now Entering Private Drive' signage where applicable off public roads into site. Provide internal stop control at private or public intersections. Where there may be potential vehicular or pedestrian sight distance issues, provide stopping sight distance exhibits at any relevant intersections and accesses. Provide adequate sight distance spacing at all access ramps and public streets with on-street parking. Dimension ROW pavement widths for clarity. Provide a loading/unloading and waste plan for each aspect/phase of the total development. Provide any truck turning movements relevant to loading/unloading waste plan activities.
- Due to longevity of departmental review process (including council readings) for Mandatory referral applications of encroachments and/or abandonments, applications should be submitted concurrently with (or before) the final SP.
- Note: A private hauler will be required for site waste/recycle disposal.
- Comply w/ NDOT traffic comments.
- Case specific approval conditions: Be aware that any additional easements needed to accommodate semi-truck turning movements for unloading/unloading off Alabama will be required for final approval. Additional paving within Alabama ROW may also be required (shown on final) to accommodate semi-truck turning movements for loading/unloading events off Alabama ROW.

### **TRAFFIC & PARKING RECOMMENDATION**

#### **Approve with conditions**

- The current parking total exceeds the amount of spaces permitted within the UZO by metro code. A parking study shall be submitted at Final SP to justify the necessity for the additional spaces. If the submitted parking study is not approved by NDOT or Planning, the parking for this development shall be limited to the UZO parking maximums outlined in the metro code.
- Per the MCSP the 40th Ave pavement shall include; three 10' travel lanes, a 2' bike buffer, and a 6' bike lane (gutter plan included). Dedicated ride-share spaces along the frontage of 40th Ave will not be permitted. The MCSP requirements shall be met on all public road frontages.



## Metro Planning Commission Meeting of 12/14/23

- All driveway ramps, with exception to the loading access, shall not exceed 35' in width. Special exceptions maybe granted for the loading access with giving that the truck turning exhibit supports the proposed access width.
- The abandonment of Alley 934 will require a mandatory referral.
- Comply with NDOT Roads comments.
- Per review of the TIS:
  - At the intersection of Charlotte Pike & 40th Ave N/Sylvan Heights Way, extend the SB Left-turn lane to 250ft of storage. Restripe the deficient cross-walks on the Northern and Southern legs of the intersection of Charlotte Pike & 40th Ave N/Sylvan Heights Way.
  - Install a cross-walk on the SB approach at the intersection of 39th Ave N & Charlotte Pike (Northern Leg) and the NB approach (southern Leg), ped ramps and warning mats shall also be included.
  - Install the appropriate pedestrian infrastructure for the sidewalks at the existing railroad crossing on Charlotte Pike.
  - Provide an enhanced pedestrian crossing at the mid-point between the 39th Ave N & Charlotte Pike intersections, or other appropriate location, to improve the pedestrian access to the transit stops. The enhanced pedestrian crossing may include but is not limited to, a hybrid beacon, a refuge island, and MUTCD signage & pavement markings. Coordinate with NDOT and WeGo on any transit improvements to accommodate the enhanced pedestrian crossing in this area.
- Prior to building permit approval, the applicant's traffic engineer shall submit a Traffic Demand Management plan to NDOT for the future residents of this development. Further coordination with NDOT's TDM coordinator (Meghan.Mathson@nashville.gov) will be required.
- 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)	2.7	0.6 F	70,567 SF	157	12	14

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	-	-	249 U	1,355	84	106

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Supermarket (850)	-	-	41,950 SF	4,186	160	408



## Metro Planning Commission Meeting of 12/14/23

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
-	-	-	-	+5,384	+232	+500

### METRO SCHOOL BOARD REPORT

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

**Projected student generation proposed SP district: 9 Elementary 4 Middle 5 High**

The proposed SP zoning district is anticipated to generate 18 more students than what would be generated under the current IR zoning district. Students would attend Park Avenue Elementary School, McKissack Middle School, and Pearl-Cohn High School. All three schools are identified as being exceedingly under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

### STAFF RECOMMENDATION

Staff recommends approval 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, 249 multi-family residential units, and other uses identified on the preliminary SP. Short-term rental property, owner-occupied and non-owner occupied, shall be prohibited.
2. On corrected copy, clearly define the use “live/work unit” and provide proposed standards for this use.
3. Mandatory referral for alley abandonment shall be approved prior to approval of Final SP.
4. With Final SP submittal, clearly indicate the location(s) of bicycle parking spaces, including all publicly-accessible spaces (25 percent of all bicycle spaces).
5. Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, and glass, or materials substantially similar in form and function, unless otherwise approved on detailed elevations included with the preliminary SP.
6. On corrected copy, revise note 3 on cover sheet to indicate that landscaping shall be provided per Metro Zoning Code.
7. Parking calculations shall be reviewed with Final SP submittal and shall meet Zoning Code standards. Parking shall not exceed the UZO maximum unless a study is submitted and approved by NDOT and Planning.
8. On the corrected copy, add the following to the maximum building height: 4 stories within the first 150 feet of Charlotte Pike; 6 stories beyond 150 feet of Charlotte Pike with the provision of open space?
9. On corrected copy, provide revised elevations and revised site plan that clearly show where the transition from four to six stories occurs. Height transition shall be consistent with Charlotte Avenue Corridor Study height standards.
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.



## Metro Planning Commission Meeting of 12/14/23

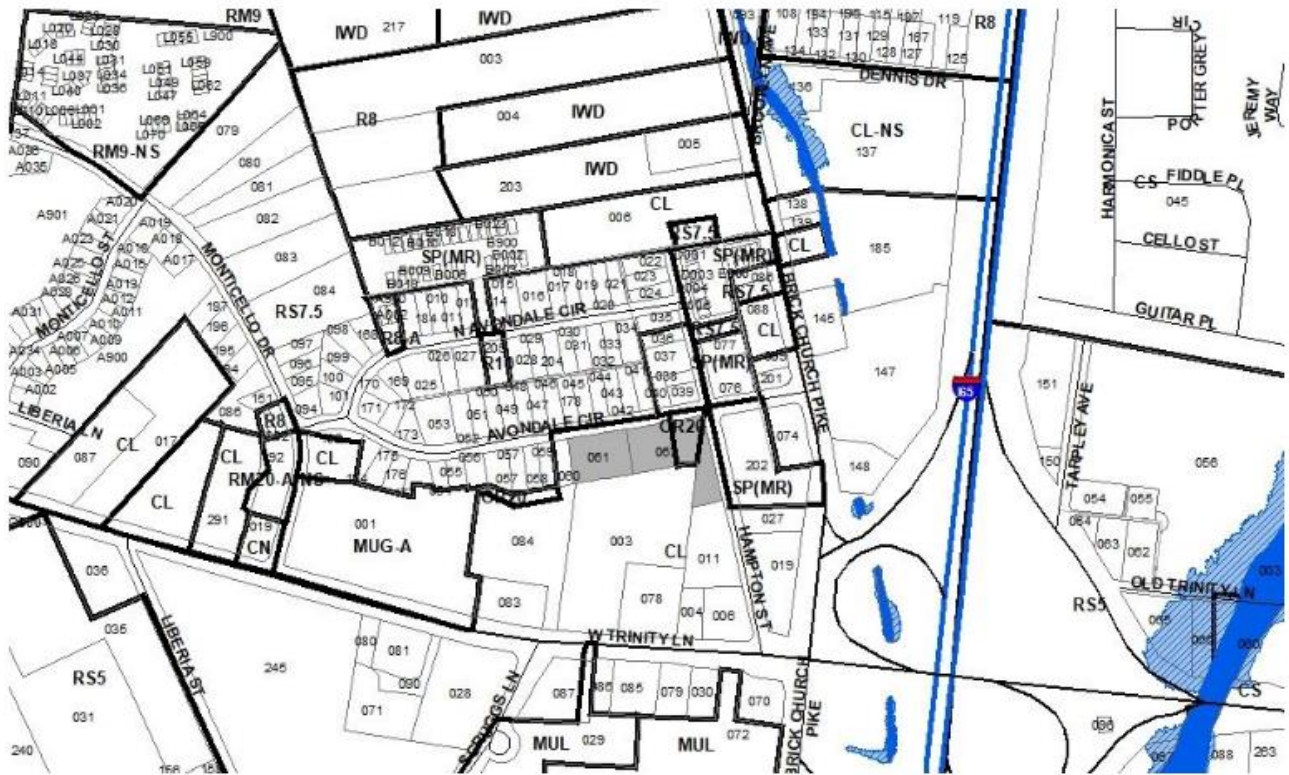
12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described 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. Revise note 10 on the cover sheet to the following: The final site plan shall depict any required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within 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 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.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 12/14/23



## 2023SP-077-001

1520 HAMPTON STREET

Map 071-02, Parcel(s) 061, 063

03, Bordeaux – Whites Creek – Haynes Trinity

02 (Kyonzté Toombs)



## Metro Planning Commission Meeting of 12/14/23

<b>Item #4</b>	<b>Specific Plan 2023SP-077-001</b>
<b>Project Name</b>	<b>1520 Hampton Street</b>
<b>Council District</b>	02 – Toombs
<b>School District</b>	01 – Gentry
<b>Requested by</b>	Dale & Associates, applicant; KSSK, LLC, owner.

**Deferrals** This item was deferred from the October 26, 2023, Planning Commission meeting. No public hearing was held.

**Staff Reviewer** Swaggart  
**Staff Recommendation** *Approve with conditions and disapprove without all conditions.*

**APPLICANT REQUEST**  
**SP to permit 51 multi-family residential units.**

Zone Change

A request to rezone from Commercial Limited (CL) and Office and Residential (OR20) to Specific Plan (SP) zoning on properties located at 1520 Hampton Street and Avondale Circle (unnumbered), at the southwest corner of Hampton Street and Avondale Circle, and partially located within a Corridor Design Overlay District (1.81 acres), to permit up to 51 multi-family residential units.

**Existing Zoning**

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

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *OR20 would permit a maximum of six residential units (0.31 acres).*

Corridor Design Overlay District (CDO) provides appropriate design standards for commercial, office and mixed-use development along corridors necessary to provide incremental improvements to the aesthetics of Nashville's commercial districts and corridors. Application of this overlay district shall be limited to areas requiring transitional standards.

**Proposed Zoning**

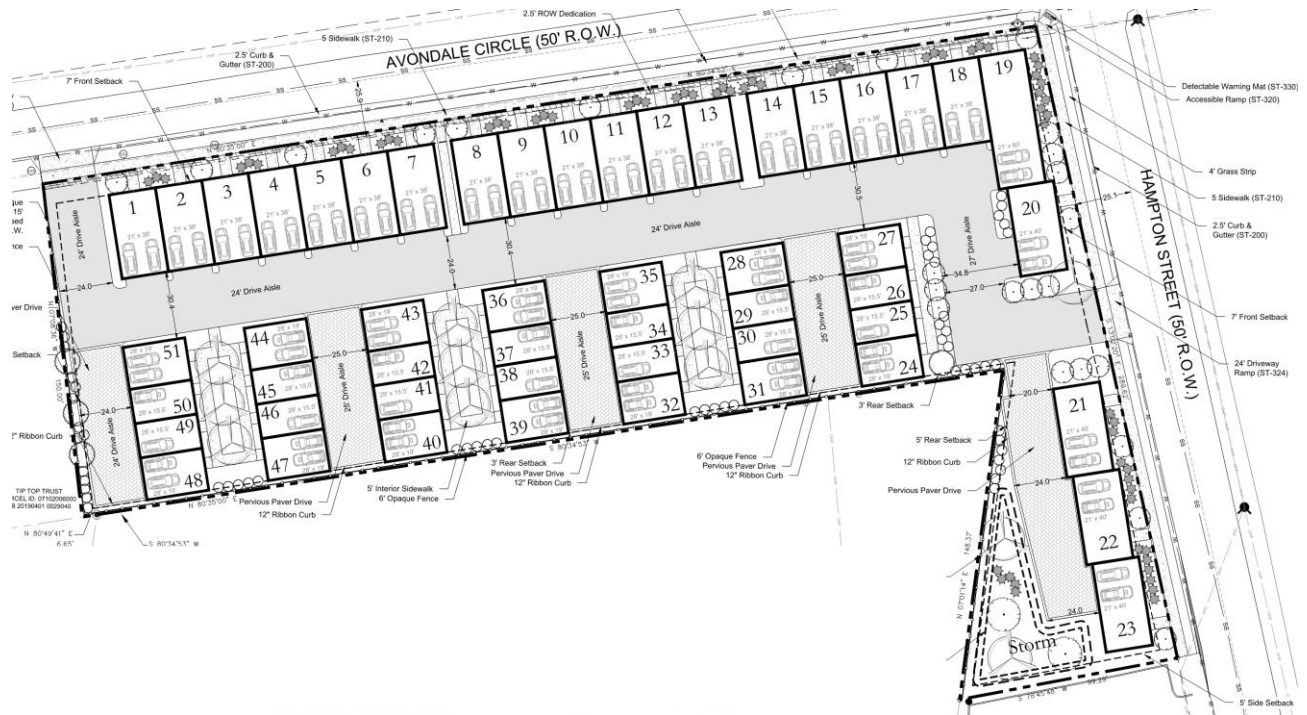
Specific Plan-Residential is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes only one residential building type.

**SITE CONTEXT AND PLAN DETAILS**

The site is approximately 1.81 acres (78,843 sq. ft.) and is located at the southwest corner of Hampton Street and Avondale Circle. The property is split zoned. Approximately 1.5 acres is zoned CL and the remaining 0.31 acres is zoned OR20. The Corridor Design Overlay District (CDO) applies to a majority of the site. Metro records identify the land uses on the site as



## Metro Planning Commission Meeting of 12/14/23



### Proposed Plan

nightclub/lounge, hotel/motel and vacant commercial land. A majority of the site is vacant and surface parking. These areas are located along the entire length of Avondale Circle. The plan that was published for the October 26, 2023, Planning Commission meeting included 55 residential units. The number of units has been reduced since that publication.

### Site Plan

The proposed plan includes 51 residential units. As proposed the SP permits short term rentals, owner and non-owner occupied. Units one through 19 front Avondale Circle and units 20 through 23 front Hampton Street. Units 24 through 51 are internal to the site and all units front onto one of four small courtyards. Units along Avondale Circle and Hampton Street have shallow setbacks. Units one through seven are limited to a maximum height of 37 feet and the remaining units are limited to a maximum height of 45 feet. All units include a one or two-car garage providing all parking. Access into the site is proposed from one private drive from Avondale Circle and one private drive from Hampton Street. The plan proposes a five-foot sidewalk and four-foot planting strip along both street frontages.

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

T4 Urban Neighborhood Maintenance (T4 NM) is intended to maintain the general character of existing urban residential neighborhoods. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to





## Metro Planning Commission Meeting of 12/14/23

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.

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

### Supplemental Policy

This site is located within the Haynes Trinity Small Area Plan area of the Bordeaux-Whites Creek-Haynes Trinity Community Plan area. The intent of the supplemental policy is to create and enhance neighborhoods with greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques. The policy calls for improvement of the existing street, sidewalk, bikeway, and stormwater infrastructure to T4 Urban Transect standards through new private-sector development.

### **ANALYSIS**

Staff finds that the proposed SP is consistent with the land use policies that apply to the site, given the context and location. The proposed SP provides for an additional housing option with an increase in density. The applicant has proposed allowing short term rentals; however, staff has added a condition prohibiting the use. Without the prohibition, staff may not be supportive of this level of density.

Given the sites proximity to West Trinity Lane, which is a high-capacity mixed use arterial, additional housing density is appropriate, so long as it is available for long term residential use as opposed to short term rentals. The plan proposes shallow setbacks along Avondale Circle and Hampton Street which is consistent with the urban nature of the policy. The proposed SP provides a transition from the commercial uses present along West Trinity Lane to the residential neighborhood across the street and further west along Avondale Circle. The existing CL zoning district is not consistent with the T4 NM land use policy and the proposed SP also brings the site into compliance with the policy.

### **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.



## Metro Planning Commission Meeting of 12/14/23

### STORMWATER RECOMMENDATION

#### Approve with conditions

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

### WATER SERVICES RECOMMENDATION

#### Approved 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

#### Approved with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, with a final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Provide details in plan set. 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.

### TRAFFIC AND PARKING RECOMMENDATION

#### Approved with conditions

- At the intersection of Hampton Street and Avondale, provide a detectable warning mat at the corner of the development where the pedestrian ramp is proposed.

#### Maximum Uses in Existing Zoning District: CL

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.83	0.6 F	21,692 SF	819	21	83

#### Maximum Uses in Existing Zoning District: OR20

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	0.15	20 D	6 U	15	1	2

#### Maximum Uses in Existing Zoning District: OR20

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.15	0.8	5,227 SF	61	31	7



## Metro Planning Commission Meeting of 12/14/23

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	-	-	51 U	298	19	25

Traffic changes between maximum: **CL/OR20 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-445	+30	-49

### **FMETRO SCHOOL BOARD REPORT**

**Projected student generation existing CL/OR20 districts: 2 Elementary 1 Middle 1 High  
 Projected student generation proposed SP district: 14 Elementary 5 Middle 6 High**

The proposed SP zoning district is expected to generate 22 more students than the existing CL and OR20 zoning districts. Students would attend Alex Green Elementary School, Brick Church College Prep Middle School, and Whites Creek High School. All schools were identified as having additional capacity. This information is based upon the 2022-2023 MNPS School Enrollment 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 51 multi-family residential units. Short Term Rental Property (STRP) owner occupied and not owner-occupied shall be prohibited.
2. Parking shall meet current Code requirements for multi-family.
3. Comply with all conditions and requirements of Metro Reviewing Agencies.
4. 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 the final site plan application.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RM40-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. The final site plan shall depict any required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within 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 the required grass strip or frontage zone.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.



## Metro Planning Commission Meeting of 12/14/23

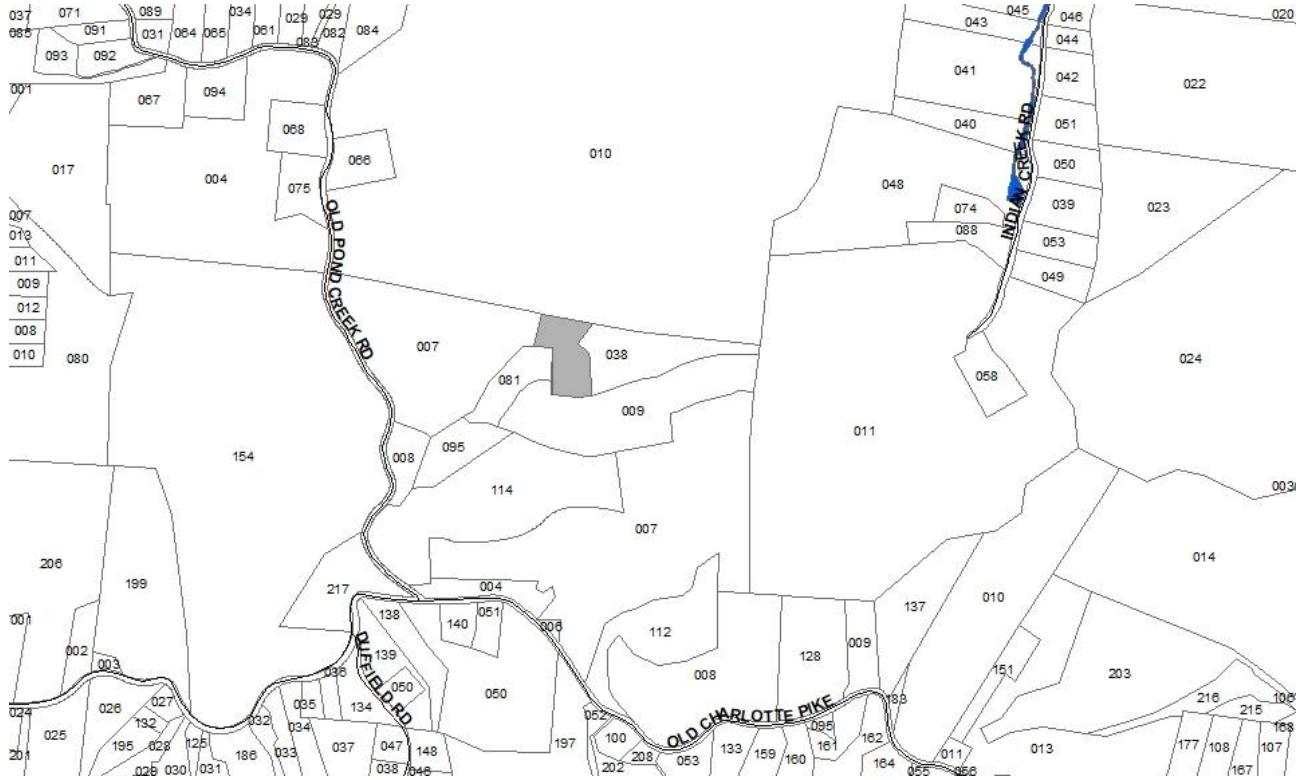
8. The final site plan shall label all internal driveways as “Private Driveways”. A note shall be added to the final site plan that the driveways shall be maintained by the Property Owners’ Association.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
10. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any of any building permits.
11. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 12/14/23



**2023S-110-001**  
SUBDIVISION FOR ELAINE ZEMER  
Map 100, Part of Parcel 038  
06, Bellevue  
35 (Jason Spain)



## Metro Planning Commission Meeting of 12/14/23

<b>Item #5</b>	<b>Final Plat 2023S-110-001</b>
<b>Project Name</b>	<b>Subdivision for Elaine Zemer</b>
<b>Council District</b>	35 – Spain
<b>School District</b>	09 – Tylor
<b>Requested by</b>	Chapdelaine & Associates, applicant; Chad and Elaine Zemer, owners.

**Deferrals** This item was deferred at the October 12, 2023, and October 26, 2023, and November 9, 2023, Planning Commission meetings. No public hearing was held.

<b>Staff Reviewer</b>	Lewis
<b>Staff Recommendation</b>	<i>Withdraw.</i>

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### APPLICANT REQUEST

**Request for final plat to create two lots.**

#### Final Plat

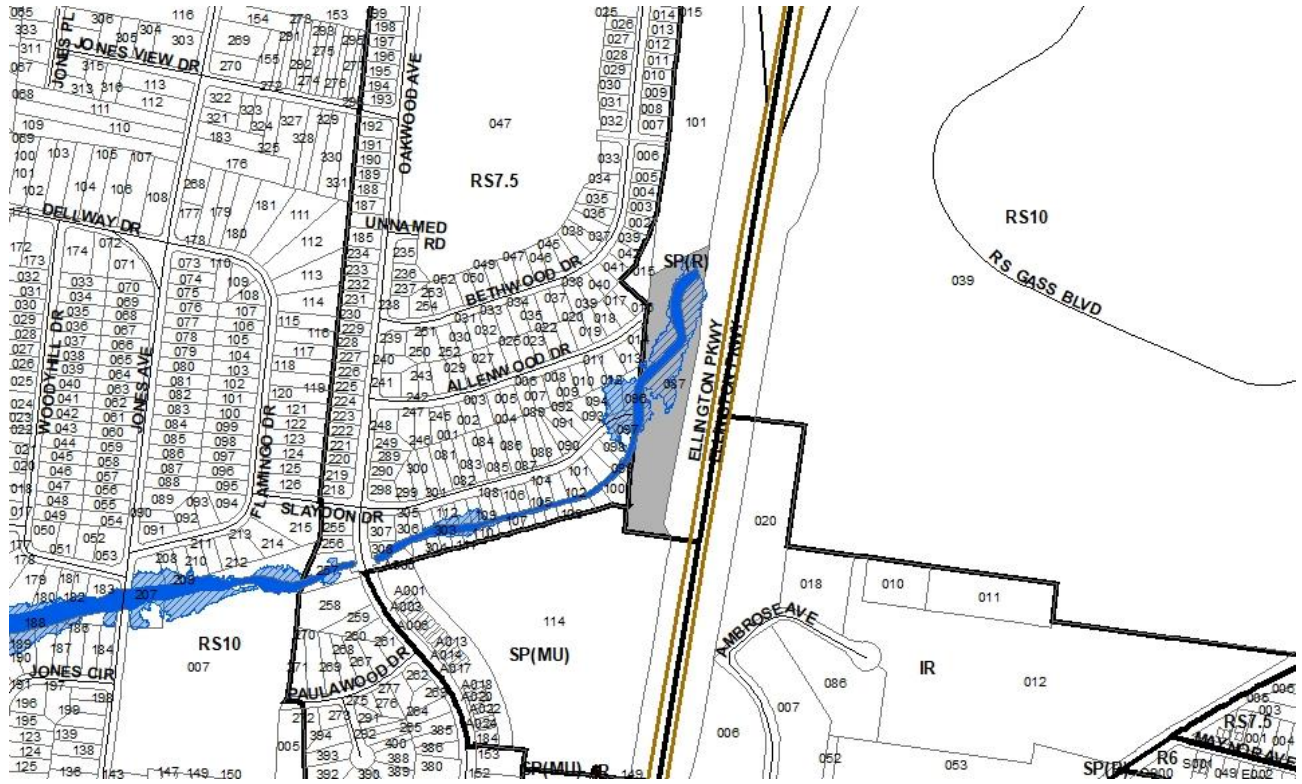
A request for final plat approval to create two lots on a portion of property located at 8056 Old Pond Creek Road, approximately 1,780 feet north of Old Charlotte Pike, zoned Agricultural/Residential (AR2A) (4.39 acres).

### STAFF RECOMMENDATION

Staff recommends the item be withdrawn at the request of the applicant.



# Metro Planning Commission Meeting of 12/14/23



**2023S-112-001**  
OAKWOOD PRESERVE  
Map 072, Parcel(s) 087  
05, East Nashville  
05 (Sean Parker)





## Metro Planning Commission Meeting of 12/14/23

<b>Item #6</b>	<b>Final Plat 2023S-112-001</b>
<b>Project Name</b>	<b>Oakwood Preserve</b>
<b>Council District</b>	05 – Parker
<b>School District</b>	01 – Gentry
<b>Requested by</b>	Dale & Associates, applicant; Main Street Land Trust, owner.
<b>Staff Reviewer</b>	Marton
<b>Staff Recommendation</b>	<i>Approve with conditions.</i>

### APPLICANT REQUEST

**Request for concept plan approval to create 18 lots.**

#### Concept plan

A request for concept plan approval to create 18 lots on property located at Bethwood Drive (unnumbered), approximately 1,094 feet east of Oakwood Avenue, zoned Single-Family Residential (RS7.5) (5.02 acres).

### SITE DATA AND CONTEXT

**Location:** The site consists of one property located along the western side Bethwood Drive, Allenwood Drive, and Slaydon Drive.

**Street Type:** The site has frontage on Slaydon Drive, a local street.

**Approximate Acreage:** 5.02 acres.

**Parcel/Site History:** The site consists of one parcel that was created by deed in 2023.

**Zoning History:** The site was recently rezoned to RS7.5 effective 7/27/2023. It was previously zoned SP and made up a portion of the Bethwood Commons SP.

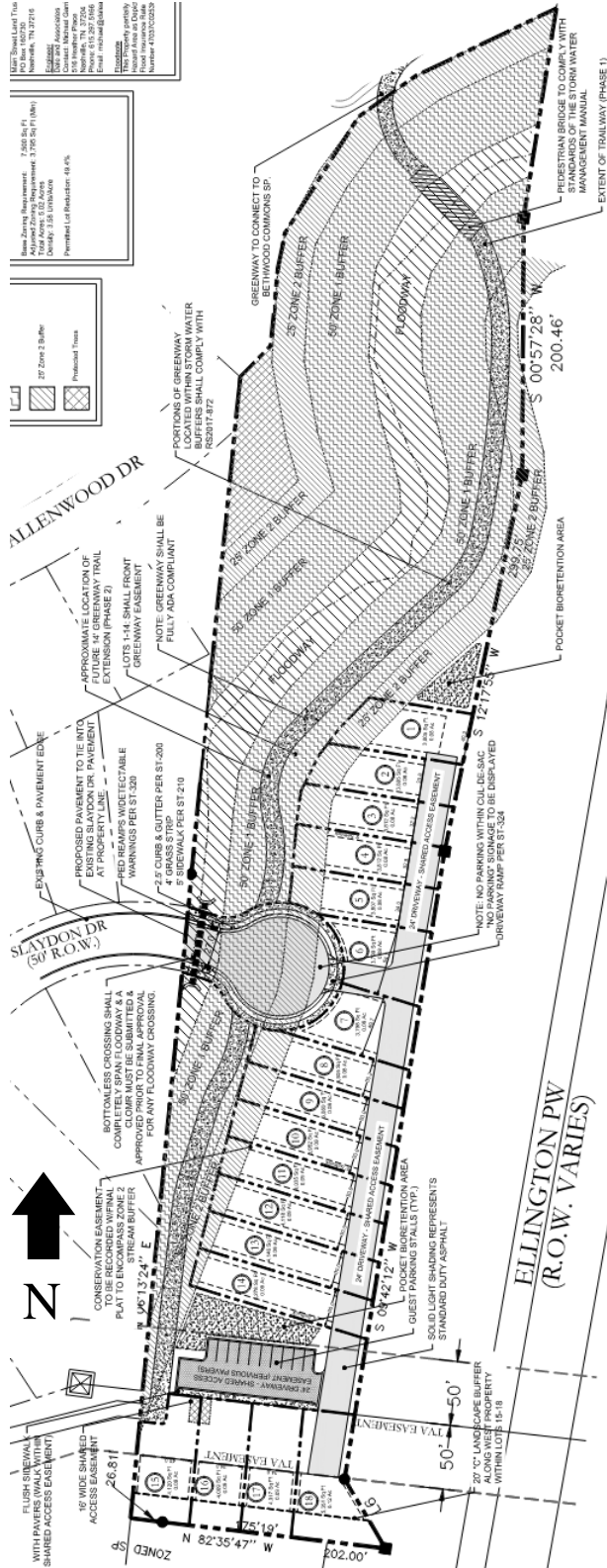
**Existing Land Use:** The site is currently vacant.

#### **Surrounding Land Use and Zoning:**

- North: Vacant/Specific Plan (SP)
- South: Multi-Family Residential/Specific Plan (SP)
- East: N/A
- West: Residential/Single Family Residential (RS7.5)



# Metro Planning Commission Meeting of 12/14/23



Lutz Street, Lot 171A  
 171A, 171B, 171C  
 171D, 171E, 171F, 171G, 171H, 171I, 171J, 171K, 171L, 171M, 171N, 171O, 171P, 171Q, 171R, 171S, 171T, 171U, 171V, 171W, 171X, 171Y, 171Z  
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Proposed Concept Plan



## Metro Planning Commission Meeting of 12/14/23

### **Zoning:** Single-Family Residential (RS7.5)

Min. lot size: 7,500 square feet

Max. building coverage: 0.45

Min. rear setback: 20'

Min. side setback: 5'

Max. height: 3 stories

Min. street setback: 20'

### **PROPOSAL DETAILS**

**Number of lots:** 18 lots.

**Lot sizes:** Lot sizes vary from 3,798 square feet to 5,351 square feet. The plan utilizes the Conservation Development standards to permit lot size flexibility in exchange for protection of natural areas present on the site. The Conservation Development Standards (17.12.090) allows subdivision to reduce lots in size from the minimum required by the base zoning district by equivalent percentage of the site that is to remain natural open space. The site is 5.02 acres, while the plan proposes 2.48 acres of natural open space, resulting in a 49.4% allowable lot size reduction. This reduction would result in a minimum lot size of 3,705 square feet, which is smaller than the 3,750 square foot minimum lot size permitted by the regulations. The plans identify the minimum lot size of 3,795 square feet, which is larger than the minimum lot size of 3,750 square feet.

**Access:** The plan proposes to extend Slaydon Drive into the site and terminate in a cul-de-sac. A ramp from the cul-de-sac extends to the south between lots 6 and 7, allowing access to the rear of lots 1-14 lots via private drive. The private drive extends down the eastern property line to provide access to a surface parking lot north of lots 15-18.

**Subdivision Variances or Exceptions Requested:** None.

### **Conservation Development Standards (17.12.090)**

- A. *Purpose and Intent.* Conservation development is a set of standards that shall be utilized in the design of subdivisions as provided in this section. The purpose of these standards is to:
1. *Preserve unique or sensitive natural resources such as steep slopes; hillsides; streams, wetlands, floodways, and floodplains; problem soils; archaeological resources; and native forests or unique vegetation through the creation of natural open space.*
  2. *Encourage the creation of lots on less environmentally sensitive areas of the site.*
  3. *Provide flexibility in design of subdivisions within existing zoning districts to promote environmental resource protection.*
- B. *Applicability.* Subdivisions proposed in the R/R-A and RS/RS-A zoning districts that meet both of the following standards shall utilize the provisions of this section.
1. *Minimum Site Area.* The minimum site area of no less than ten times the minimum lot area for the base zoning district as established by Table 17.12.020A. For example, in the R10 district the minimum area for the subdivision would be one hundred thousand square feet. (Ten thousand square feet minimum lot size times ten).  
Complies. The site is zoned RS7.5 which would require a minimum area of 75,000 square feet. The proposed site has a total area that is 29.6 times the minimum RS7.5 lot area (5.02 acres).



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

More than 10 percent of the site contains features described in parts a, b, and h.

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

The total site area is 5.02 acres. Eighty percent of the gross acreage of the site is 4.016 acres. The maximum lot yield is 23 lots based on a minimum of 7,500 square feet for an RS7.5 residential lot. A total of 18 lots are proposed, which does not exceed the maximum lot yield.

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

The proposal sets aside approximately 49% of the 5.02-acre site for undisturbed natural area (2.48 acres). If the lots were reduced in size by 49% they would not meet the minimum requirement of 3,750 square feet. The plan reduces the minimum lot size from 7,500 square feet to 3,795 square feet (17.12.090.d.4).

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

Natural areas on the site include streams and associated buffers and protected and heritage trees. While the stream intersects the site from the north to the southwest corner, protected trees currently exist across the whole site. Protected natural open space comprising approximately 2.48 acres (identified as primary conservation land on the plans) is identified on the northern and western portions of the site encompassing much of the floodway and



## Metro Planning Commission Meeting of 12/14/23

associated buffers. Grading is limited to the development footprint and the areas associated with the extension of Slaydon Drive. Although grading for the road is disturbing areas that would be classified as natural open space, the regulations permit disturbance for essential infrastructure. The area being graded for the new road is not included in the 2.48 acres being set aside or flexibility of lot size for the development. A proposed greenway is also located within the open space; paved greenways are permitted to be installed within natural open spaces per 17.12.090.E.5. A homeowner's association will be responsible for management and maintenance of open spaces and landscape buffers.

### *F. Application Requirements*

The submitted application contains all the necessary information for a Conservation Development including a site plan, a site analysis map identifies natural areas, and a preliminary grading plan that demonstrates the limits of disturbance and overall impacts to natural areas.

### **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 Urban Neighborhood Evolving (T4 NE) policy. For T4 NE, the conventional regulations found in Chapter 3 are utilized.

#### **3-1 General Requirements**

This subdivision is required to meet on standards of Chapter 3. Staff finds that all standards are met.

#### **3-2 Monument Requirements**

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

#### **3-3 Suitability of the Land**

The site includes natural areas as defined by the Conservation Development Standards in the zoning code. The standards are intended to address the environmental factors. The site is heavily wooded with a stream that runs from the northeast corner to western property edge. More than half of the site is located within floodway and stream buffers. The plan does not propose any building within the floodway or the buffers except for the greenway trail, therefore staff finds that the land is suitable for development consistent with this section.



## Metro Planning Commission Meeting of 12/14/23

### 3-4 Lot Requirements

All lots comply with the minimum standards of the zoning code. Lots are required to have frontage onto a public street or, where permitted, onto a private street, or onto a common open space. Lots that front onto a common open space shall have a pedestrian connection from the front of each residential unit to the sidewalk and shall have vehicular access from an abutting public or private alley, or a shared driveway easement. Lots 15-18 have a deep building setback due to an existing TVA easement, creating an open space area between the proposed structure and the surface parking east of the lots. A sidewalk runs adjacent to the parking area. In order to meet the frontage requirements of this section, a condition has been added that sidewalks will be required from units 15-18 to this sidewalk to meet the pedestrian connection requirements. Lots 1-14 face the area identified as conservation area due to the stream buffer, which is area that will largely remain in its natural state with the exception of access and the proposed greenway. In this case, the greenway which is to have a pedestrian access easement on it, will serve as the pedestrian connection for these lots facing open space. The sidewalk connection around the proposed cul-de-sac provides connections to Slaydon Drive and the greenway.

### 3-5 Infill Subdivisions

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

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

Not applicable to this case. The site is located within T4 Urban Neighborhood Evolving.

#### 3-5.3 *Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Evolving and/or Special Policies, except within Designated Historic Districts.*

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

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

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

Complies. See section 3-4 above.

c. *Each lot oriented to an existing street shall meet minimum lot frontage requirements as follows:*

- 1. Within T3 Neighborhood Evolving policy areas, each lot oriented to an existing street shall have a minimum frontage of 50 feet. Lots oriented to the terminus of an existing permanent dead-end shall have a minimum frontage of 35 feet.*



## Metro Planning Commission Meeting of 12/14/23

2. *Within T4 Urban Neighborhood Evolving policy areas, each lot oriented to an existing street shall have a minimum frontage of 40 feet. Lots oriented to the terminus of an existing permanent dead-end shall have a minimum frontage of 35 feet.*

Complies. The site is located within the T4 Urban Neighborhood Evolving policy area. Lots 6 and 7 are oriented to and have frontage along the proposed dead-end of Slaydon Drive and both meet the minimum frontage of 35 feet.

*The commission may grant an exception to the minimum lot frontage requirements of this subsection by considering the development pattern of the area, any unique geographic, topographic, and environmental factors, and other relevant information.*

- d. *The current standards of all reviewing agencies are met.*

All agencies have recommended approval or approval with conditions.

- e. *The proposed lots comply with any applicable special policy. If the property is also within Neighborhood Maintenance policy and the special policy was adopted to preserve community character, not create infill opportunities, then the standards of Section 3-5.2 also apply.*

Not applicable to this case.

### 3-5.4 *Criteria for Determining Compatibility for Designated Historic Districts.*

Not applicable to this case.

### 3-5.5 *Infill Subdivision Frontage*

Not applicable to this case.

### 3-5.6 *Reasonable Conditions*

Not applicable to this case.

## 3-6 **Blocks**

The proposed extension of Slaydon Drive brings the full length of the roadway to approximately 1,200 feet. The subdivision regulations indicate that block lengths in residential areas shall not exceed 1,200 feet. The proposed extension terminates in a cul-de-sac, which is likely appropriate given the location of Ellington Parkway to the east would preclude future connections to the east. Road connections to the north would impact the environmental features on the site that are being set aside as natural open space.

## 3-7 **Improvements**

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

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

The proposed subdivision includes an extension of Slaydon Drive that terminates in a cul-de-sac. A sidewalk is provided along the extended street.

## 3-9 **Requirements for Streets**



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The proposed subdivision includes an extension of Slaydon Drive that terminates in a cul-de-sac. All streets as shown on the concept plan meet the minimum requirements for a public street.

### **3-10 Requirements for Dedication, Reservations, or Improvements**

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

### **3-11 Inspections During Construction**

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

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

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

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

Not applicable. No private streets are proposed.

### **3-14 Drainage and Storm Sewers**

Drainage and storm sewer requirements are reviewed by Metro Stormwater. A note on the plan includes information regarding a variance from the Metropolitan Stormwater Management Committee (SWMC). The note reads “Variance from the SWMC will be required prior to final approval. Variance shall include but may not be limited to stream crossing spaced less than 1,000 linear feet (Slaydon Drive & Greenway crossing) as well as buffer disturbance associated with the extension of Slaydon Drive. Stormwater recommends approval with conditions.”

### **3-15 Public Water Facilities**

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

### **3-16 Sewerage Facilities**

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

### **3-17 Underground Utilities**

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

### **PLANNING STAFF COMMENTS – SUBDIVISION REGULATIONS**

Staff finds the proposed subdivision consistent with the intent of Chapter 3 of the Subdivision Regulations and the standards of the Metro Zoning Code. Additionally, the Subdivision meets all of the standards of a Conservation Development and achieves the purpose of creating lots on less environmentally sensitive areas of the site through flexibility in the lot sizes and design of subdivisions.





## Metro Planning Commission Meeting of 12/14/23

### **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 T4 NE (Urban Neighborhood Evolving). The goal of the T4 NE Policy is to maintain suburban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. The policy states that these areas will have higher densities and or smaller lot sizes, with a broader range and integrated mixture of housing types, providing housing choice, than some surrounding urban neighborhoods. Appropriate land uses in the T4 NE policy include single-family residential, one and two-family residential, multi-family residential, open space and institutional uses.

According to the T4 NE policy density is secondary to the form of development; however, these areas are meant to moderate- to high- density with smaller lots and a more diverse mix of housing types than are typically found in T4 Urban Neighborhood Maintenance areas. The proposed concept plan creates residential lots on an environmentally burdened site using varying lot sizes.

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

#### **GREENWAYS RECOMMENDATION**

##### **Approve**

#### **STORMWATER RECOMMENDATION**

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

- Variance from the SWMC will be required prior to final approval. Variance shall include but may not be limited to stream crossings spaced less than 1,000 linear feet (Slaydon Drive & Greenway Crossing) as well as buffer disturbance associated with the extension of Slaydon Drive.

#### **NASHVILLE DOT RECOMMENDATION**

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

- Note 13 on cover sheet should be changed moving forward to include notation of the private hauler as detailed on site plan sheet.



## Metro Planning Commission Meeting of 12/14/23

- Add sign at entrance notifying of entering private drive/ property.
- Nashville Department of Transportation Construction Notes
  - All work within the Public right-of-way requires an Excavation Permit from the Nashville Department of Transportation.
  - Proof-rolling of ALL street sub-grades is required in the presence of the Nashville Department of Transportation Inspector, request to be made 24 hours in advance.
  - Stop signs to be 30 inch by 30 inch.
  - Street name signs are to have six inch white letters in Highway Gothic font on a nine inch green aluminum blade, and be mounted vertically staggered. Street name signs shall be assembled using extruded sign blades.
  - All signs to have 3M high intensity retro-reflective coating.
  - All striping within ROW is to be 80 mil thermoplastic striping at the time of acceptance. Paint striping should be used in the interim until final striping has been placed.
  - The development/ contractor shall have a NDOT stamped set of plans on site to be produced upon request during any site visit.
- Though marked approval with condition applicant/project team should confirm with the Fire Marshal on adequacy of cul-de-sac radius for fire apparatus turn around. This will be required to be confirmed with an autoturn turning movement path on final construction plan submittal.

### **TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

### **WATER SERVICES RECOMMENDATION**

**Approve with conditions**

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

### **STAFF RECOMMENDATION**

**Approve with conditions.**

### **CONDITIONS**

1. Pursuant to 2-2.5.f of the Metro Subdivision Regulations, the approval a of concept plan shall be effective for four years from the date of Planning Commission approval to the recording of the final plat or a phase of the plat as described in Section 2-2.5.g.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Remove height standard from "Site Criteria" table on sheet C0.0.
5. Per 17.12.090.D.9 - "the bulk standards and landscaping requirements of a comparable zoning district which most closely resembles the alternative lot sizes proposed for any given phase of



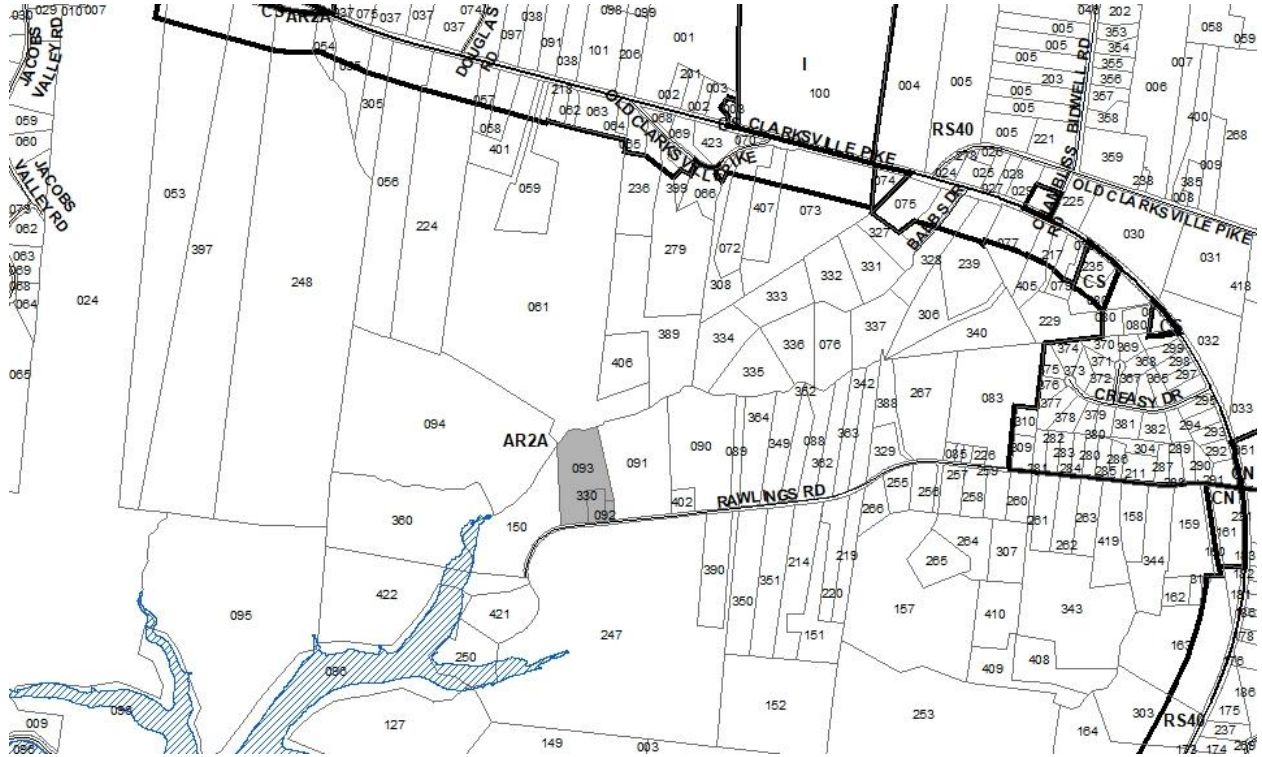
## Metro Planning Commission Meeting of 12/14/23

development shall be employed for that phase of the subdivision." On the corrected set, update the Site Details Chart to reflect the required setbacks of the zoning district that is most closely aligned with the proposed lot sizes. Lots must meet all setback requirements, including front setbacks for all lots.

6. With the final site plan, continue to work with Planning staff to provide appropriate sidewalk connection to the greenway.
7. The clearing, grading, and disturbance of natural open space shall be prohibited, unless otherwise identified in the concept plan. Minor changes may be allowed during review of the final based on engineering and construction plans. However, if the amount of open space is reduced, the lots may need to increase in size per the requirements of the Conservation Development standards.
8. Bulk standards/final lot count may change as a result of meeting requirements of Metro reviewing agencies. The number of lots shown is the maximum allowed. Reductions may be necessary on the final site plan.
9. Approval is conditional upon receiving approval of a variance from the Stormwater Management Committee. If approval is not received, the plan cannot move forward as submitted.



# Metro Planning Commission Meeting of 12/14/23



**2023S-123-001**

**FRANKIE LEE MOORE**

Map 021, Parcels 092-093, 330

01, Joelton

01 (Joy Kimbrough)



## Metro Planning Commission Meeting of 12/14/23

<b>Item #7</b>	<b>Final Plat 2023S-123-001</b>
<b>Project Name</b>	<b>Frankie Lee Moore</b>
<b>Council District</b>	01 – Kimbrough
<b>School District</b>	01 – Gentry
<b>Requested by</b>	B2L Land Surveyors, applicant; Frankie Lee Moore, owner.

**Deferrals** This item was deferred at the September 28, 2023, October 12, 2023, and October 26, 2023, and November 9, 2023, Planning Commission meetings. No public hearing was held.

<b>Staff Reviewer</b>	Lewis
<b>Staff Recommendation</b>	<i>Defer to the January 11, 2024, Planning Commission meeting.</i>

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### APPLICANT REQUEST

**Request for final plat approval to create two lots.**

#### Final Plat

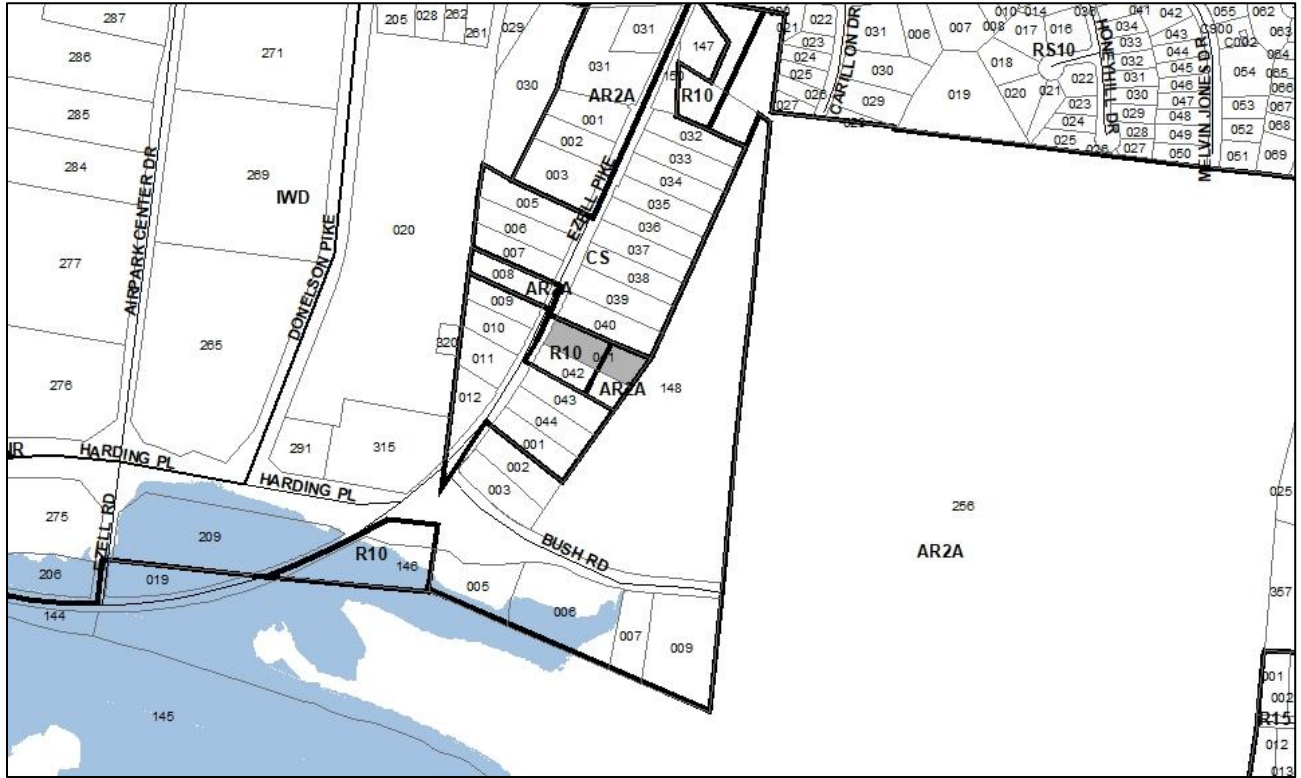
A request for final plat approval to create two lots on property located at 5350 and 5390 Rawlings Road, and Rawlings Road (unnumbered), approximately 2,559 feet southwest Old Clarksville Pike, zoned Agricultural/Residential (AR2A) (8.89 acres).

### STAFF RECOMMENDATION

Staff recommends deferral to the January 11, 2024, Planning Commission meeting.



# Metro Planning Commission Meeting of 12/14/23



**2022Z-081PR-001**  
Map 134-08, Parcel(s) 041  
13, Antioch - Priest Lake  
28 (David Benton)



## Metro Planning Commission Meeting of 12/14/23

<b>Item #8</b>	<b>Zone Change 2022Z-081PR-001</b>
<b>Council District</b>	28 – Benton
<b>School District</b>	07 – Player
<b>Requested by</b>	Tony L. Carlew, applicant and owner.
<b>Staff Reviewer</b>	Shane
<b>Staff Recommendation</b>	<i>Approve.</i>

### APPLICANT REQUEST

#### **Zone change from AR2a and R10 to CL.**

#### Zone Change

A request to rezone from Agricultural/Residential (AR2A) and One and Two-Family Residential (R10) to Commercial Limited (CL) zoning for property located at 436 Ezell Pike, approximately 627 feet east of Bush Road (1.17 acres).

#### **Existing Zoning**

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a may permit a maximum of 1 lot. Metro Codes provides final determinations on duplex eligibility.*

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 may permit a maximum of 3 lots with 3 duplex lots for a total of 6 units based on the 0.71 acres zoned R10. Metro Codes provides final determinations on duplex eligibility. Application of Metro’s Subdivision Regulations may result in fewer units at this site.*

#### **Proposed Zoning**

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

### **ANTIOCH – PRIEST LAKE COMMUNITY PLAN**

D Industrial (D IN) is intended to maintain, enhance, and create industrial districts in appropriate locations. The policy creates and enhances areas that are dominated by one or more industrial activities, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. Types of uses in D IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses. Uses that support the main activity and contribute to the vitality of the D IN are also found.

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



## Metro Planning Commission Meeting of 12/14/23

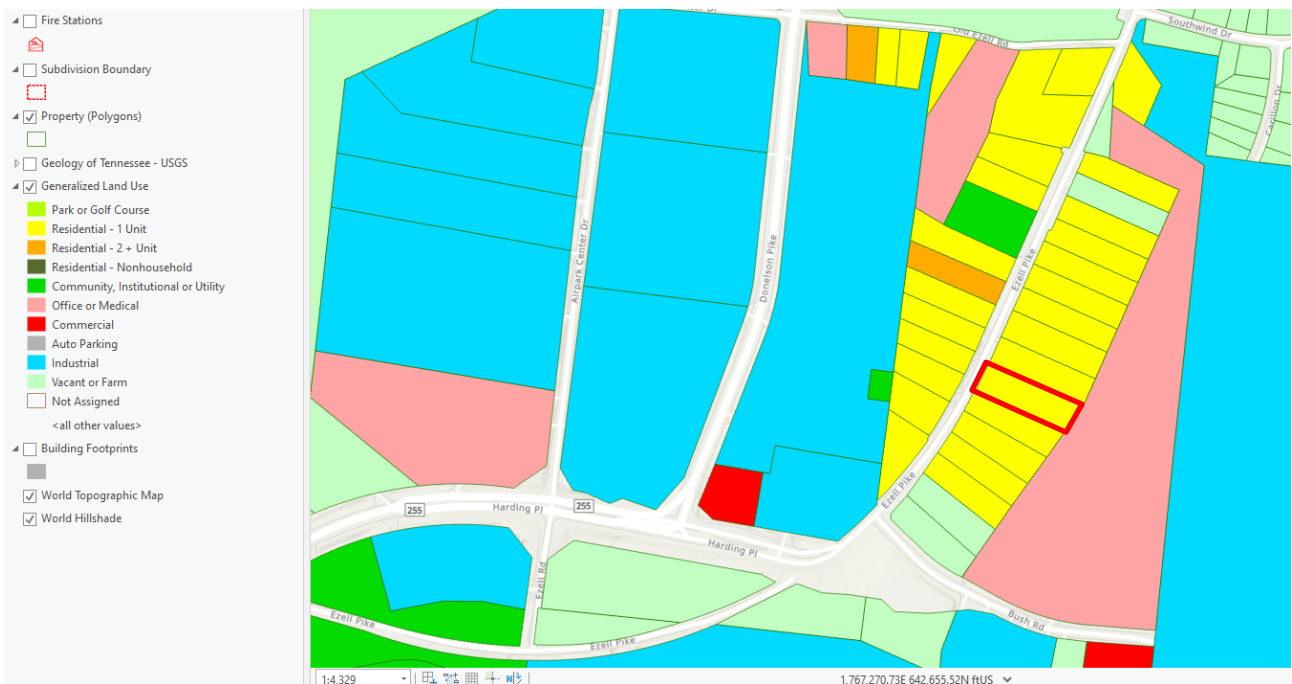
habitats, wetlands, and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

### ANALYSIS

The application consists of one parcel (Map 134-08, Parcel 041) totaling 1.17 acres in size located approximately 600 feet north of the intersection with Bush Road. The property contains a single-family home and a wet weather conveyance near the center toward which both ends slope. This property and the adjacent property to the south are split zoned R10/AR2a. Surrounding land uses are mostly single-family but variously zoned AR2a, CS, and R10. An office use zoned IWD is adjacent to the rear.

The application proposes to rezone the property from AR2a and R10 to CL. The property is within the District Industrial (D-IN) policy area. D-IN policy is intended for non-hazardous manufacturing, distribution centers, and mixed business parks containing compatible industrial and nonindustrial uses. In general, permanent residential activities are not found in D-IN areas. An exception may be the edge of a D-IN area along the interface with an area containing or planned to contain residential activities.

The area shows characteristics of being in transition. The land use pattern along the street is still heavily residential:



**Ezell Pike Current Land Uses (site outlined in red)**





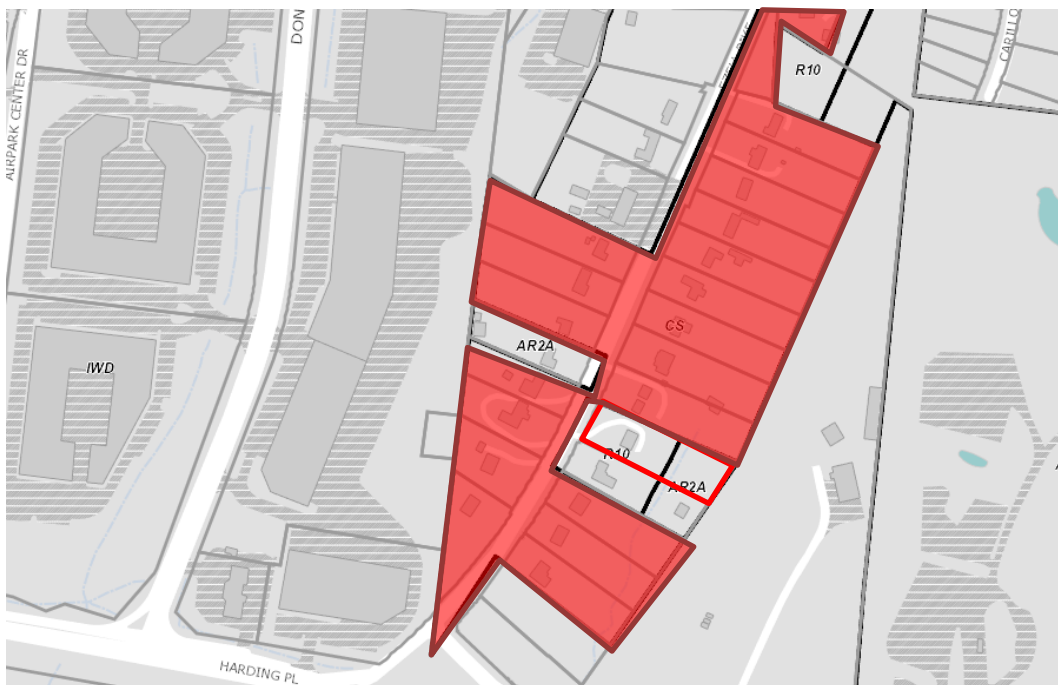
## Metro Planning Commission Meeting of 12/14/23

However, the District Industrial policy calls for the area to transition to an industrial corridor:



**Ezell Pike District Industrial Policy (blue shading)**

The zoning has begun to reflect the policy, with Commercial Service (CS) zoning encompassing most of the street:



**Ezell Pike Current Zoning (CS zoning shaded red)**



## Metro Planning Commission Meeting of 12/14/23

The Community Character Manual lists CS as an appropriate zoning district under D-IN policy. CL would also be considered appropriate because it is a less intense version of CS zoning. The applicant wants to develop this property as a parking and shuttle service for the nearby international airport. Commercial land uses that support larger industrial and transportation uses are a desired development pattern for D-IN policy areas, and the current zonings, AR2a and R10, do not support this policy goal. Despite the existing residential character, the property’s proximity to CS zoning to the north makes the extension of such zoning to this property suitable as well. For these reasons, staff recommends approval of the rezoning.

### FIRE MARSHALL RECOMMENDATION

#### Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.46	0.5 D	0 U	0	0	0

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.71	4.365 D	6 U	78	9	7

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.17	0.6 F	30,579 SF	1,154	29	117

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1,079	+20	+110

### METRO SCHOOL BOARD REPORT

**Projected student generation existing AR2a and R10 districts: 1 Elementary 1 Middle 1 High**  
**Projected student generation proposed CL district: 0 Elementary 0 Middle 0 High**

The proposed CL zoning is expected to generate three fewer students than the existing AR2a and R10 zoning districts. Students would attend Una Elementary School, Margaret Allen Middle School, and Antioch High School. All three schools are identified as having capacity for additional students. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.



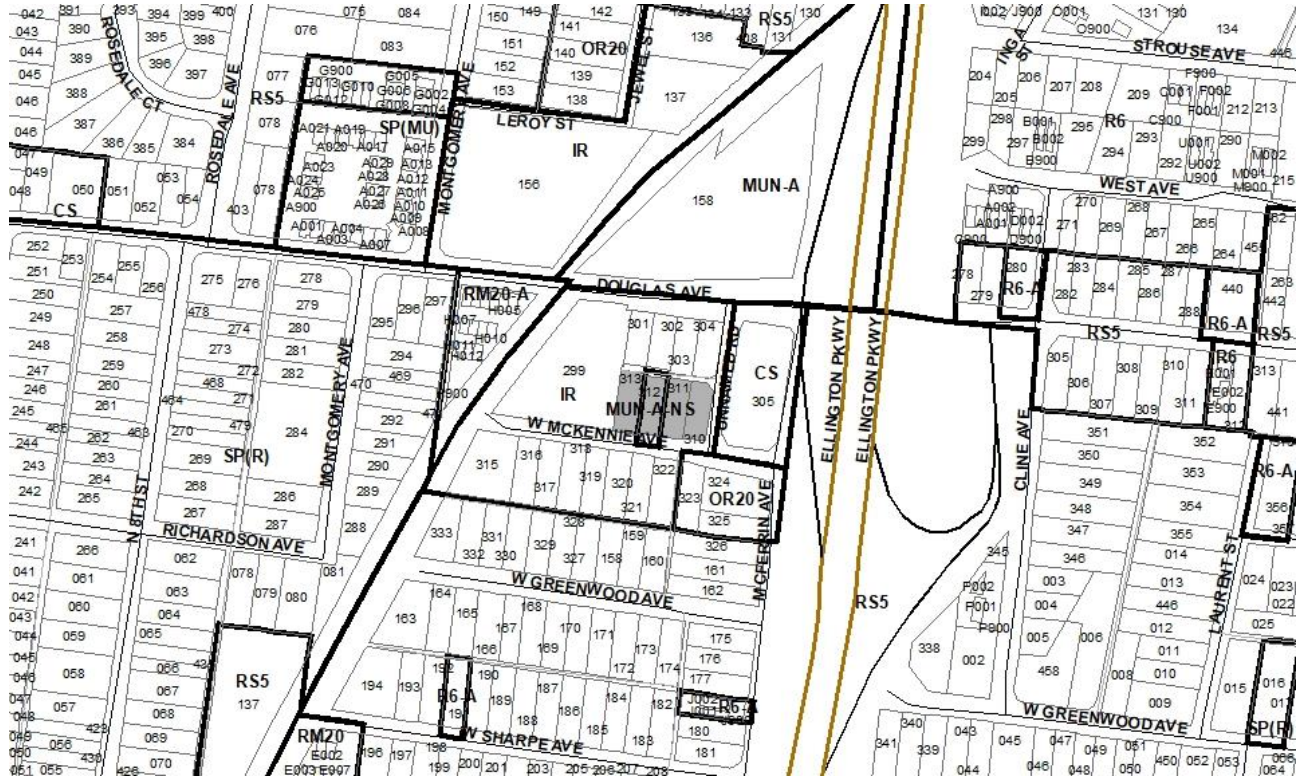
## Metro Planning Commission Meeting of 12/14/23

### **STAFF RECOMMENDATION**

Staff recommends approval.



# Metro Planning Commission Meeting of 12/14/23



**2023Z-092PR-001**  
Map 071-16, Parcels 310-313  
05, East Nashville  
05 (Sean Parker)



## Metro Planning Commission Meeting of 12/14/23

**Item #9** **Zone Change 2023Z-092PR-001**  
**Council District** 05 - Parker  
**School District** 5 - Buggs  
**Requested by** Fulmer Lucas Engineering, applicant; Douglas Village, LLC, owner.

**Deferrals** This request was deferred from the September 26, 2023, and October 26, 2023, Planning Commission meetings. No public hearing was held.

**Staff Reviewer** Konigstein  
**Staff Recommendation** *Disapprove.*

### APPLICANT REQUEST

**Zone change from IR and MUN-A-NS to MUL-A-NS.**

#### Zone Change

A request to rezone from Industrial Restrictive (IR) and Mixed Use Neighborhood-Alternative-No Short-Term Rental (MUN-A-NS) to Mixed Use Limited-Alternative-No Short-Term Rental (MUL-A-NS) zoning for properties located at 828, 830, 832 and 834 W. McKennie Avenue, approximately 150 feet west of McFerrin Avenue (0.59 acres).

#### **Existing Zoning**

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

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

#### **Proposed Zoning**

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

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

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



## Metro Planning Commission Meeting of 12/14/23

### SITE AND CONTEXT

The site is located in East Nashville and is currently split zoned. 828, 832, and 834 W. McKennie Avenue are zoned IR with surface parking while 830 was rezoned to MUN-A-NS in 2021 and has a building on site. The 0.59 acre site is along a dead end and is surrounded by IR, OR20, MUN-A-NS, and CS zoning districts. There are various land uses in the area including single-family residential, commercial, industrial and office. The request is to rezone all parcels to MUL-A-NS.

Several properties in the immediate area have been rezoned recently to allow for mixed use and higher density residential, transitioning the area away from industrial consistent with the goals of the policy. Additionally, the Major and Collector Street Plan (MCSP) classifies Douglas Avenue, located to the north of the site, as a Mixed-Use Corridor and higher density residential and more intense nonresidential uses are appropriate. All properties have access to the alley in the rear.

### ANALYSIS

Staff finds that the proposed MUL-A-NS zoning district is inconsistent with the T4 MU land use policy at this site. While the zoning district permits a mixture of residential and nonresidential uses consistent with the policy, the proposed zoning district is likely too intense for this site given access constraints.

In 2021, MUN-A-NS was approved by the Metro Planning Commission at 830 W. McKennie Avenue. The zone change was viewed as an appropriate intensity to meet the goals of the policy and recognized the emerging zoning pattern; however, limiting to MUN-A-NS also recognized that this property while within the T4 MU policy area also has access restrictions given the dead-end nature of the street and the lack of a complete alley network in the area. MUL-A-NS is the most intense mixed-use zoning noted as appropriate by the Community Character Manual for T4 MU areas and not every property within T4 MU is suited for the most intense zoning.

For these reasons, staff recommends disapproval.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.59	0.6 F	15,420 SF	70	3	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	0.29	1.0 F	13 U	69	4	6

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.15	1.0 F	6,534 SF	247	6	25



## Metro Planning Commission Meeting of 12/14/23

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.15	1.0 F	6,534 SF	733	65	64

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+979	+72	+92

### **METRO SCHOOL BOARD REPORT**

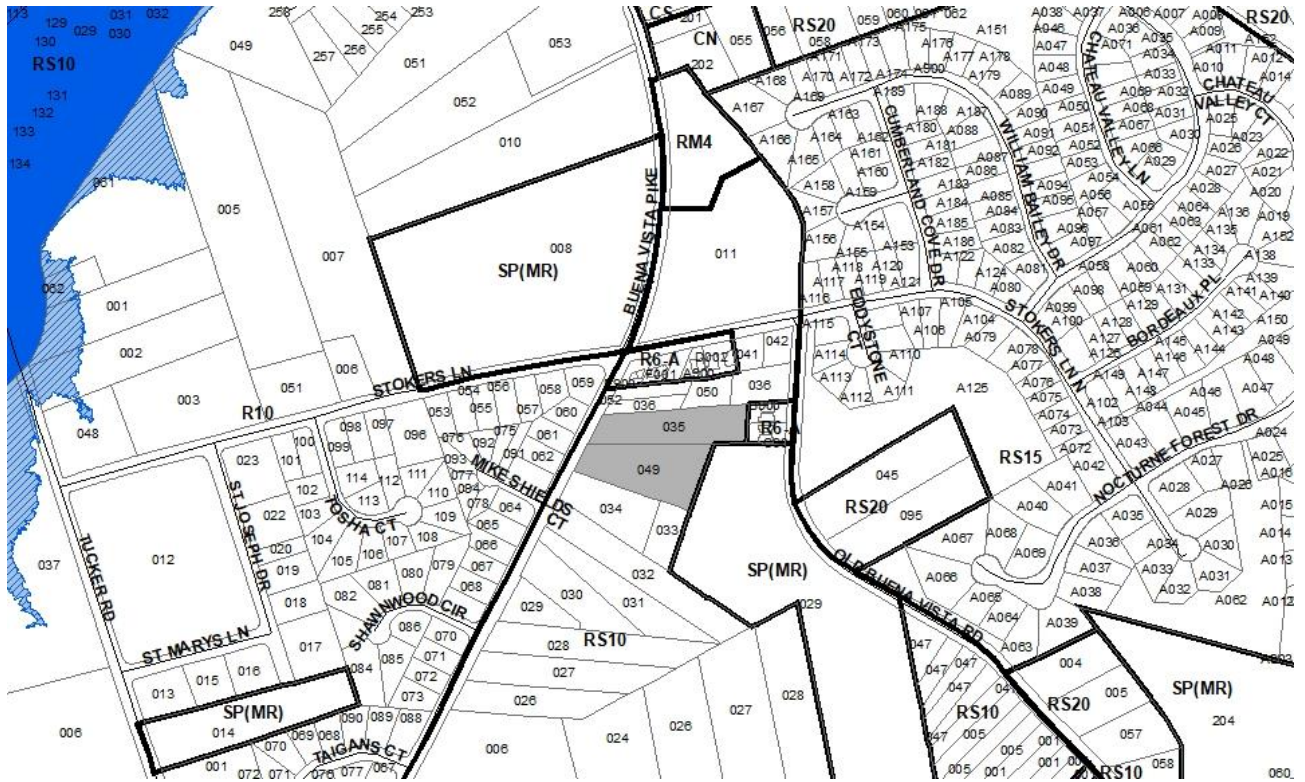
The Proposed MUL-A-NS zoning includes a mix of uses which could vary and assumption of impact at this point is premature. Students would attend Hattie Cotton Elementary School, Jere Baxter Middle School, and Maplewood High School. Hattie Cotton Elementary School is under capacity and Jere Baxter Middle School and Maplewood High School are at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

### **STAFF RECOMMENDATION**

Staff recommends disapproval.



# Metro Planning Commission Meeting of 12/14/23



**2023Z-095PR-001**

Map 070-02, Parcel(s) 035, 049

03, Bordeaux – Whites Creek – Haynes Trinity

02 (Kyonzté Toombs)





## Metro Planning Commission Meeting of 12/14/23

**Item #10**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2023Z-095PR-001**  
02 – Toombs  
01 – Gentry  
SWS Engineering, applicant; Rickie & Barry Morris and Mickey Marston & Vickie Morris, owners.

**Deferrals**

This item was deferred from the October 26, 2023, and the November 9, 2023, Planning Commission meetings. No public hearing was held.

**Staff Reviewer**  
**Staff Recommendation**

Swaggart  
*Defer indefinitely.*

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**APPLICANT REQUEST**  
**Zone change from RS10 to RM15.**

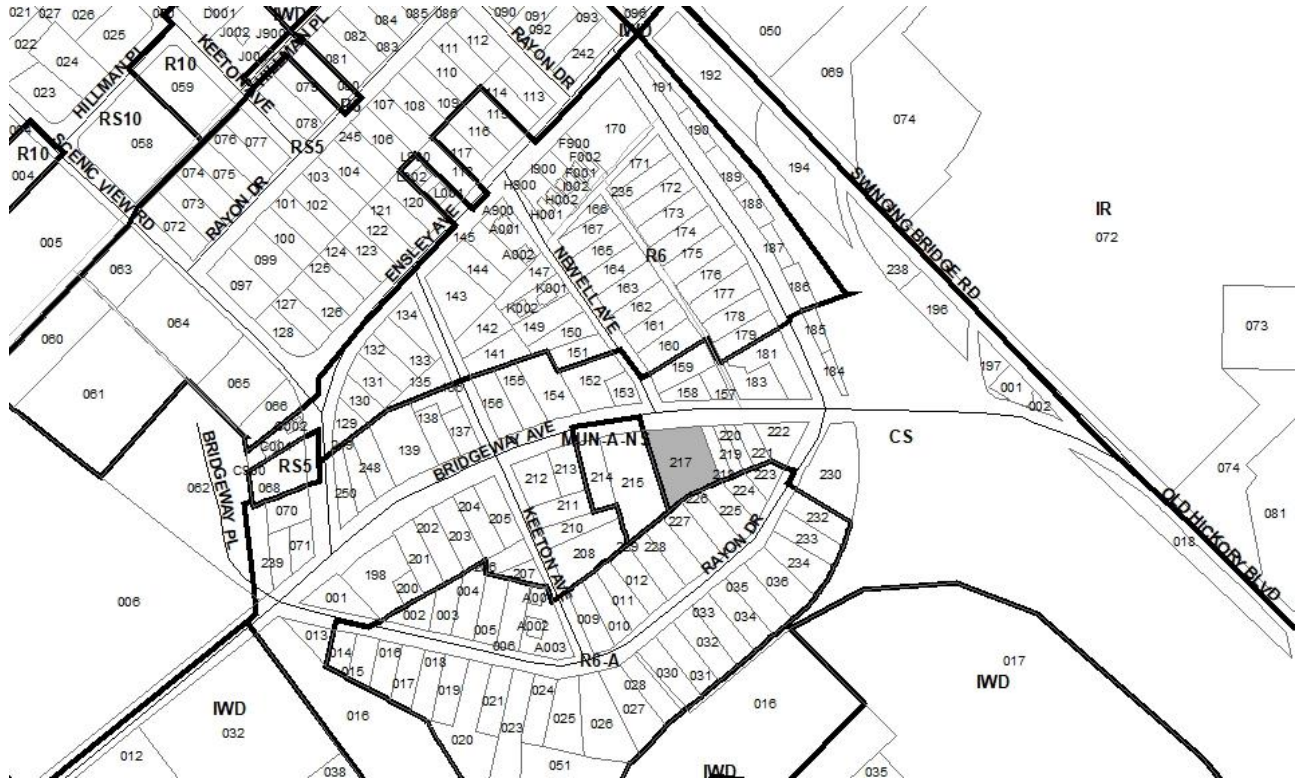
Zone Change

A request to rezone from Single-Family Residential (RS10) to Multi-Family Residential (RM15) zoning for properties located at 2840 and 2842 Buena Vista Pike, approximately 315 feet south of Stokers Lane, (2.66 acres).

**STAFF RECOMMENDATION**  
Staff recommends indefinite deferral.



# Metro Planning Commission Meeting of 12/14/23



**2023Z-096PR-001**

Map 044-05, Parcel(s) 217

14, Donelson-Hermitage-Old Hickory

11 (Jeff Eslick)



## Metro Planning Commission Meeting of 12/14/23

**Item #11**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2023Z-096PR-001**  
11 - Eslick  
4 – Nabaa-McKinney  
Kimley-Horn, applicant; 117 Bridgeway, LLC, owner.

**Deferrals**

This request was deferred from the October 12, 2023, October 26, 2023, and November 9, 2023, Planning Commission meetings. No public hearing was held.

**Staff Reviewer**  
**Staff Recommendation**

Konigstein  
*Approve.*

**APPLICANT REQUEST**

**Zone change from CS to MUN-A-NS.**

Zone Change

A request to rezone from Commercial Service (CS) to Mixed Use Neighborhood-Alternative-No STRP (MUN-A-NS) zoning for property located at 117 Bridgeway Avenue, approximately 275 feet east of Keeton Avenue, (0.43 acres).

**Existing Zoning**

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

**Proposed Zoning**

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

**DONELSON-HERMITAGE-OLD HICKORY COMMUNITY PLAN**

T3 Suburban Neighborhood Center (T3 NC) is intended to enhance and create suburban neighborhood centers that serve suburban neighborhoods generally within a 5 minute drive. They are pedestrian friendly areas, generally located at intersections of suburban streets that contain commercial, mixed use, residential, and institutional land uses. T3 NC areas are served with well-connected street networks, sidewalks, and mass transit leading to surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

**ANALYSIS**

The 0.43 acre site includes one parcel and is currently vacant. The site is located on the south side of Bridgeway Avenue, east of Keeton Avenue. Rayon Drive is located to the south and connects to Bridgeway Avenue in two locations, on either side of Keeton Avenue. The parcel is currently vacant. Surrounding land uses along Bridgeway Avenue include scattered commercial, industrial, office and residential uses. There is also a moderate concentration of vacant parcels along the block face, including adjacent properties to the east and west. The development pattern south of this site,



## Metro Planning Commission Meeting of 12/14/23

along Rayon Drive, is primarily residential uses with commercial at the corner of Rayon Drive and Bridgeway Avenue.

The site is located along Bridgeway Avenue, a collector-avenue designated by the Major and Collector Street Plan, which is intended to enhance and create suburban neighborhood centers in proximity to residential neighborhoods. The intent of the policy is to encourage mixed use development that can serve area residents and is compatible with the surrounding suburban residential character. The proposed MUN-A-NS district is consistent with the goals of the T3 NC policy, as it would permit a mixture of uses in an area that is intended to evolve into a suburban center. Uses permitted by MUN-A-NS will contribute to the surrounding residential area at an appropriate scale, and the Alternative district standards will provide building placement and design standards intended to enhance the pedestrian realm.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.43	0.6 F	11,238 SF	424	11	43

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	.22	0.6 F	5 U	26	1	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	.21	0.6 F	5,488 SF	207	5	21

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-191	-5	-19

### METRO SCHOOL BOARD REPORT

Given the mix of uses permitted, the number of residential units ultimately built on site may vary and an assumption as to impact at this point is premature. Students would attend Dupont Elementary School, Dupont Hadley Middle School, and McGavock High School. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

### STAFF RECOMMENDATION

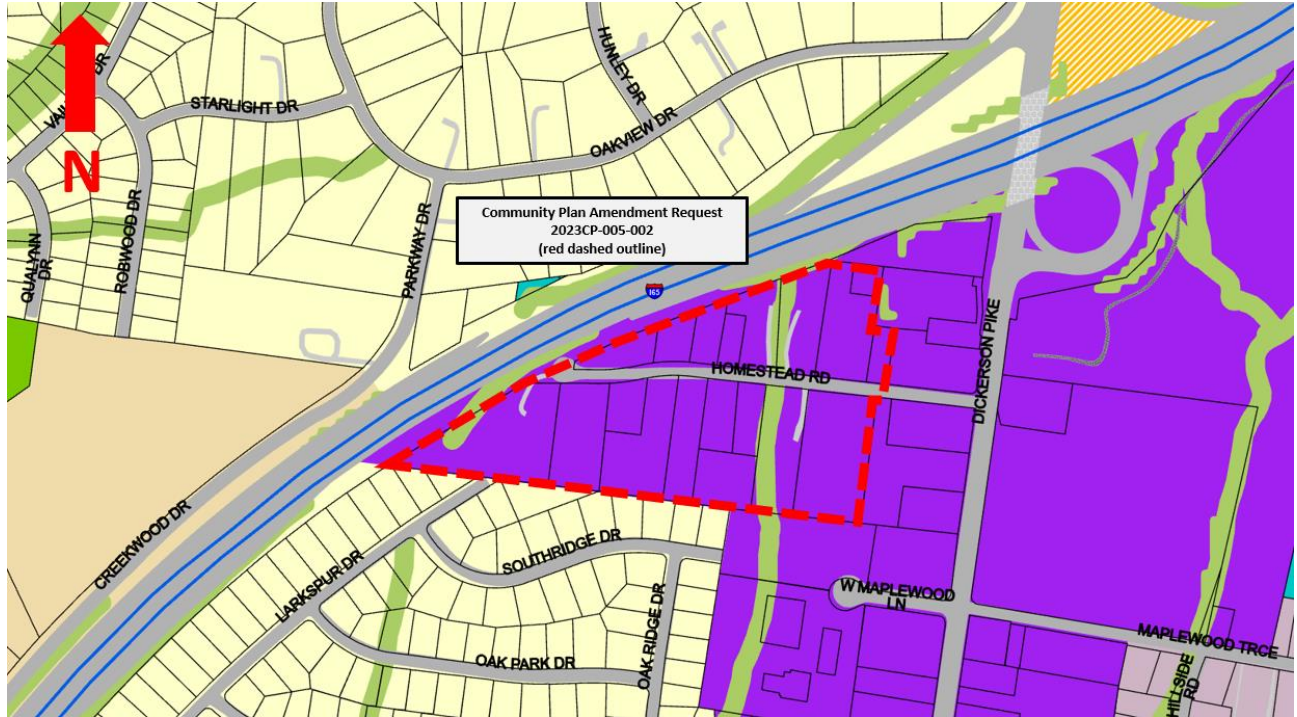
Staff recommends approval.



**SEE NEXT PAGE**



## Metro Planning Commission Meeting of 12/14/23



### 2023CP-005-002

#### EAST NASHVILLE COMMUNITY PLAN AMENDMENT

Various Properties

05, East Nashville

02, Kyonzté Toombs



## Metro Planning Commission Meeting of 12/14/23

<b>Item #12</b>	<b>Major Plan Amendment 2023CP-005-002</b>
<b>Project Name</b>	<b>East Nashville Community Plan Amendment</b>
<b>Council District</b>	02 – Toombs
<b>School District</b>	01 – Gentry
<b>Requested by</b>	Metro Nashville Planning Department
<b>Staff Reviewer</b>	Clark
<b>Staff Recommendation</b>	<i>Approve.</i>

### APPLICANT REQUEST

**Amend East Nashville Community Plan to change community character policy.**

#### Major Plan Amendment

A request to amend the Dickerson North Corridor Study (part of the East Nashville Community Plan), by studying the viability of a previously recommended street connection between Homestead Road and Larkspur Drive to a residential neighborhood located south for properties located on Homestead Road, approximately 300 feet west of Dickerson Pike, zoned CS and CS-A (20.64 acres) and studying associated land use policies and mobility policies.

### EAST NASHVILLE COMMUNITY PLAN

#### **Current Policy**

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

Conservation (CO) policy is intended to preserve environmentally sensitive land features in a natural state and to remediate environmentally sensitive features that have been disturbed when new development or redevelopment takes place. This policy is applicable to areas with sensitive environmental features, including, but not limited to, stream corridors, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils. In the Homestead Road area, CO policy is applied to a stream and its floodplains.

Dickerson North Corridor Study applies to this area. The study covers a three-mile stretch of the Dickerson Pike corridor and includes character area guidance for three distinct geographic areas. The study also includes a mobility plan that includes recommendations for improving various modes of mobility throughout the area.

#### **Requested Policy**

*NOTE: T4 CC and CO policies are to remain in place on properties along Homestead Road.* Staff is recommending changes to the Dickerson North Corridor Study for the text of its Supplemental Policy Area for the Broadmoor/Ewing character area and for its mobility plan.



## **Metro Planning Commission Meeting of 12/14/23**

### **BACKGROUND**

The community plan amendment area is in East Nashville on Homestead Road, west of Dickerson Road and east of Interstate 65. The plan amendment area is also in the Dickerson North Corridor Study (study), a small area plan that is part of the East Nashville Community Plan. The study's purpose was to address issues of land use, transportation, and community design at the neighborhood scale. The study focused on properties abutting Dickerson Pike from just north of Trinity Lane to Skyline Ridge Road. The study, adopted by the Metro Planning Commission on September 24, 2020, guides future development and redevelopment, and provides recommendations for increased mobility options for the Dickerson Pike area.

Today, the properties along Homestead Road, a dead-end street, include a few businesses, some warehouses, single-family housing, and vacant land. In 2022, the Planning Department received two applications for SPs that included multi-family residential development along Homestead Road. During review of the SPs, Planning Staff indicated to the applicants that the Dickerson Pike Study called for Larkspur Drive to extend and connect to Homestead Road and that the extension would be needed to move the projects forward. When development teams discussed their rezonings with the adjacent neighborhood, neighbors were concerned about additional non-residential traffic on their streets and voiced opposition to the policy indicated street connection. Neighbors sent a petition to Councilmember Toombs with over 100 signatures requesting that the recommended street connection to Larkspur Drive be removed. Councilmember Toombs asked staff to study their request and potentially remove the required street connection from the small area plan.

### **COMMUNITY PARTICIPATION**

On Thursday, November 30, 2023, Community Plans staff conducted a virtual community meeting to discuss the plan amendment. Details were made available via community meeting notices which were mailed to 153 residents within a 1,300-foot buffer of the community plan amendment area. Approximately 16 people attended the community meeting, including Councilmember Toombs. Community Plans staff discussed the amendment and afterwards attendees were given the opportunity to provide input. The neighborhood consensus is for the proposed street connection between Homestead Road and Larkspur Drive to be removed from the Dickerson North Corridor Study. The virtual community meeting was recorded and was uploaded to Metro Nashville Government's You Tube Channel.

### **ANALYSIS**

#### **Dickerson North Corridor Study**

The Dickerson North Corridor Study strives to achieve the corridor's potential by applying the community's vision of a corridor that connects and serves the surrounding neighborhoods through new investment in development and multimodal transportation. The Homestead Road area is within the study's character area for Broadmoor-Ewing, located between Briley Parkway and Hart Lane. The study's mobility component recommends a street connection from Homestead Road to Larkspur Drive. T4 CC policy, an intense mixed-use policy, has been applied to the Homestead Road area in conjunction with the proposed increased connectivity and mobility.

Homestead Road is a local street that connects to Dickerson Pike, classified by the Major & Collector Street Plan as an arterial boulevard. Dickerson Pike, one of the city's most prominent corridors, provides connectivity to Interstate 65 and Briley Parkway (just north of the area), both of





## Metro Planning Commission Meeting of 12/14/23

which travel to various destinations throughout Davidson County. Public transit is available with WeGo's #23 bus route, providing service that travels north-south on Dickerson Pike, with several bus stops within a two- to three-minute walk from the Homestead Road area.

Planning staff worked closely with NDOT staff to analyze the current and future capacity of Homestead Road. NDOT advised that the development teams associated with the rezoning requests conduct a traffic signal warrant analysis for the Homestead Road/Dickerson Pike intersection. Since this intersection is close to Dickerson Pike's intersection with Briley Parkway and does not meet NDOT's spacing requirement for signal installation, trips generated by potential rezoning need to be carefully analyzed so as to keep traffic below the level that would trigger a signal. NDOT has indicated that further study could be done that may allow for a signal at some point in the future, if warranted.

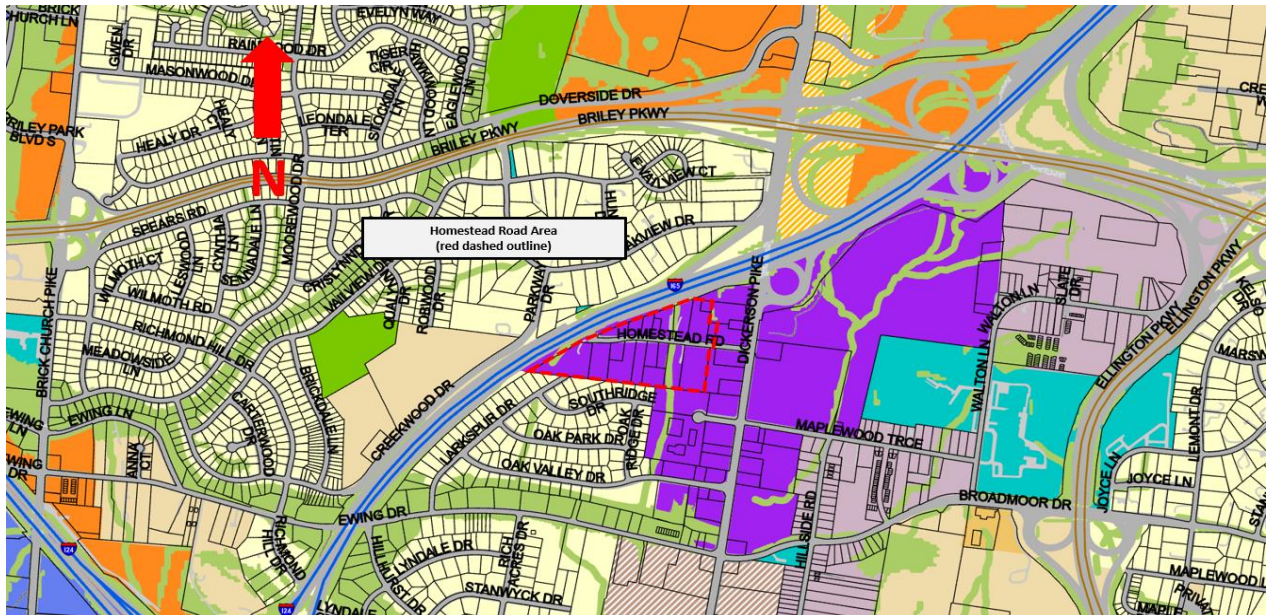
### Adding guidance to the Supplemental Policy

The following Supplemental Policy Area (SPA) text is proposed to be added to SPA 05-DNS-EwingBroadmoor for the Ewing/Broadmoor character area in the Dickerson North Corridor Study. With removal of the proposed street connection between Homestead Road and Larkspur Drive, the supplemental policy will guide future growth by placing limits on the capacity for development along Homestead Road.

*Begin document text:*

#### *Homestead Road – Design Principle for Density/Intensity*

In 2022, traffic signal warrant analysis was conducted for the Dickerson Pike/Homestead Road intersection as part of a rezoning process. It was determined that Homestead Road could handle an additional 283 trips, without triggering a signal at Dickerson Pike. With any rezoning application, the capacity on Homestead Road should be analyzed at the time of application to determine supported density.

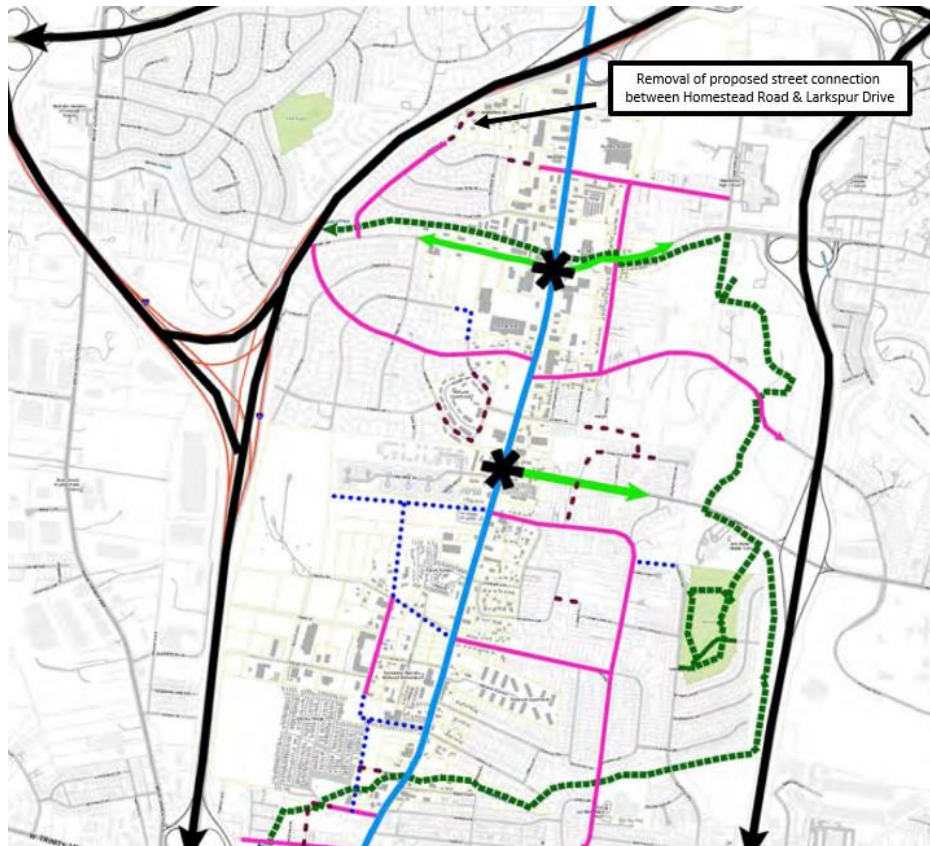


*End document text exact wording.*



## Metro Planning Commission Meeting of 12/14/23

In addition, the street connection between Homestead Road and Larkspur Drive will be removed from the study's mobility plan component. Removal of the street connection does not alter needed alignment with the intent of T4 CC and CO policies applied to the area.



While staff understands the residents' concerns about a street connection connecting their residences to a mixed-use area, providing connectivity and safe mobility options are a vital component of the Dickerson North Corridor Study. Removing street connections is not a preferred practice as overall street connections and increased mobility are needed in the Dickerson Road area.

### **STAFF RECOMMENDATION**

Staff recommends approval for amending the Dickerson North Corridor Study to add guidance to the supplemental policy for the Ewing/Broadmoor character area and to remove the proposed street connection between Homestead Road and Larkspur Drive on the study's mobility component.



**SEE NEXT PAGE**



## Metro Planning Commission Meeting of 12/14/23



### **2023CP-008-003**

#### **NORTH NASHVILLE COMMUNITY PLAN AMENDMENT**

Map 092-08, Parcel 388

08, North Nashville

19 (Jacob Kupin)



## Metro Planning Commission Meeting of 12/14/23

**Item #13**

**Project Name**  
**Council District**  
**School District**  
**Requested by**

**Minor Plan Amendment 2023CP-008-003**  
**North Nashville Community Plan Amendment**  
19 – Kupin  
05 – Buggs  
Hawkins Partners, Inc., applicant, Pearl Street Apartments  
LLC, owner.

**Staff Reviewer**  
**Staff Recommendation**

Clark  
*Defer to the January 11, 2024, Planning Commission meeting.*

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**APPLICANT REQUEST**

**Amend North Nashville Community Plan to change the community character policy.**

Minor Plan Amendment

A request to amend the North Nashville Community Plan by removing the supplemental policy on property located at Pearl Street (unnumbered), approximately 220 feet northwest of Charlotte Avenue, zoned SP (approximately 0.76 acres).

**STAFF RECOMMENDATION**

Staff recommends deferral to the January 11, 2024, Planning Commission meeting.



**NO SKETCH**



## Metro Planning Commission Meeting of 12/14/23

**Item #14****Text Amendment 2023Z-008TX-001****Project Name****Front Porch Setbacks****Council Bill No.**

BL2023-79

**Council District**

Countywide

**School District**

Countywide

**Requested by**

Councilmember Emily Benedict

**Staff Reviewer**

Shane

**Staff Recommendation***Approve with a substitute.***APPLICANT REQUEST**

Amend the Zoning Code regarding covered front porches within the required street setback.

**PROPOSED AMENDMENTS TO TITLE 17**

The bill as filed would amend title 17 of the Metropolitan Code of Laws by deleting section 17.12.040(E)(3) and adding new language in that section allowing awnings, patio covers, and canopies that encroach into setbacks to have supports other than the wall from which they project, and by adding a new subsection that allows front porches to similarly extend into required street setbacks under certain conditions. The proposed substitute adds a prohibition on enclosed habitable space below porches.

The proposed changes of the substitute bill are shown below (new text in underline):

Section 1. That Section 17.12.040, Subsection E.3, of the Metropolitan Code of Laws is hereby amended by deleting it in its entirety and replacing it with the following:

3. Awnings, patio covers, or canopies projecting not more than six feet from a building wall over a required setback;

Section 2. That Section 17.12.040, Subsection E, of the Metropolitan Code of Laws is hereby amended by adding the following subsection:

32. Covered front porches in residential districts extending no more than six feet into the required street setback, provided that the following are met:
  - a. The porch shall not be enclosed,
  - b. There shall be no enclosed space above the porch or enclosed habitable space below the porch,
  - c. The porch shall be located at least ten feet from the right-of-way.

**BACKGROUND**

The Zoning Code currently requires awnings, patio covers, and canopies that project into required setbacks by no more than six feet to have no other structural supports than those provided by the wall to which they are attached. There is also no provision within the code that allows for porches to be located within street setbacks in a similar manner.



## Metro Planning Commission Meeting of 12/14/23

### ANALYSIS

The current prohibition on independent structural supports for awnings, patio covers, and canopies unnecessarily limits what types of projecting covers can be soundly constructed within reasonably small setback encroachments. The proposed changes to the Zoning Code would eliminate this restriction. The proposed changes also extend a similar permission to non-enclosed front porches that extend no more than six feet into a required street setback. The conditions placed on these porches (that they not be enclosed, that there be no enclosed space above or habitable enclosed space below the porch, and that they be located at least ten feet from the right-of-way) will ensure that this permission does not result in configurations that flout the intention of the Code.

Front porches, awnings, and covers of this sort enhance residential dwellings and should be encouraged. They encourage interaction between neighbors and provide visual interest. The removal of unnecessary restrictions on these desirable additions will encourage their use and benefit their communities. For these reasons, planning staff recommends approval of the proposed text amendment.

### ZONING ADMINISTRATOR RECOMMENDATION

No exception taken.

### FISCAL IMPACT RECOMMENDATION

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

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### STAFF RECOMMENDATION

Staff recommends approval of the proposed change to Title 17 with a substitute.

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### SUBSTITUTE ORDINANCE NO. BL2023-79

**An ordinance amending Section 17.12.040 of the Metropolitan Code, Zoning Regulations regarding covered front porches within the required street setback (Proposal No. 2023Z-008TX-001).**

BE IT ENACTED BY THE METROPOLITAN COUNCIL OF NASHVILLE & DAVIDSON COUNTY:

Section 1. That Section 17.12.040, Subsection E.3, of the Metropolitan Code of Laws is hereby amended by deleting it in its entirety and replacing it with the following:

3. Awnings, patio covers, or canopies projecting not more than six feet from a building wall over a required setback;

Section 2. That Section 17.12.040, Subsection E, of the Metropolitan Code of Laws is hereby amended by adding the following subsection:

32. Covered front porches in residential districts extending no more than six feet into the required street setback, provided that the following are met:

a. The porch shall not be enclosed,





## Metro Planning Commission Meeting of 12/14/23

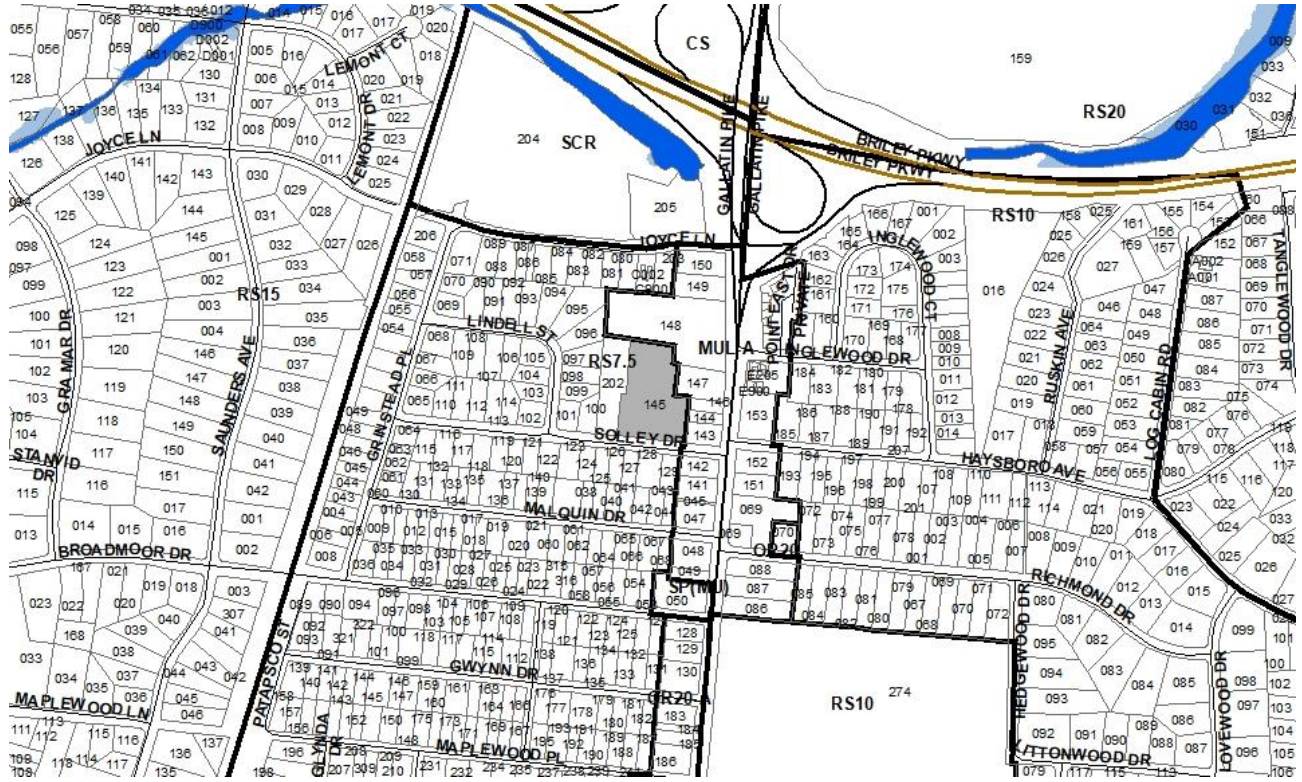
- b. There shall be no enclosed space above the porch or enclosed habitable space below the porch,
- c. The porch shall be located at least ten feet from the right-of-way.

Section 3. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 3. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.



# Metro Planning Commission Meeting of 12/14/23



**2023SP-020-001**  
**SOLLEY DRIVE**  
Map 061-03, Parcel(s) 145  
05, East Nashville  
07 (Emily Benedict)



## Metro Planning Commission Meeting of 12/14/23

**Item #15**

**Specific Plan 2023SP-020-001**

**Project Name**

**Solley Drive**

**Council District**

07 – Benedict

**School District**

03 – Masters

**Requested by**

Lose Design, applicant; Chris Harris, owner.

**Staff Reviewer**

Swaggart

**Staff Recommendation**

*Defer to the January 11, 2024, Planning Commission meeting.*

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### **APPLICANT REQUEST**

**SP to permit 24 multi-family residential units.**

#### Zone Change

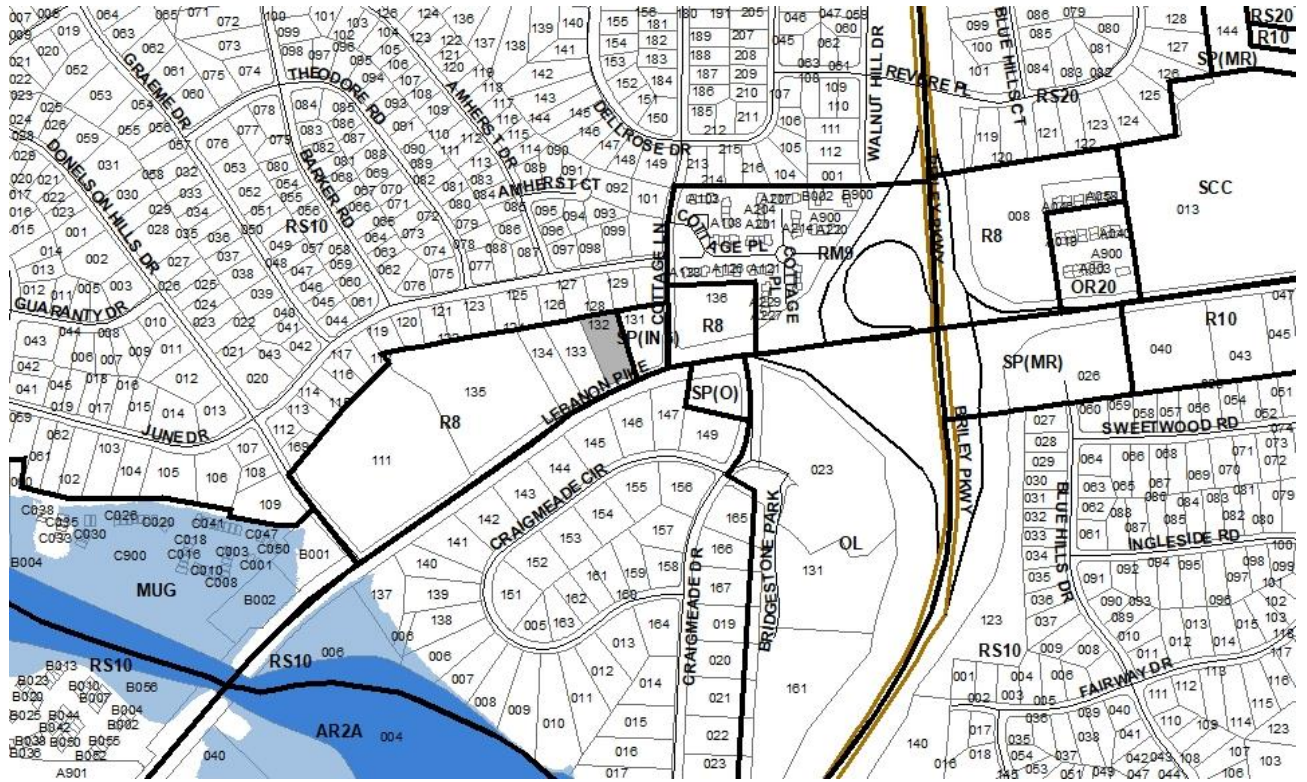
A request to rezone from Single-Family Residential (RS7.5) to Specific Plan (SP) on property located at 1009 Solley Drive, west of the corner of Gallatin Pike and Solley Drive (2.31 acres), to permit 24 multi-family residential units.

### **STAFF RECOMMENDATION**

Staff recommends deferral to the January 11, 2024, Planning Commission meeting.



# Metro Planning Commission Meeting of 12/14/23



**2023SP-083-001**

2210 LEBANON PIKE

Map 095-02, Parcel(s) 132

14, Donelson – Hermitage – Old Hickory

15 (Jeff Gregg)



## Metro Planning Commission Meeting of 12/14/23

**Item #16**

**Specific Plan 2023SP-083-001**

**Project Name**

**2210 Lebanon Pike**

**Council District**

15 – Gregg

**School District**

04 – Nabaa-McKinney

**Requested by**

Gatesaya Cordell, applicant; Gatesaya Cordell and Daniel Sounthonevichith, owners.

**Staff Reviewer**

Swaggart

**Staff Recommendation**

*Approve with conditions and disapprove without all conditions.*

**APPLICANT REQUEST**

**SP to permit general office within an existing structure.**

Zone Change

A request to rezone from One and Two-Family Residential (R8) to Specific Plan (SP) zoning for property located at 2210 Lebanon Pike, approximately 150 feet west of Cottage Lane (1.02 acres), to permit office uses in the existing building.

**Existing Zoning**

One and Two-Family Residential (R8) 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. *R8 would permit a maximum of five lots with one duplex lot for a total of six units, based on acreage only. Final determinations on duplex eligibility provided by Codes.*

**Proposed Zoning**

Specific Plan-Office 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 uses.

**SITE CONTEXT AND PLAN DETAILS**

The subject property is approximately one acre in size and is located on the north side of Lebanon Pike, approximately 150 feet west of the intersection of Lebanon Pike and Cottage Lane. There is an existing 3,159 sf single-family home on the property. Parking is located behind the existing home and there are three parking spaces in front of the home. Access to the site is from a single drive off of Lebanon Pike. There is a stone wall on the property that extends along Lebanon Pike. Single-Family (RS10) and One and Two Family(R8) zoning districts abut the western and northern property boundaries. The adjacent property to the east, zoned SP, is approved for a daycare which is currently in operation. Surrounding land uses include single-family residential and daycare.

Site Plan

This is a regulatory SP. The proposed SP would allow for an office use within the existing residential structure. The SP does not allow any expansion to the structure. It would allow permits to be issued for interior renovations and general upkeep. The SP allows for up to three additional parking spaces in front of the existing structure but limits to the area between the existing structure and existing parking pad. Any additional parking must be located at the rear of the existing structure.



## Metro Planning Commission Meeting of 12/14/23

### 2210 Lebanon Pike Specific Plan (SP)

Development Summary	
SP Name	2210 Lebanon Pike
SP Number	2023SP-083-001
Council District	15 (Jeff Gregg)

Site Data Table	
Map/Parcel	095-02/132
Existing Zoning	R8
Proposed Zoning	SP
Permitted Land Uses	General office

#### Specific Plan (SP) Standards

1. Uses within this SP shall be limited to general office.
2. This SP does not permit any expansion to the existing structure. Permits may be issued for interior renovations and/or for general upkeep of the existing structure.
3. Required parking is 1 space per 300 sq. ft. of office space. Up to three additional spaces may be provided in front of the existing structure between the existing structure and existing parking. Any additional parking must be provided behind the existing structure.
4. If any site improvements require a grading permit, then a final site plan must be approved prior to the issuance of any permits.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the ON zoning, as of the date of the applicable request or application.
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. Prior to the issuance of any building and/or use and occupancy permits, a right-of-way dedication consistent with the Major and Collector Street Plan shall be made.

#### General Plan Consistency Note

This is within the Donelson – Hermitage – Old Hickory Community Plan (14). The site is in a Transition (TR) policy and a supplemental policy area.

The proposed SP is consistent with the policy and the supplemental policy. The proposed SP permits a low intensity land use within an existing structure. Office is a supported use and the limitations of the SP provide an adequate transition between Lebanon Pike and the residential neighborhood north of the site. The SP also permits single and one and two-family residential which is consistent with both policies. Since the SP does not permit additional development and utilizes the existing structure, then the existing character along Lebanon Pike will be maintained.



#### **Proposed SP**



## Metro Planning Commission Meeting of 12/14/23

The required parking count is one space per 350 sq. ft. The SP does not require a final site plan unless a grading permit is required for any additional parking that may be required. The SP requires a right-of-way dedication along Lebanon Pike consistent with the Major and Collector Street Plan (MCSP). The dedication is required prior to the issuance of any building permits.

### **DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN**

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

#### Supplemental Policy

The site is within a supplemental policy which provides more detailed guidance for specific areas. The intent of the Lebanon Pike Corridor Supplemental Policy is to ensure development along Lebanon Pike appropriately transitions to the established single family residential areas to the north. Where higher-intensity policy categories are adjacent to lower-intensity policies the scale, intensity, and uses should sensitively transition to minimize land use conflicts.

### **ANALYSIS**

Staff finds that the proposed SP is consistent with the guidance in the supplemental policy as well as the goals of the Transition (TR) Policy. TR areas are generally small in geographic size and serve a limited function of providing transitions in scale, intensity, and use at locations between high-intensity and low-intensity policy categories or development. Small scale office uses are supported by the TR policy. In this case, the proposed office would be located within an existing structure. The proposed SP does not permit any expansion to the existing structure, but it does allow for the expansion of parking, if needed. By adaptively reusing the existing structure, the SP maintains the existing character along Lebanon Pike. While the SP permits additional parking in front of the structure, it is not permitted between the existing parking pad and Lebanon Pike, which should minimize any impacts on the existing character along Lebanon Pike.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

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

### **STORMWATER RECOMMENDATION**

#### **Approve with conditions**

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



## Metro Planning Commission Meeting of 12/14/23

### WATER SERVICES RECOMMENDATION

#### Approved 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

#### Approved with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, with a final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Provide details in plan set. 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.

### TRAFFIC AND PARKING RECOMMENDATION

#### Approved with conditions

- Parking shall meet code requirements.

Maximum Uses in Existing Zoning District: **R8**

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)	0.37	5.79 D	2 U	28	7	2

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	-	-	3,159 SF	37	29	5

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
-	-	-	-	+9	+22	+3

### STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.





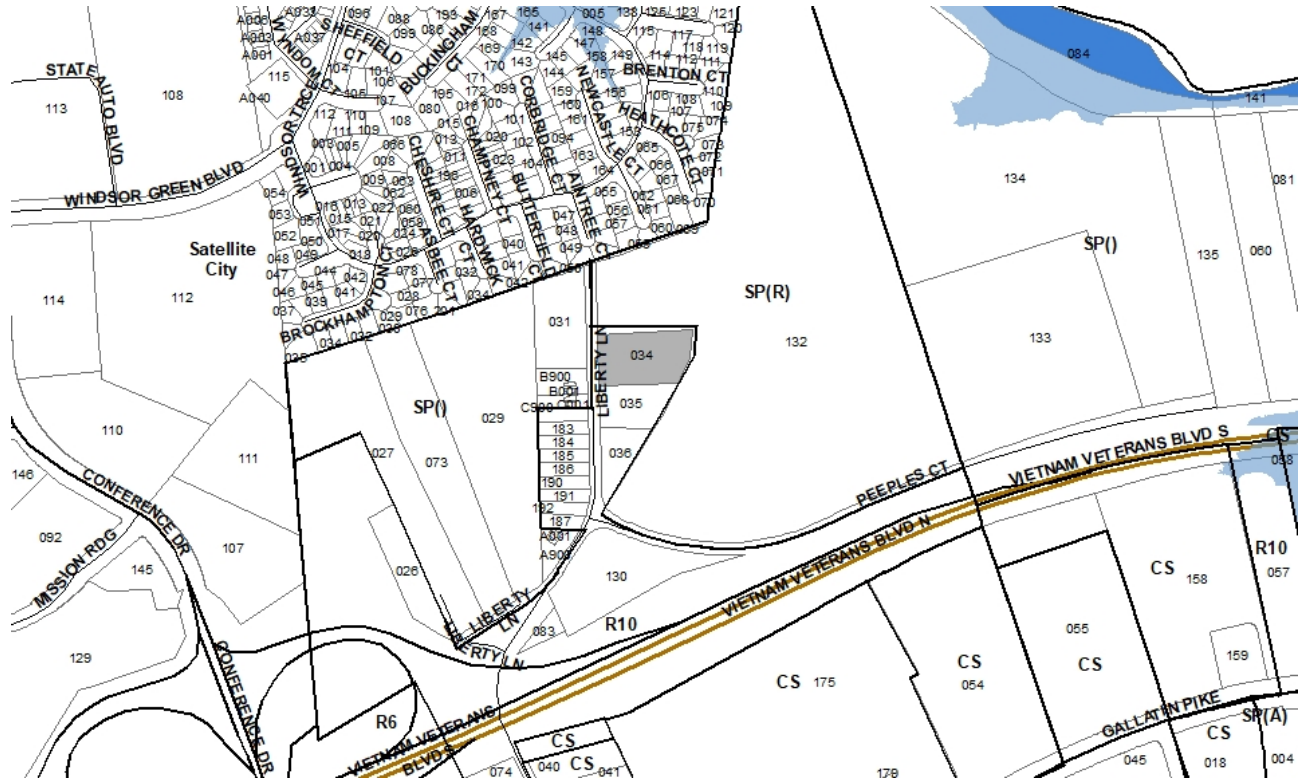
## Metro Planning Commission Meeting of 12/14/23

### CONDITIONS

1. Permitted uses shall be limited to general office uses. Short Term Rental Property (STRP) owner occupied and not owner-occupied shall be prohibited.
2. No expansion to the existing structure is permitted.
3. If any necessary site improvements require a grading permit, then a final site plan must be approved prior to the issuance of any permits.
4. Comply with all conditions and requirements of Metro Reviewing Agencies.
5. 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 the final site plan application.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the ON zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
7. The final site plan shall depict any required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within 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 the required grass strip or frontage zone.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. 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.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any of any building permits.



# Metro Planning Commission Meeting of 12/14/23



**2023SP-086-001**  
THE COLLECTIVE  
Map 026, Parcel(s) 034  
04, Madison  
10 (Jennifer Webb)



## Metro Planning Commission Meeting of 12/14/23

**Item #17**

**Specific Plan 2023SP-086-001**

**Project Name**

**The Collective**

**Council District**

10 – Webb

**School District**

03 – Masters

**Requested by**

Dale & Associates, applicant; Biddle Enterprises, Inc., owner.

**Staff Reviewer**

Elliott

**Staff Recommendation**

*Defer to the January 11, 2024, Planning Commission meeting.*

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### **APPLICANT REQUEST**

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

#### Preliminary SP

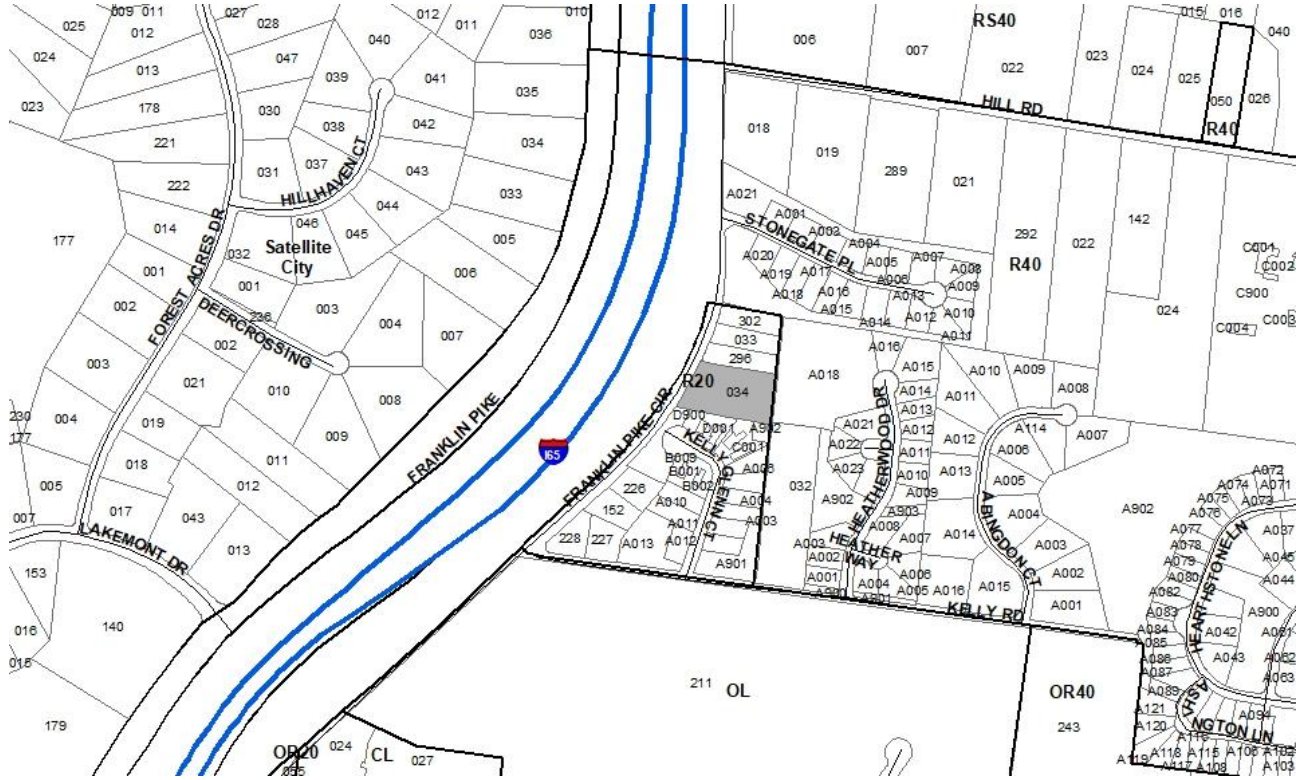
A request to rezone from One and Two-Family Residential (R10) to Specific Plan (SP) zoning for property located at 252 Liberty Lane, approximately 530 feet north of Peeples Court, (2 acres), to permit 43 multi-family residential units.

### **STAFF RECOMMENDATION**

Staff recommends deferral to the January 11, 2024, Planning Commission meeting.



# Metro Planning Commission Meeting of 12/14/23



**2023S-188-001**

RE-SUBDIVISION OF A PART OF LOT #12 ON THE MAP OF D.C. KELLEY'S SUBDIVISION OF BRENTWOOD

Map 160, Parcel(s) 034

12, Southeast

26 (Courtney Johnston)



## Metro Planning Commission Meeting of 12/14/23

**Item #18**  
**Project Name**

**Final Plat 2023S-188-001**  
**Re-subdivision of a part of Lot #12 on the Map of D.C. Kelley’s Subdivision at Brentwood**

**Council District**  
**School District**  
**Requested by**

26 – Johnston  
02 – Elrod  
Clint Elliott, applicant; 5450 FPC LLC

**Staff Reviewer**  
**Staff Recommendation**

Konigstein  
*Approve with conditions, including an exception to Section 3-5.2.d.1 for lot frontage.*

### APPLICANT REQUEST

**Request for final plat approval to create three lots.**

#### Final Plat

A request for final plat approval to create three lots on property located at 5450 Franklin Pike Circle, approximately 540 feet south of Stonegate Place, zoned One and Two-Family Residential (R20) (1.56 acres).

### SITE DATA AND CONTEXT

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

**Street Type:** The site has frontage on Franklin Circle Pike, which is classified as a T3 suburban collector avenue in the Major and Collector Street Plan (MCSP). This section of Franklin Circle Pike has an existing right-of-way width of approximately 40 feet. The right-of-way width required to meet the MCSP is 51 feet.

**Approximate Acreage:** 1.56 acres or approximately 67,746 square feet.

**Parcel/Site History:** This site consists of one parcel in its current configuration, created by deed in 1965.

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

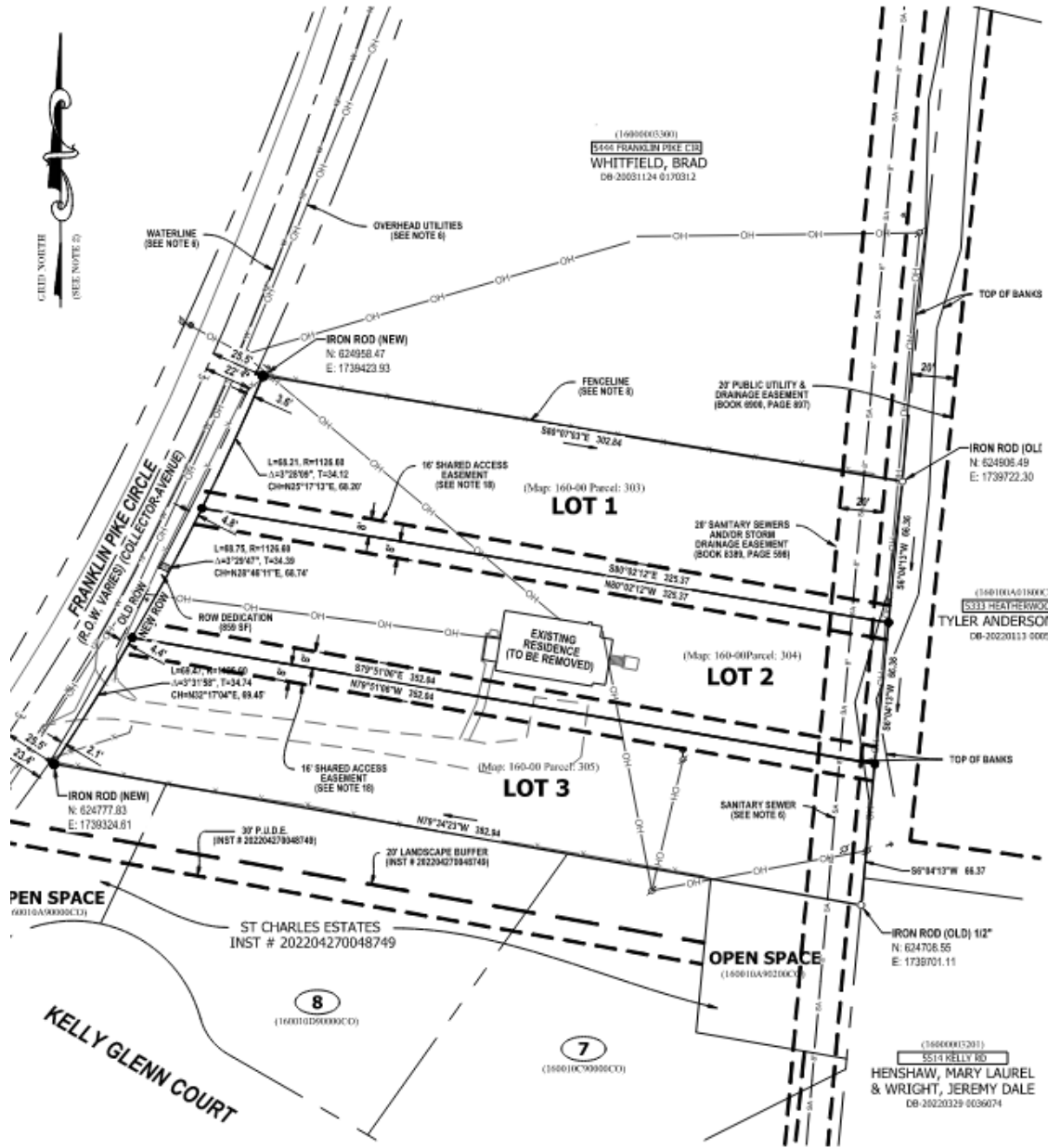
**Existing land use and configuration:** The property is currently occupied by a single-family home.

#### **Surrounding Land Use and Zoning:**

- North: Single-Family Residential/R20
- South: One and Two-Family Residential/R20
- East: Single-Family Residential/R40/PUD (Planned Unit Development)
- West: Public Right of Way



# Metro Planning Commission Meeting of 12/14/23



Proposed Final Plat



## Metro Planning Commission Meeting of 12/14/23

**Zoning:** One and Two-Family Residential (R20)

Min. lot size: 20,000 square feet

Max. building coverage: 0.35

Min. rear setback: 20'

Min. side setback: 20'

Max. height: 3 stories

Min. street setback: Contextual per Zoning Code

### PROPOSAL DETAILS

**Number of lots:** 3

**Lot sizes:** Proposed Lot 1 is approximately 0.475 acres or 20,704 square feet, proposed Lot 2 is approximately 0.51 acres or 22,213 square feet, and proposed Lot 3 is approximately 0.55 acres or 23,970 square feet.

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

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

### APPLICABLE SUBDIVISION REGULATIONS

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

Prior versions of Subdivision Regulations for Nashville and Davidson County contained a uniform set of standards that were applied Metro-wide. This did not take into account the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is located within the Suburban Neighborhood Maintenance (T3 NM) policy. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For sites within the T3 Suburban transect, the regulations found in Chapter 3 are utilized.

#### 3-1 General Requirements

The proposal meets the requirements of 3-1.

#### 3-2 Monument Requirements

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



## Metro Planning Commission Meeting of 12/14/23

### 3-3 Suitability of the Land

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

### 3-4 Lot Requirements

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

### 3-5 Infill Subdivisions

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

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

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

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

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

Complies. All lots front Franklin Pike Circle.

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

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

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

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

The proposed lots do not meet the minimum lot frontage requirement. The minimum frontage width requirement per this section is 81.53 feet. The proposed Lot 1 frontage is 68.21 feet, proposed Lot 2 is 68.75 feet, and proposed Lot 3 is 69.47 feet.





## Metro Planning Commission Meeting of 12/14/23

- 2. Lot size is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than smallest surrounding lot, whichever is greater. For a corner lot, only the block face to which the proposed lots are to be oriented shall be used; and*
- The proposed lots do meet the minimum lot size requirement. The minimum lot size requirement per this section is approximately 0.46 acres, or 20,051 square feet. Proposed Lot 1 is approximately 0.475 acres or 20,704 square feet, proposed Lot 2 is approximately 0.51 acres or 22,213 square feet, and proposed Lot 3 is approximately 0.55 acres or 23,970 square feet.
- 3. Where the minimum required street setback is less than the average of the street setback of the two parcels abutting either side of the lot proposed to be subdivided, a minimum building setback line shall be included on the proposed lots at the average setback. When one of the abutting parcels is vacant, the next developed parcel shall be used. For a corner lot, both block faces shall be used; and*
- New homes will be required to meet the contextual setback standards per the Metro Zoning Code.
- 4. Orientation of proposed lots shall be consistent with the surrounding parcels. For a corner lot, both block faces shall be evaluated.*
- All lots are oriented to Franklin Pike Circle, consistent with surrounding lots.
- e. The current standards of all reviewing agencies are met.*
- All agencies have recommended approval or approval with conditions, except for compatibility requirements.
- f. If the proposed subdivision meets subsections a, b, c and e of this section but fails to meet subsection d, the Planning Commission, following a public hearing in accordance with the Planning Commission Rules and Procedures, may consider whether the subdivision can provide for the harmonious development of the community by otherwise meeting the provisions of TCA 13-4-303(a). In considering whether the proposed subdivision meets this threshold, the Commission shall specifically consider the development pattern of the area, any unique geographic, topographic and environmental factors, and other relevant information. The Commission may place reasonable conditions, as outlined in Section 3-5.6, necessary to ensure that the development of the subdivision addresses any particular issues present in an infill subdivision and necessary to achieve the objectives as stated in TCA 13-4-303(a).*

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

The three surrounding lots to the north were platted on October 9, 2023. The creation of these lots allowed this site to have a compatibility analysis more reflective of the larger



## Metro Planning Commission Meeting of 12/14/23

development pattern. Even though the proposed lots do not meet the frontage requirements for compatibility, the surrounding context is somewhat varied. The proposed lots are in keeping with the form and depth of the immediately surrounding lots to the north. The site is separated from the surrounding lots to the south by open space associated with a neighboring subdivision, where the pattern is slightly different with lots that are generally shorter and wider.

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

### *3-5.5 Infill Subdivision Frontage*

A shared access easement is provided.

### *3-5.6 Reasonable Conditions*

Staff is not recommending additional conditions.

### **3-6 Blocks**

Not applicable. No new blocks are being created.

### **3-7 Improvements**

No public infrastructure or improvements are required with this subdivision. Construction plans for any required private improvements (private stormwater, water and sewer lines and connections) will be reviewed at the time of building permit.

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

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

### **3-9 Requirements for Streets**

Not applicable. No new streets are proposed.

### **3-10 Requirements for Dedication, Reservations, or Improvements**

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

### **3-11 Inspections During Construction**

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

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

Not applicable. No new streets are proposed.

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

Not applicable. No private streets are proposed.



## **Metro Planning Commission Meeting of 12/14/23**

### **3-14 Drainage and Storm Sewers**

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

### **3-15 Public Water Facilities**

Metro Water Services has reviewed this proposed final plat for water and has recommended approval.

### **3-16 Sewerage Facilities**

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

### **3-17 Underground Utilities**

There are no new utilities proposed.

### **PLANNING STAFF COMMENTS**

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

### **POLICY CONSIDERATIONS**

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

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

### **COMMENTS FROM OTHER REVIEWING AGENCIES**

#### **FIRE MARSHAL RECOMMENDATION**

**Approve**

#### **STORMWATER RECOMMENDATION**

**Approve**



## **Metro Planning Commission Meeting of 12/14/23**

### **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**

### **STAFF RECOMMENDATION**

Approve with conditions, including an exception to Section 3-5.2.d.1.

### **CONDITIONS**

1. Update Council District to District 26 (Courtney Johnston).
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

### **RECOMMENDED ACTION**

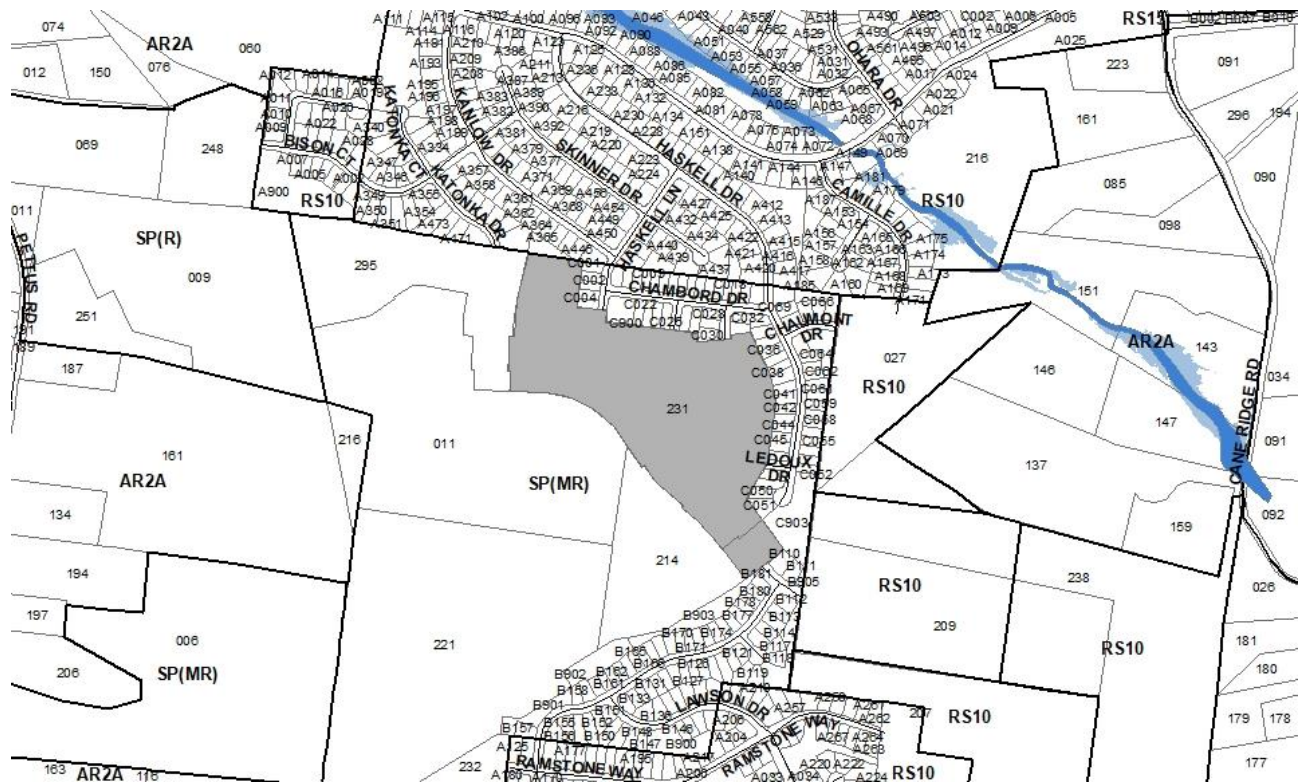
Motion to approve proposed subdivision Case No. 2023S-188-001 with conditions including an exception to 3-5.2.d.1 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 12/14/23



**2023S-192-001**  
EMERSON HILLS PHASE 2  
Map 182, Parcel(s) 231,  
Map 182, Part of Parcel(s) 214  
12, Southeast  
33 (Antoinette Lee)



## Metro Planning Commission Meeting of 12/14/23

<b>Item #19</b>	<b>Final Plat 2023S-192-001</b>
<b>Project Name</b>	<b>Emerson Hills Phase 2</b>
<b>Council District</b>	33 – Lee
<b>School District</b>	06 – Mayes
<b>Requested by</b>	Anderson, Delk, Epps & Associates, Inc., applicant; EGH Land Development, LLC, owner.
<b>Staff Reviewer</b>	Shane
<b>Staff Recommendation</b>	<i>Approve with conditions.</i>

### APPLICANT REQUEST

**Final plat to create 109 residential lots.**

#### Final Plat

A request for final plat approval to create 109 lots on properties located at Old Hickory Boulevard (unnumbered), at the current terminus of Haskell Lane, zoned Specific Plan (SP) (27.73 acres).

### CASE HISTORY

The subject site is located within an SP zoning district, 2006SP-181-001. Metro Council approved the SP in 2017 (BL2017-757). The overall SP is approved for 634 residential units. This plat is for the second phase, and the associated final site plan, 2006SP-181-005, was approved in October of 2022. The plat includes 109 single-family lots, nine public roads, and open space.

### SITE DATA AND CONTEXT

**Location:** The site is located north of Old Hickory Boulevard approximately 0.75 miles east of Pettus Road.

**Approximate Acreage:** 27.73

### PROPOSAL DETAILS

**Number of lots:** 109

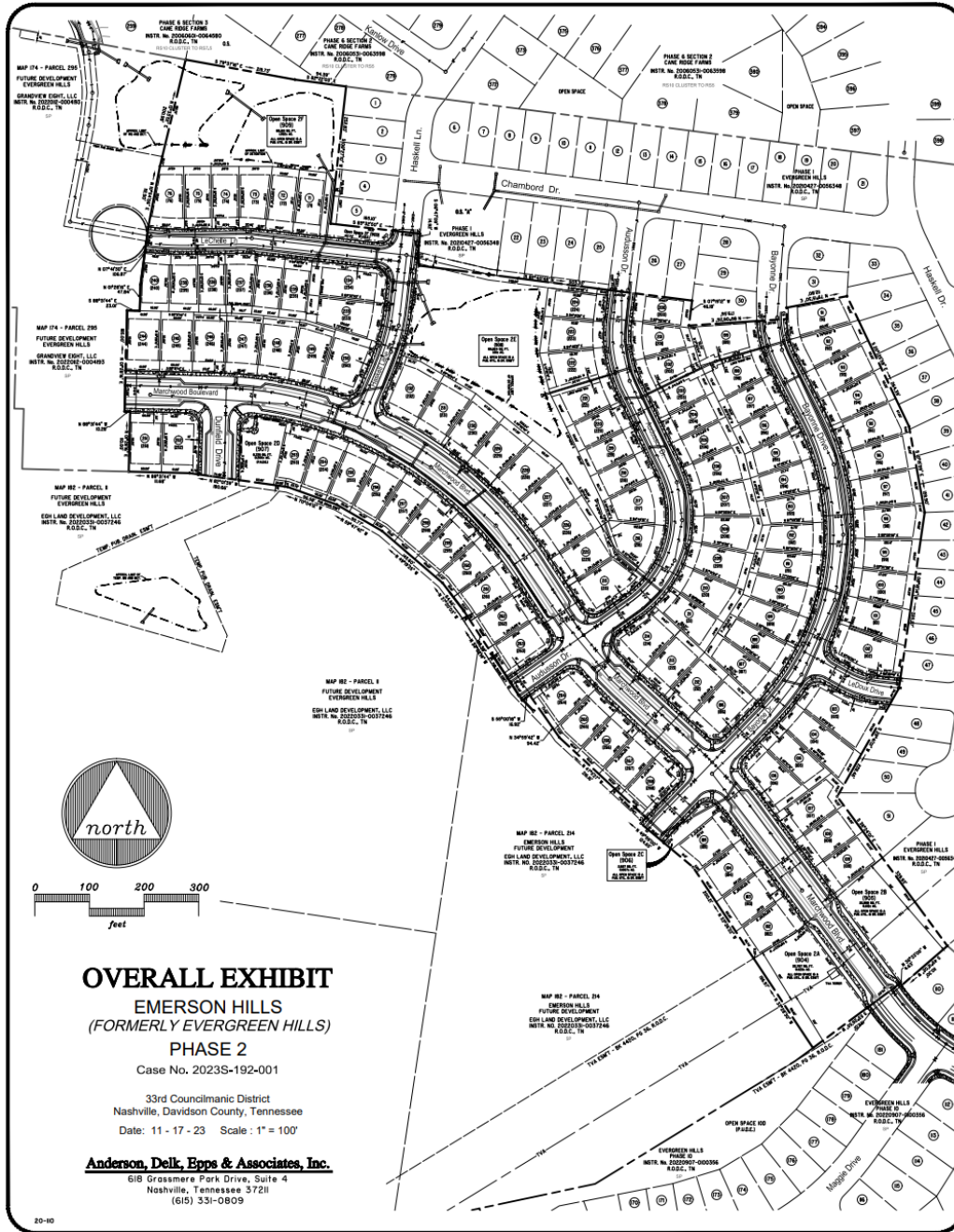
**Subdivision Variances or Exceptions Requested:** None

### 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.



# Metro Planning Commission Meeting of 12/14/23



**OVERALL EXHIBIT**  
**EMERSON HILLS**  
 (FORMERLY EVERGREEN HILLS)  
**PHASE 2**  
 Case No. 2023S-192-001  
 33rd Councilmanic District  
 Nashville, Davidson County, Tennessee  
 Date: 11 - 17 - 23 Scale: 1" = 100'

**Anderson, Delk, Epps & Associates, Inc.**  
 618 Grassmere Park Drive, Suite 4  
 Nashville, Tennessee 37211  
 (615) 331-0809

## Proposed plat

Approval by the MPC is now required because the subject 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 determined that this plat is consistent with the Council approved SP plan, the approved final site plan, and the Subdivision Regulations. All SP conditions of approval have been satisfied.





## **Metro Planning Commission Meeting of 12/14/23**

### **COMMENTS FROM OTHER REVIEWING AGENCIES**

#### **FIRE MARSHAL RECOMMENDATION**

**Approve**

#### **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.
- Plans on file with NDOT under Evergreen Hills PH 2 - 2006SP-181-005.

#### **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 November 1, 2023) on which we have noted our comments and recommend approval. Approval is contingent on construction and completion of MWS Project #'s 21SL0235, 21SL0236 and 21WL0100, 21WL0101. A bond amount of \$770,000.00 is assigned to 21SL0235 & 21SL0236, and an amount of \$710,000.00 is assigned to 21WL0100 & 21WL0101.

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

#### **CONDITIONS**

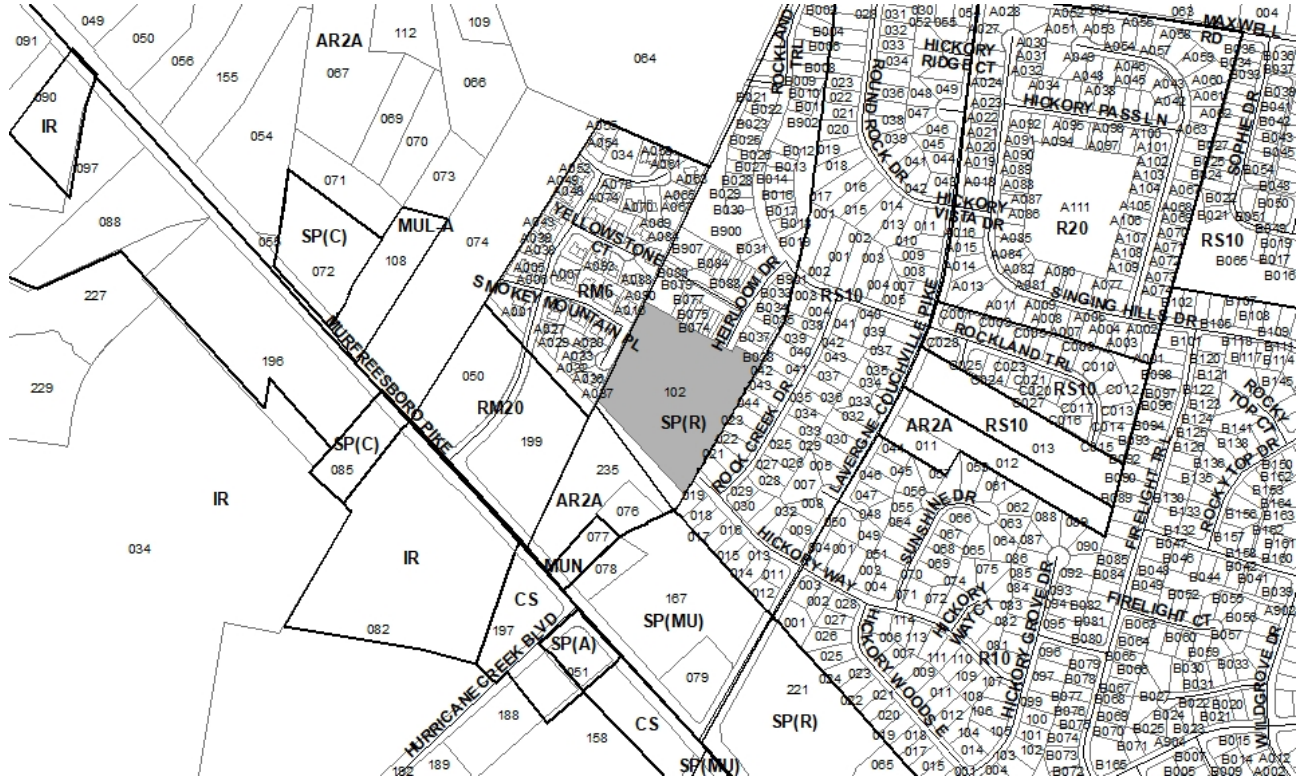
1. All public infrastructure shall be constructed and accepted by Metro or infrastructure shall be bonded according to Metro standards.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the 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-192-001 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.



# Metro Planning Commission Meeting of 12/14/23



**2023S-193-001**  
OLIVERI PHASE 1  
Map 175, Parcel(s) 102  
13, Antioch – Priest Lake  
08 (Deonte Harrell)



## Metro Planning Commission Meeting of 12/14/23

<b>Item #20</b>	<b>Final Plat 2023S-193-001</b>
<b>Project Name</b>	<b>Oliveri Phase 1</b>
<b>Council District</b>	08 – Harrell
<b>School District</b>	06 – Mayes
<b>Requested by</b>	Anderson, Delk, Epps & Associates, Inc., applicant; Oliveri, LLC, owner.
<b>Staff Reviewer</b>	Marton
<b>Staff Recommendation</b>	<i>Approve with conditions.</i>

### APPLICANT REQUEST

**Request for final plat approval to create 29 lots.**

#### Final plat

A request for final plat approval to create 29 lots on property located at Maxwell Road (unnumbered), at the current terminus of Heirloom Drive, zoned Specific Plan (SP) and located within the Murfreesboro Pike Urban Design Overlay District (7.48 acres).

### CASE HISTORY

The site is located within a Specific Plan zoning district, 2018SP-019-001. The preliminary plan was granted approval by Metro Council in 2018 for 92 total units. The final site plan for this phase, case 2018SP-019-003, received administrative approval for 29 lots in July 2023. The proposed plat includes 29 single-family lots and public roads.

### SITE DATA AND CONTEXT

**Location:** The site is located south of Maxwell Road at the current terminus of Heirloom Drive.

**Approximate Acreage:** 7.48 acres or approximately 325,828 square feet.

### PROPOSAL DETAILS

**Number of lots:** 29

**Subdivision Variances or Exceptions Requested:** None.

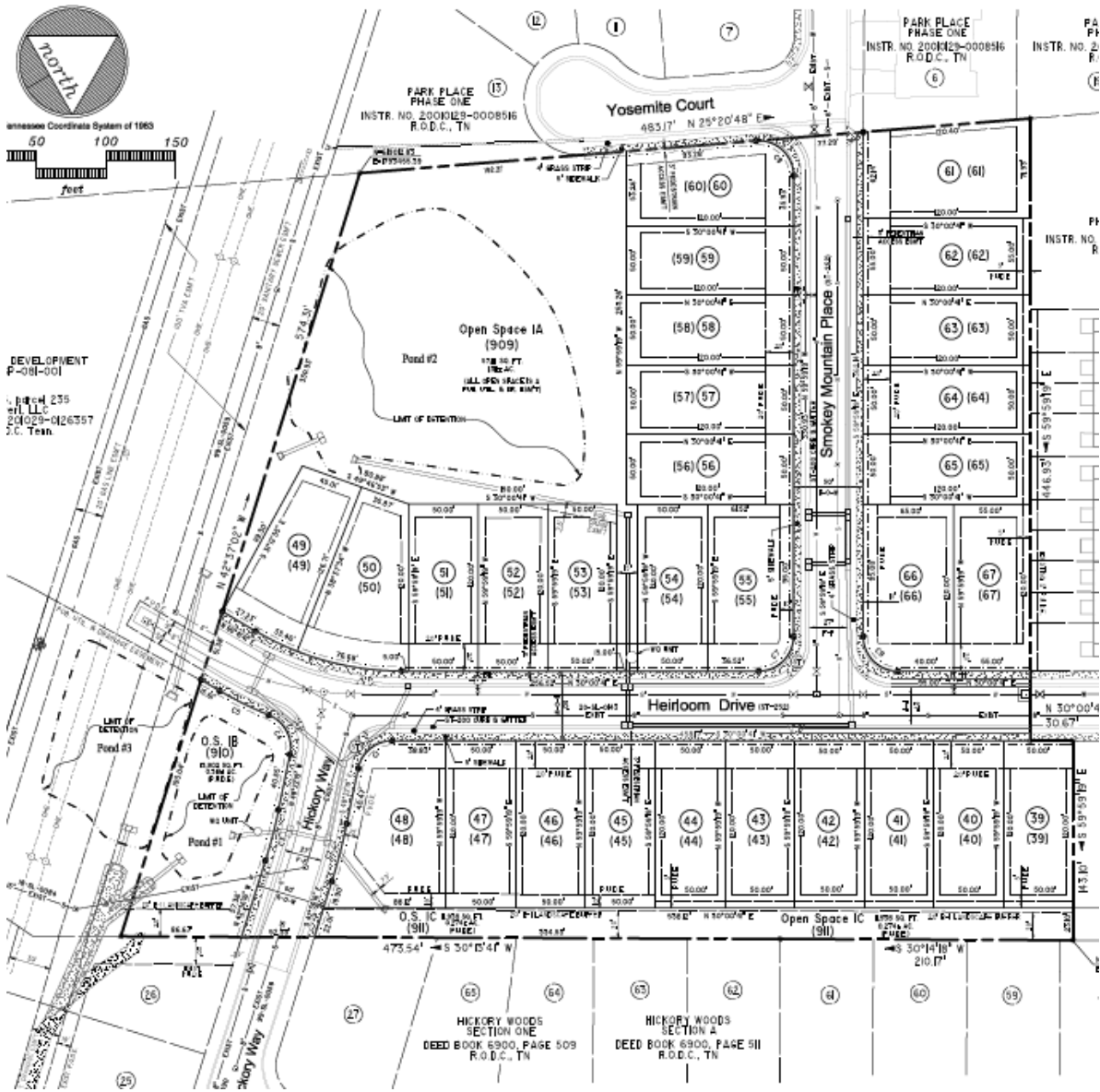
### UPDATED FINAL PLAT RULES AND PROCEDURES

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 2018 and final site plan approval in 2023. Approval by the MPC is now required because the plat contains more than 25 lots, requiring



# Metro Planning Commission Meeting of 12/14/23



## Proposed plat

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.



## Metro Planning Commission Meeting of 12/14/23

### COMMENTS FROM OTHER REVIEWING AGENCIES FIRE MARSHAL RECOMMENDATION

Approve

### STORMWATER RECOMMENDATION

Approve

### NASHVILLE DOT RECOMMENDATION

Approve

- 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

- 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 November 1, 2023) on which we have noted our comments and recommend approval. Approval is contingent on construction and completion of MWS Project #'s 22SL0158 and 22WL0075. A bond amount of \$82,000.00 is assigned to 22SL0158, and an amount of \$181,000.00 is assigned to 22WL0075.

### STAFF RECOMMENDATION

Staff recommends approval with conditions.

### CONDITIONS

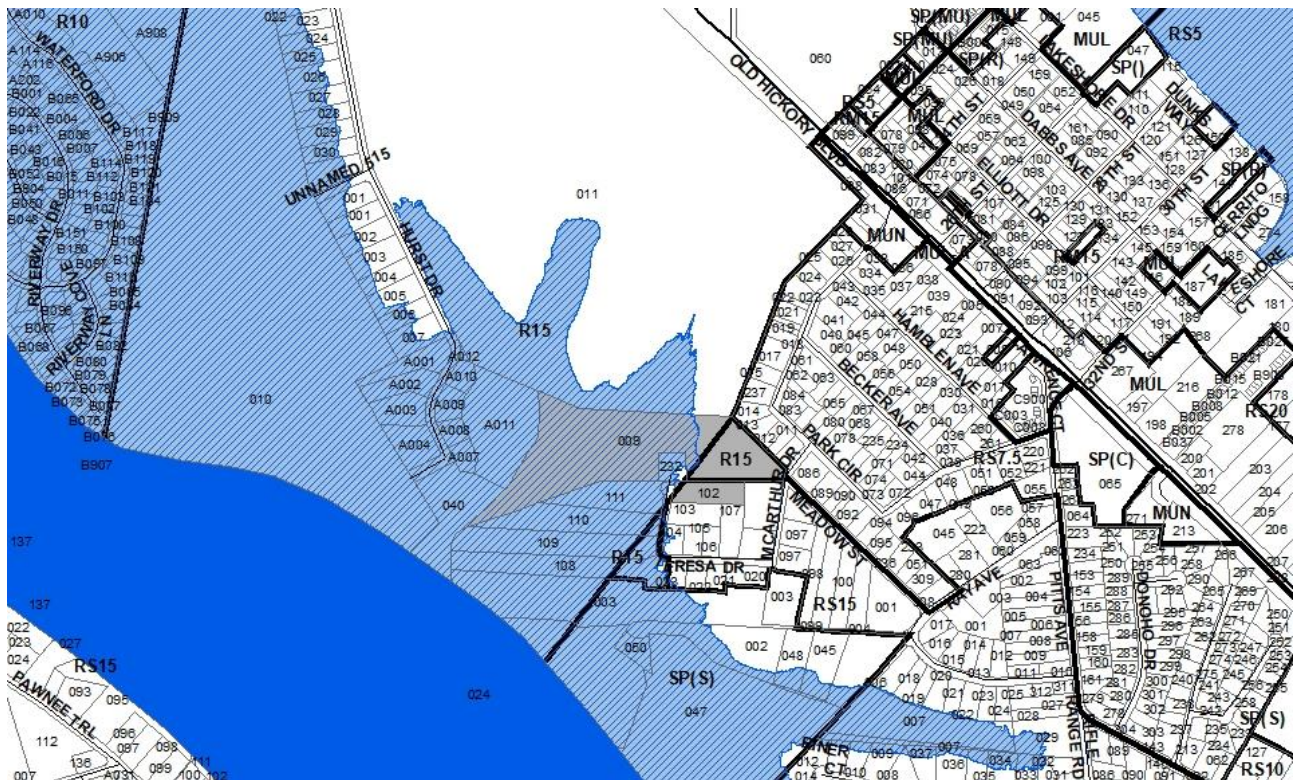
1. All public infrastructure shall be constructed and accepted by Metro or infrastructure shall be bonded according to Metro standards.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. Owner's signature must be shown with name printed under signature. If the property is owned by a corporation, LLC, LLP, company, etc. then the authorized individual's printed name and signature must be provided underneath the company's name in the Owner's Certificate. You'll also need to submit a letter(s) on each company's letterhead or documentation that the individual is authorized on behalf of the entity.
4. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

### RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2023S-193-001 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.



# Metro Planning Commission Meeting of 12/14/23



## 2023S-197-001

VAUGHN SUBDIVISION

Map 053-11, Parcel(s) 009

Map 053-11, Part of Parcel(s)102

14, Donelson – Hermitage – Old Hickory

11 (Jeff Eslick)



## Metro Planning Commission Meeting of 12/14/23

**Item #21**

**Final Plat 2023S-197-001**

**Project Name**

**Vaughn Subdivision**

**Council District**

11 – Eslick

**School District**

04 – Nabaa-McKinney

**Requested by**

Delle Land Surveying Inc., applicant; Paul and Ruby Vaughn, and Adrian T. Dukes and Robbie M. Dukes Trust, owners.

**Staff Reviewer**

Anthony

**Staff Recommendation**

*Defer to the January 11, 2024, Planning Commission meeting.*

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**APPLICANT REQUEST**

**Request for final plat approval to create 2 lots.**

Final Plat

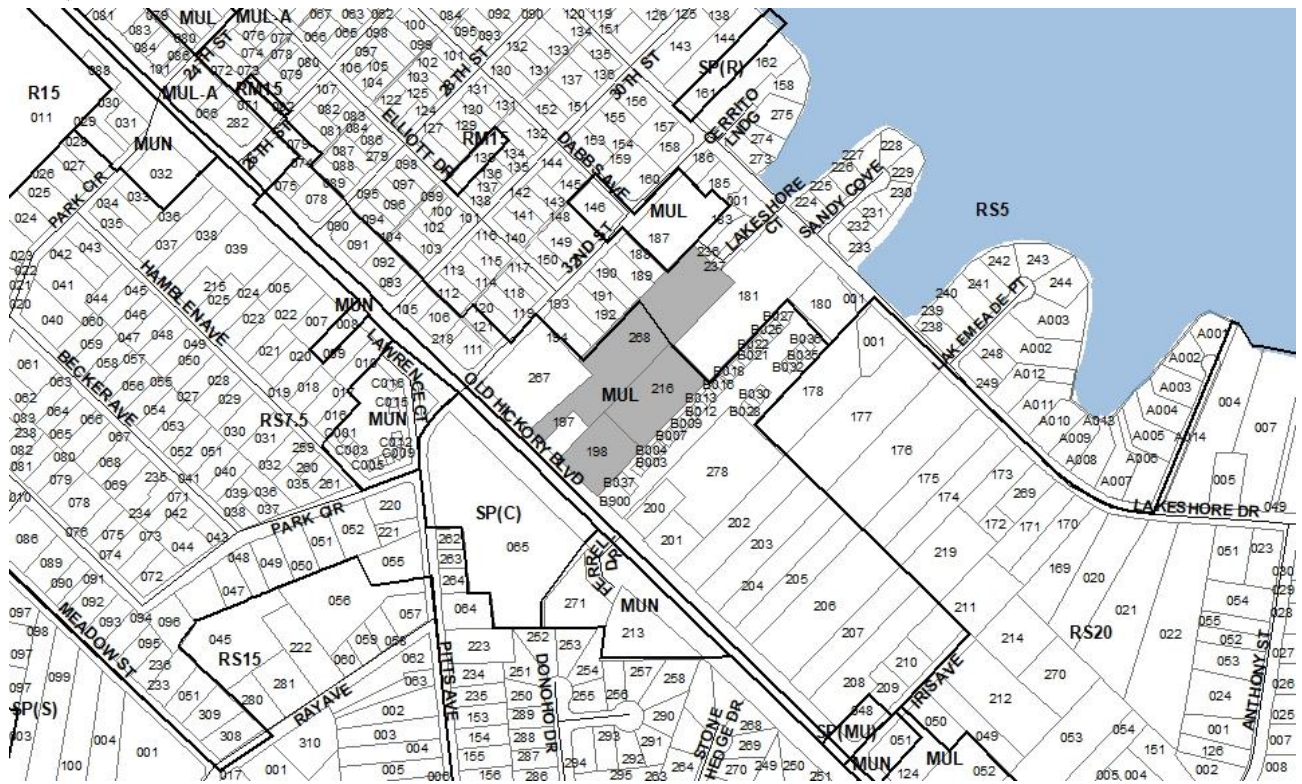
A request for final plat approval to create two lots on properties located at 100 McArthur Drive and a portion of property located at 114 Teresa Drive, approximately 175 feet southwest of Park Circle, zoned One and Two-Family Residential (R15) and Single-Family residential (RS15) (10.98 acres).

**STAFF RECOMMENDATION**

Staff recommends deferral to the January 11, 2024, Planning Commission meeting.



# Metro Planning Commission Meeting of 12/14/23



## 2023S-200-001

0, 3209 & 3315 OLD HICKORY BOULEVARD RESIDENTIAL CONCEPT PLAN

Map 053-12, Parcel(s) 198, 216, 268

14, Donelson – Hermitage – Old Hickory

11 (Jeff Eslick)





## Metro Planning Commission Meeting of 12/14/23

**Item #22**  
**Project Name**

**Concept Plan 2023S-200-001**  
**0, 3209 & 3315 Old Hickory Boulevard**  
**Residential Concept Plan**

**Council District**  
**School District**  
**Requested by**

11 – Eslick  
04 – Nabaa-McKinney  
Catalyst Design Group, applicant; Stonehorse Real Estate Holdings, LLC and Tanya D. Tucker, owners.

**Staff Reviewer**  
**Staff Recommendation**

Swaggart  
*Withdraw.*

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### **APPLICANT REQUEST**

**Concept plan to permit nine lots.**

#### Concept Plan

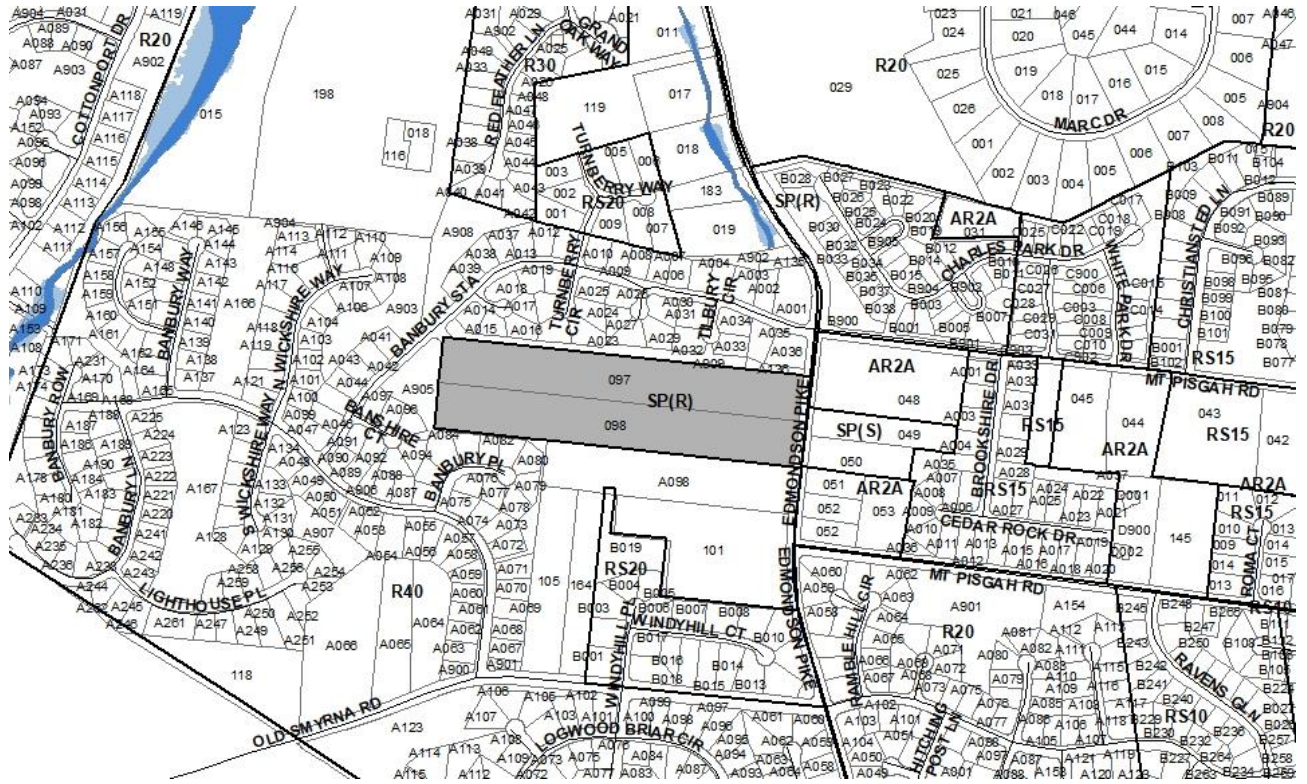
A request for concept plan approval to create nine lots on properties located at 3209 and 3315 Old Hickory Boulevard, and Old Hickory Boulevard (unnumbered), approximately 410 feet southeast of Pitts Avenue, zoned Mixed Use Limited (MUL) and Single-Family Residential (RS5) (4.89 acres).

### **STAFF RECOMMENDATION**

Staff recommends withdrawal.



# Metro Planning Commission Meeting of 12/14/23



**2023S-201-001**  
SYCAMORE ESTATES  
Map 172, Parcel(s) 097-098  
12, Southeast  
04 (Mike Cortese)



## Metro Planning Commission Meeting of 12/14/23

<b>Item #23</b>	<b>Final Plat 2023S-201-001</b>
<b>Project Name</b>	<b>Sycamore Estates</b>
<b>Council District</b>	04 – Cortese
<b>School District</b>	02 – Elrod
<b>Requested by</b>	Gresham Smith, applicant; Beazer Homes LLC owner.
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Approve with conditions.</i>

### APPLICANT REQUEST

**Final plat to create 35 residential lots.**

#### Final Plat

A request for final plat approval to create 35 lots on properties located at 5991 and 5997 Edmondson Pike, approximately 300 feet south of Mt. Pisgah Road, zoned Specific Plan (SP) (14.62 acres).

### CASE HISTORY

The subject site is zoned SP, case 2022SP-010-001. Council approved the preliminary plan in 2022 (BL2022-1204) with 36 lots. A final site plan for construction, case 2022SP-010-002, was approved on May 24, 2023, for 35 lots and a public road. The proposed plat includes 35 lots and a public road consistent with the approved final site plan.

### SITE DATA AND CONTEXT

Location: The site is located on the west side of Edmondson Pike and south of Mt. Pisgah Road.

**Approximate Acreage:** 14.62

### PROPOSAL DETAILS

**Number of lots:** 35

**Subdivision Variances or Exceptions Requested:** None

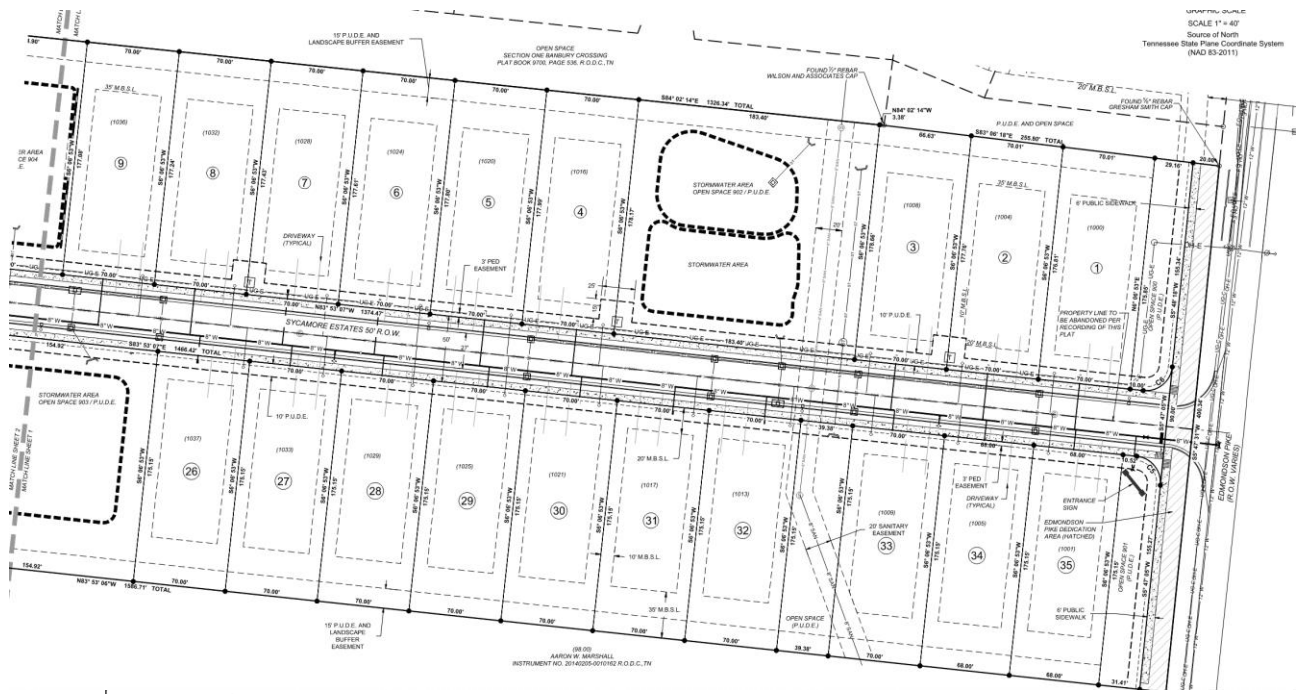
### UPDATED FINAL PLAT RULES AND PROCEDURES

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 223preliminary plan approval in 2022 and final site plan approval in 2023. Approval by the MPC is now required because the plat contains more than 25 lots, requiring



# Metro Planning Commission Meeting of 12/14/23



Proposed plat



## **Metro Planning Commission Meeting of 12/14/23**

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

### **COMMENTS FROM OTHER REVIEWING AGENCIES**

#### **FIRE MARSHAL RECOMMENDATION**

**Approve**

#### **STORMWATER RECOMMENDATION**

**Approve**

#### **NASHVILLE DOT RECOMMENDATION**

**Approve with conditions**

- Bond 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.
- Approved road construction plans on file with NDOT under Sycamore Estates 2022SP-010-002.

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

**Approve**

#### **WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approval is contingent on construction and completion of MWS Project #'s 22SL0209 and 22WL0099. A bond amount of \$230,000.00 is assigned to 22SL0209, and an amount of \$230,000.00 is assigned to 22WL0099.

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

#### **CONDITIONS**

1. Prior to the issuance of any building permits, a traffic circle at the intersection of Edmondson Pike, Banbury Station and Mt. Pisgah Road shall be constructed and/or bonded.
2. All public infrastructure shall be constructed and accepted by Metro or infrastructure shall be bonded according to Metro standards.
3. Remove addresses from plat.
4. Add parcel numbers to the face of the lots.
5. Remove note 16 from plat.
6. Comply with all conditions and requirements of Metro reviewing agencies.
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.



## **Metro Planning Commission Meeting of 12/14/23**

### **RECOMMENDED ACTION**

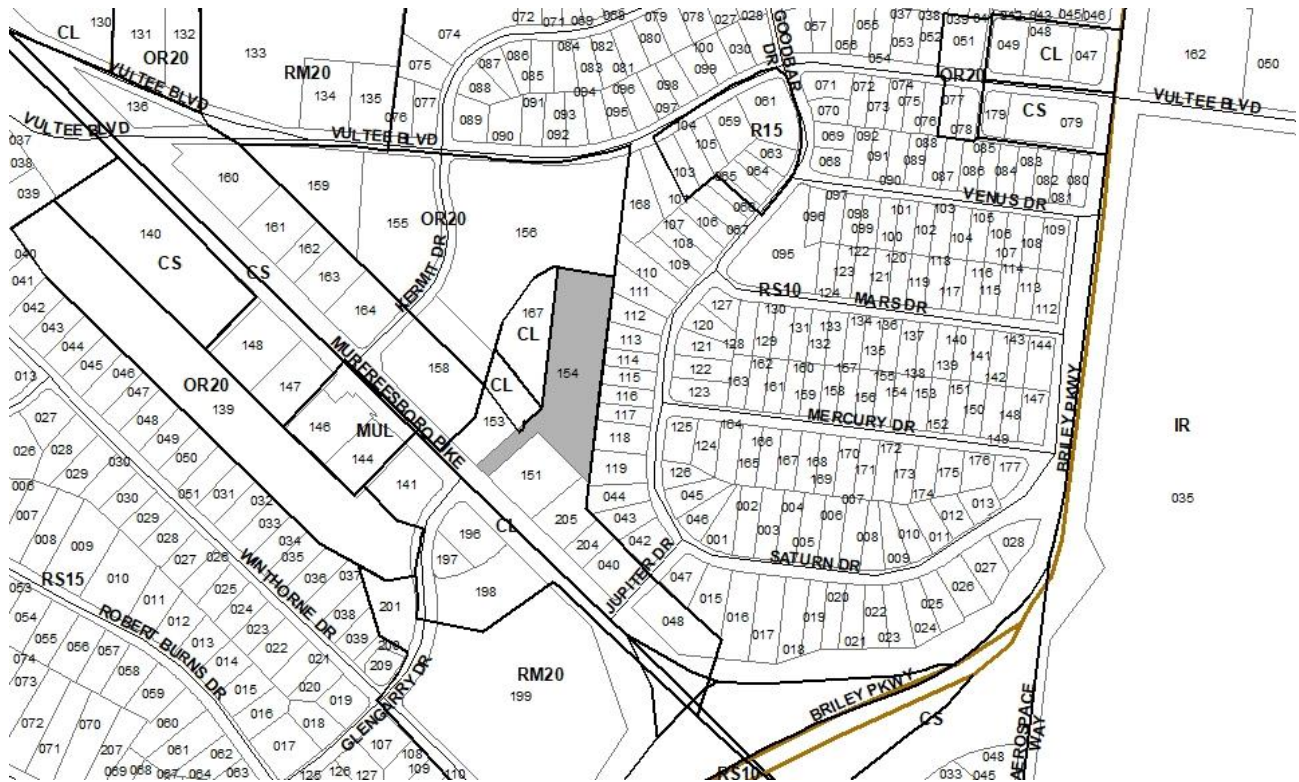
Motion to approve proposed subdivision Case No. 2023S-201-001 with conditions based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 12/14/23



**128-82P-001**  
CROSSLAND 163 (CANCELLATION)  
Map 120-01, Parcel(s) 154  
13, Antioch – Priest Lake  
13 (Russ Bradford)





## Metro Planning Commission Meeting of 12/14/23

<b>Item #24</b>	<b>Planned Unit Development 128-82P-001</b>
<b>Project Name</b>	<b>Crossland 163 (Cancellation)</b>
<b>Council Bill No.</b>	BL2023-129
<b>Council District</b>	13 – Bradford
<b>School District</b>	07 – Player
<b>Requested by</b>	AGB Real Estate, applicant; DW CL IV, LLC, owner.
<b>Staff Reviewer</b>	Lewis
<b>Staff Recommendation</b>	<i>Approve.</i>

### APPLICANT REQUEST

#### Cancel a Planned Unit Development.

#### PUD Cancellation

A request to cancel a Planned Unit Development Overlay District for property located at 1210 Murfreesboro Pike, approximately 480 feet southeast of Kermit Drive (2.89 acres), zoned Commercial Limited (CL).

#### **Existing Zoning**

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

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

#### **ANTIOCH – PRIEST LAKE COMMUNITY PLAN**

D Office Concentration (D OC) is intended to maintain, enhance, and create Districts where office use is predominant and where opportunities for the addition of complementary uses are present. The development and redevelopment of such Districts occurs in a manner that is complementary of the varying character of surrounding communities.

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.



## **Metro Planning Commission Meeting of 12/14/23**

### **ANALYSIS**

The property is located on the north side of Murfreesboro Pike, south of Kermit Drive. The properties along Murfreesboro Pike are primarily zoned commercial and have been developed with commercial uses. The properties to the northeast are zoned RS10 and have been developed with residential land uses.

The PUD was approved in 1982 to permit a 6,000 square foot restaurant. Metro Council approved an amendment to the PUD in 1995 to permit the development of a 152 unit motel where a 6,000 square foot restaurant facility had been approved. The Planning Commission approved a final site plan in 1997 to permit a 120 unit hotel which exists on the site today. With the cancellation of the PUD, the CL base zoning would control the land uses and development standards. Many of the permitted CL land uses are consistent with the intent of the D-OC policy to permit office and complementary land uses to support and enhance office concentrations.

### **STAFF RECOMMENDATION**

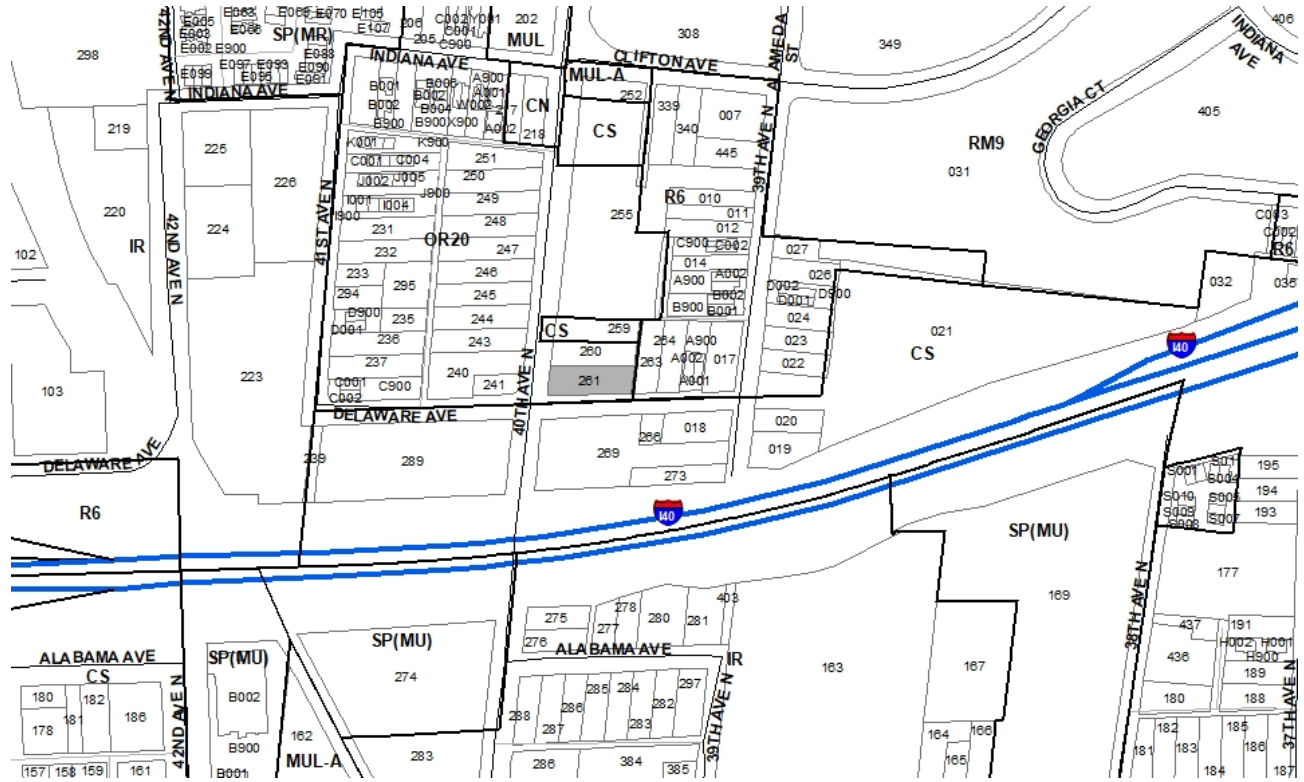
Staff recommends approval.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 12/14/23



**2023Z-102PR-001**  
 Map 091-12, Parcel 261  
 08, North Nashville  
 21 (Brandon Taylor)



## Metro Planning Commission Meeting of 12/14/23

**Item #25**

**Council District**

**School District**

**Requested by**

**Zone Change 2023Z-102PR-001**

21 - Taylor

05 – Buggs

SWS Engineering, applicant; GMAT Holdings, GP, owner.

**Staff Reviewer**

Elliott

**Staff Recommendation**

*Approve.*

**APPLICANT REQUEST**

**Zone change from OR20 to MUL-A-NS.**

Zone Change

A request to rezone from Office/Residential (OR20) to Mixed-Use Limited-Alternative-No Short Term Rentals (MUL-A-NS) zoning for property located at 600 40th Ave. N., at the northeast corner of Delaware Avenue and 40th Ave. N. (0.26 acres).

**Existing Zoning**

Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *OR20 would permit a maximum of 5 residential units.*

**Proposed Zoning**

Mixed Use Limited-Alternative is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

**NORTH NASHVILLE COMMUNITY PLAN**

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

**SITE**

The application consists of a single parcel totaling 0.26 acres, located at the corner of 40<sup>th</sup> Avenue North and Delaware Avenue. 40<sup>th</sup> Avenue North is classified as a Collector Avenue in the Major and Collector Street Plan. The property is currently zoned OR20 while surrounding properties are zoned R6, OR20 and CS. The property contains a single-family land use while surrounding land uses include vacant residential land, single-family residential, multi-family residential, and a mixture of nonresidential land uses.

**ANALYSIS**

Staff finds the proposed mixed use zoning district to be consistent with the Urban Mixed Use Neighborhood policy applied to the site. The land uses permitted in MUL-A are consistent with the policies intent to create urban, mixed use neighborhoods with a diverse mix of land uses. The bulk standards of the MUL-A zoning district require an urban form be provided with any future



## Metro Planning Commission Meeting of 12/14/23

development with vehicle access limited to alleyways and buildings built near the sidewalk to provide an appropriate pedestrian realm. Staff finds the proposed MUL-A zoning district to be appropriate given the policy and context of the site.

### FIRE RECOMMENDATION

#### Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	0.13	20 D	3 U	15	1	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.13	0.8	4,529 SF	53	30	6

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	0.13	1.0 F	5 U	26	1	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.065	1.0 F	2,831 SF	107	3	11

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.065	1.0 F	2,831 SF	318	28	28

Traffic changes between maximum: **OR20 and MUL-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+383	+1	+34

### METRO SCHOOL BOARD REPORT

The mix of uses could vary and assumption of impact at this point is premature. Students would attend Cockrill Elementary School, McKissack Middle School, and Pearl-Cohn High School. All



## **Metro Planning Commission Meeting of 12/14/23**

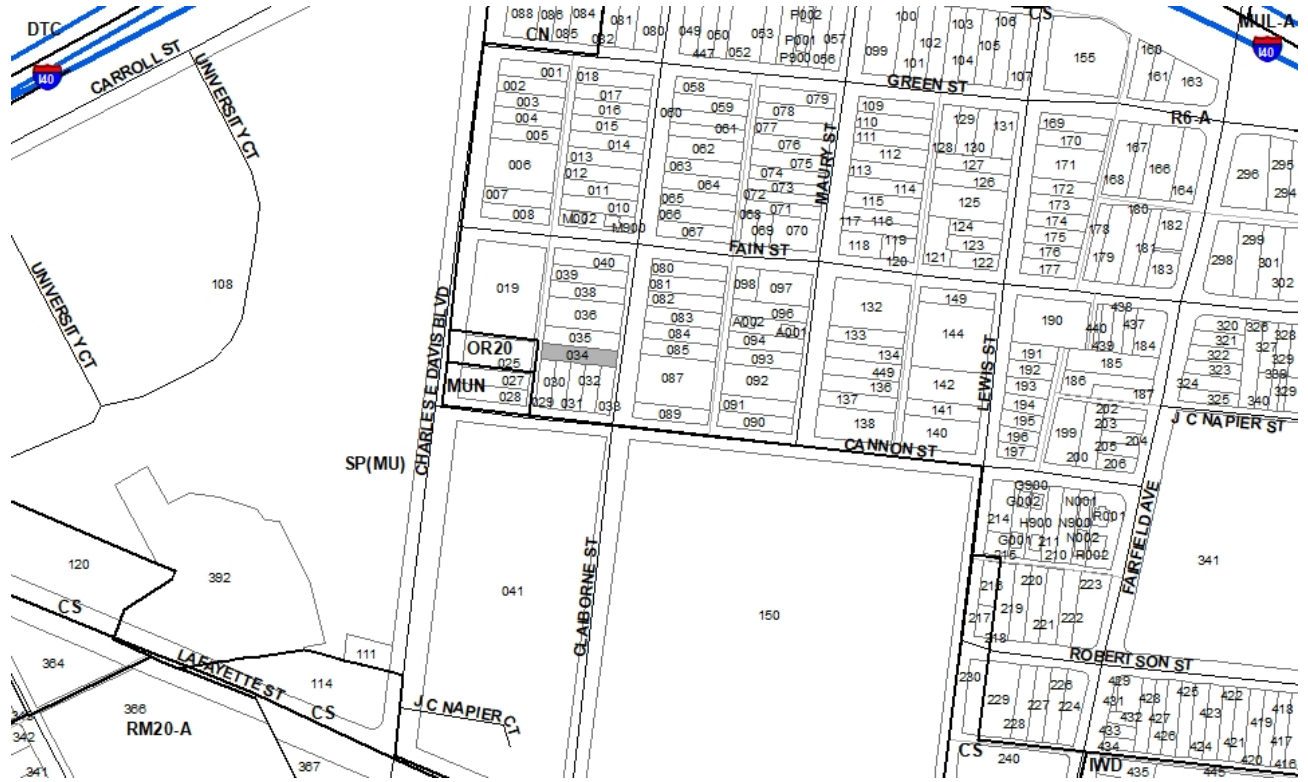
three schools are identified as being under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

### **STAFF RECOMMENDATION**

Staff recommends approval.



# Metro Planning Commission Meeting of 12/14/23



**2023Z-106PR-001**  
Map 093-16, Parcel 034  
11, South Nashville  
17 (Terry Vo)





## Metro Planning Commission Meeting of 12/14/23

**Item #26**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2023Z-106PR-001**  
17 - Vo  
05 – Buggs  
Ryan Miller, applicant and owner.

**Staff Reviewer**  
**Staff Recommendation**

Marton  
*Approve.*

### **APPLICANT REQUEST**

**Zone change from R6-A to RM20-A-NS.**

#### Zone Change

A request to rezone from One and Two-Family Residential (R6-A) to Multi-Family Residential (RM20-A-NS) zoning for property located at 92 Claiborne Street, approximately 130 feet north of Cannon Street (0.13 acres).

#### **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 1 duplex lot for a total of 2 units. Duplex eligibility will be determined by the Metro Codes Department.*

#### **Proposed Zoning**

Multi-Family Residential-Alternative-No STRP (RM20-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. The -NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not-Owner Occupied uses from the district. *RM20-A-NS would permit a maximum of 3 units, based on acreage only.*

### **SOUTH NASHVILLE COMMUNITY PLAN**

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



## Metro Planning Commission Meeting of 12/14/23

### ANALYSIS

The application consists of one parcel (Map 093-16, Parcel 034) totaling 0.13 acres, located along Claiborne Street. The property is currently zoned R6-A. While surrounding properties are primarily zoned R6-A, there are OR20, and MUN-zoned properties located behind the site on the opposite side of the rear alley. The property is vacant, however surrounding uses include vacant residential land, single-family residential, multi-family residential, medical office, and the Pruitt Branch Library at the corner of Charles E Davis Boulevard and Fain Street.

The application proposes to rezone the property from R6-A to RM20-A-NS. The property is located within the T4 Urban Neighborhood Evolving policy area which intends to create and enhance urban residential neighborhoods. The Community Character Manual lists RM20-A as an appropriate zoning district in T4 NE areas as it supports the policy’s intent to provide moderate- to high-density residential development. The site has access to an alley at the rear of the property, which the policy prefers, and is located in the Urban Zoning Overlay. RM20-A-NS would allow for 3 units on the property, providing a moderate increase in intensity in an area that is within a 5-minute walk from a bus stop served by WeGo route 75. The -NS designation will prohibit short term rental properties (STRPs) as a permitted use, which is appropriate given the NE policy in the area. The request is consistent with the intent of the T4 NE policy and furthers the goals of NashvilleNext to provide a mixture of housing choices near transit, therefore staff recommends approval.

**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)	0.13	7.71 D	2 U	28	7	2

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	0.13	20 D	3 U	15	1	2

**Traffic changes between maximum: R6 and RM20-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 1 U	-13	+6	+0

### METRO SCHOOL BOARD REPORT

The proposed RM20-A-NS zoning district is expected to generate no more students than the existing R6-A zoning district. Students would attend Napier Elementary School, Two Rivers Middle School, and McGavock High School. Donelson Middle School is identified as being exceedingly under capacity while Hickman Elementary School and McGavock High School are identified as at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.



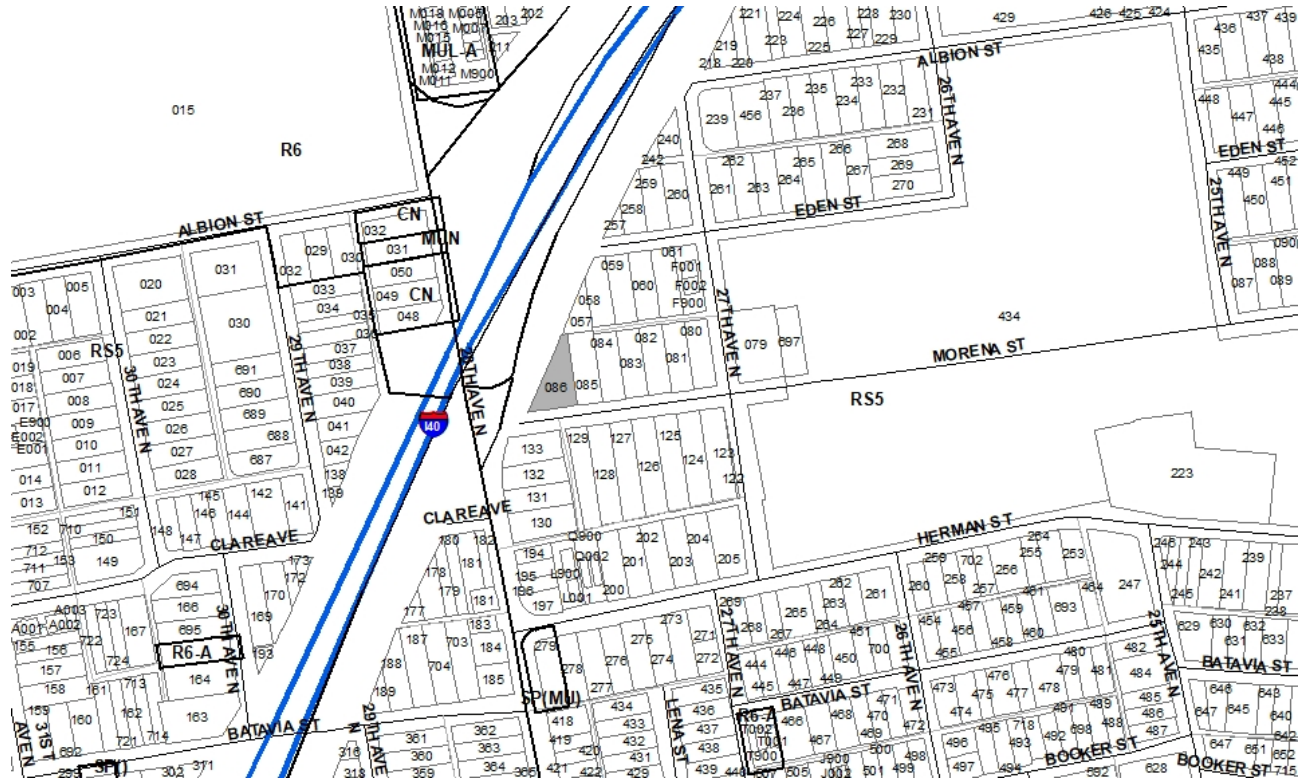
## Metro Planning Commission Meeting of 12/14/23

### **STAFF RECOMMENDATION**

Staff recommends approval.



# Metro Planning Commission Meeting of 12/14/23



**2023Z-108PR-001**  
Map 092-06, Parcel 086  
08, North Nashville  
21 (Brandon Taylor)



## Metro Planning Commission Meeting of 12/14/23

**Item #27**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2023Z-108PR-001**  
21 - Taylor  
05 – Buggs  
Dale & Associates, applicant, Turnkey Builders, LLC,  
owner.

**Staff Reviewer**  
**Staff Recommendation**

Marton  
*Approve.*

### **APPLICANT REQUEST**

#### **Zone change from RS5 to R6-A.**

#### Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential (R6-A) zoning for property located at 2712 Morena Street, approximately 300 feet west of 27<sup>th</sup> Avenue North and located within a Detached Accessory Dwelling Unit Overlay District (0.16 acres).

#### **Existing Zoning**

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

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

#### **Proposed Zoning**

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

### **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.



## Metro Planning Commission Meeting of 12/14/23

### ANALYSIS

The application consists of one parcel (Map 092-06, Parcel 086) totaling 0.16 acres, located along Morena Street. The property is currently vacant, and surrounding land uses include single family residential and two-family residential uses. Peal-Cohn High School is located two blocks to the east. The property has been zoned RS5 since 2006 and was previously zoned R6.

The application proposes to rezone the property from RS5 to R6-A. R6-A would allow a maximum of 2 units on the property, based on the acreage only. Staff will note that while reviewing the request for appropriateness with the Community Character Manual, it was discovered that the policy for the area was mapped in error. The subject property as well as the property at 2710 Morena Street were mapped to be within T4 Urban Residential Corridor policy. While the subject property is across the street from properties along 28<sup>th</sup> Avenue, it is addressed and oriented to Morena Street which dead ends. Staff determined that parcels 271, 272 and 263 should be mapped T4 Urban Neighborhood Maintenance and the map is being updated.

Evaluating the subject property under T4 Neighborhood Maintenance, staff finds the proposed R6-A to generally be consistent with the policy. The property is currently vacant and underutilized though it is in an area that is in transition, adjacent to T4 Urban Residential Corridor policy to the south, on the east side of 28<sup>th</sup> Ave. N. The property is within a DADU overly district but would fail to qualify for eligibility due to lack of alley access. While the site has access constraints due to lack of alley access and being located near the dead end of Morena Street, two units on the site may still be appropriate given the surrounding land uses. Though surrounding properties are zoned RS5, several properties have duplex and triplex uses along Herman Street and 27<sup>th</sup> Ave N, thus a duplex use on the subject property would not be uncharacteristic of the neighborhood. T4 NM supports a broader mix of housing types in infill areas as well as in proximity to major corridors such as, 28<sup>th</sup> Ave N. Additionally, the property is within a 5-minute walking distance to a bus stop served by WeGo route 19, at the intersection of 28<sup>th</sup> Ave N and Herman Street. The proposed R6-A district would increase density modestly on the site and it aligns with goals of T4 NM policy and NashvilleNext to provide a mixture of housing choices near transit corridors.

### FIRE RECOMMENDATION

**Approve.**

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.16	7.41 D	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (week7day)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.16	7.71 D	2 U	28	7	2

\*Based on two-family lots



## Metro Planning Commission Meeting of 12/14/23

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

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

### **METRO SCHOOL BOARD REPORT**

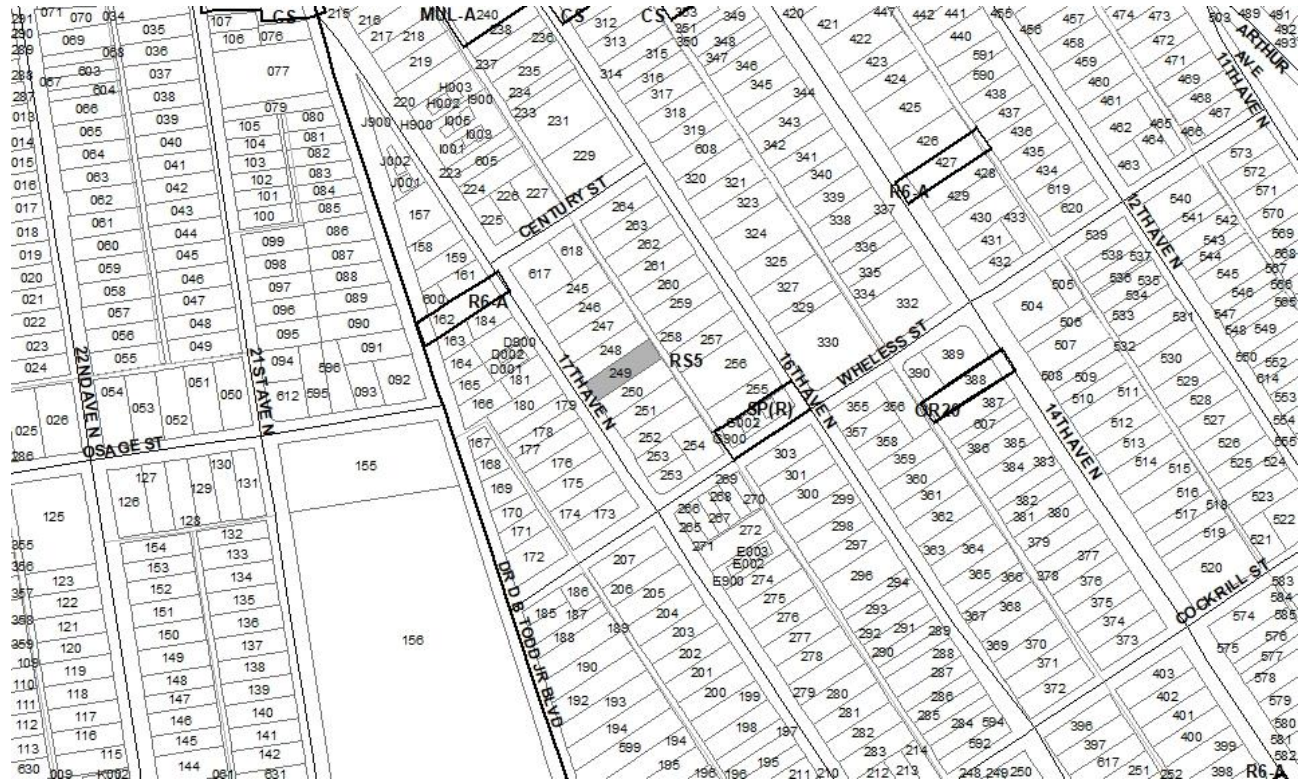
The proposed R6-A zoning district is expected to generate no more students than the existing RS5 zoning. Students would attend Park Avenue Elementary School, Moses McKissack Middle School, and Pearl-Cohn High School. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

### **STAFF RECOMMENDATION**

Staff recommends approval.



# Metro Planning Commission Meeting of 12/14/23



**2023Z-109PR-001**  
Map 081-11, Parcel(s) 249  
08, North Nashville  
21 (Brandon Taylor)





## Metro Planning Commission Meeting of 12/14/23

**Item #28****Council District****School District****Requested by****Zone Change 2023Z-109PR-001**

21 – Taylor

05 – Buggs

Dale &amp; Associates, applicant; JWH Revocable Living Family Trust, owner.

**Staff Reviewer****Staff Recommendation**

Swaggart

*Disapprove.***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 1708 17th Ave. N., approximately 250 feet northwest of Wheless Street (0.19 acres) and located within a Detached Accessory Dwelling Unit Overlay District.

**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.*

Detached Accessory Dwelling Unit (DADU) Overlay District The DADU Overlay district provides additional housing options in certain areas by allowing an additional housing unit that is subordinate to the primary living unit permitted by the underlying zoning district.

**Proposed Zoning**

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

**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.

**ANALYSIS**

The subject property is located on the east side of 17<sup>th</sup> Avenue North between Century Street and Wheless Street. The Major and Collector Street Plan (MCSP) classifies 17<sup>th</sup> Avenue North as a local street. The property is approximately 8,276 sq. ft. (0.19 acres). There is an existing single-family home on the property. There is an improved alley located behind the property and it runs the entire block between Century Street and Wheless Street. The adjacent property to the north is vacant and the adjacent property to the south is classified as a triplex.



## Metro Planning Commission Meeting of 12/14/23

Staff finds that the proposed R6 zoning district is not consistent with the policy at this location. The T4 NM policy is intended to preserve the general character of the areas it is applied. The area surrounding the subject property and within the T4 NM policy has a variety of housing types, including two family and multifamily; however, the primary character of the area is single-family. At an appropriate location, the T4 NM policy could possibly support additional two-family zoning within the policy area. These areas may be along arterial and collector streets, along primary intersections and/or adjacent to higher intensity policy areas that support higher density and/or nonresidential uses. In this case, the property is located midblock on a local street and is not located adjacent to a policy that supports additional density and/or nonresidential uses.

In addition to not meeting appropriate locational criteria, the existing development pattern provides a variety of housing options. The site is located within the DADU Overlay District which allows for a second unit on the subject property, given the presence of a rear alley. While the overlay allows for additional density, it protects the character of the area by requiring any DADU to be subservient to the primary home. It also requires any DADU to be located behind the primary structure, which is not a requirement of the proposed R6 zoning district.

### FIRE MARSHAL RECOMMENDATION

#### Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.19	7.41 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 (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.19	7.71 D	2 U	28	7	2

\*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
-	-	-	-	+13	+2	+1

### METRO SCHOOL BOARD REPORT

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

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

The proposed R6 zoning district is expected to generate 0 additional students than the existing RS10 zoning districts. Students would attend Robert Churchwell Elementary School, McKissack Middle School, and Pearl-Cohn High School. All three schools are identified as having capacity for



## **Metro Planning Commission Meeting of 12/14/23**

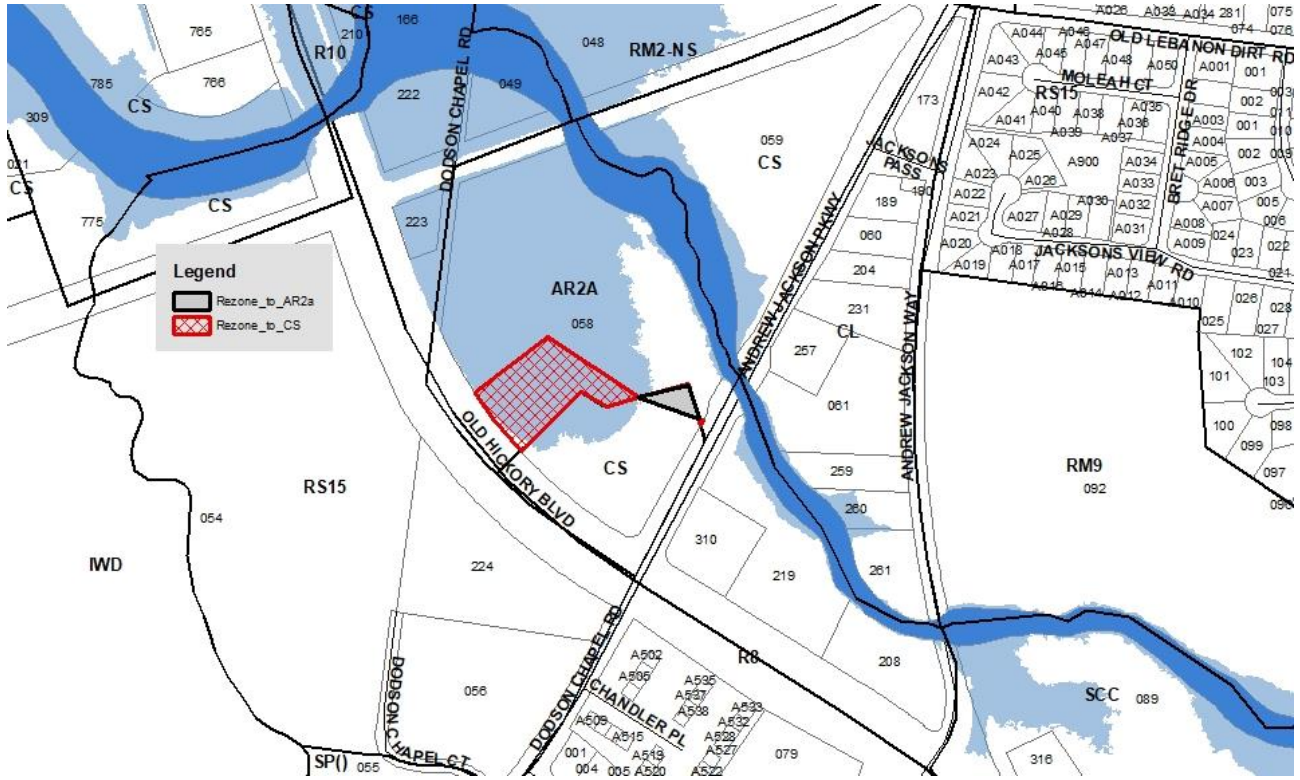
additional students. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

### **STAFF RECOMMENDATION**

Staff recommends disapproval.



# Metro Planning Commission Meeting of 12/14/23



## 2023Z-111PR-001

Map 086, Parcel 058

14, Donelson – Hermitage – Old Hickory

14 (Jordan Huffman)



## Metro Planning Commission Meeting of 12/14/23

**Item #29****Council District****School District****Requested by****Zone Change 2023Z-111PR-001**

14 - Huffman

04 – Nabaa-McKinney

Dale &amp; Associates, applicant; Susan A. Basham, owner.

**Staff Reviewer**

Elliott

**Staff Recommendation***Disapprove.***APPLICANT REQUEST****Zone change from AR2a to CS and from CS to AR2a.**Zone Change

A request to rezone 1.77 acres from Agricultural/Residential (AR2a) to Commercial Service (CS) zoning and 0.07 acres from Commercial Service (CS) to Agricultural/Residential (AR2a) on a portion of property located at 4000 Andrew Jackson Parkway, at the northwest corner of Andrew Jackson Parkway and Old Hickory Boulevard (1.84 acres being rezoned of 13.06 total acres).

**Existing Zoning**

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 1 lot.*

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

**Proposed Zoning**

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 1 lot.*

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

**DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN**

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



## Metro Planning Commission Meeting of 12/14/23

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

### **SITE**

The application consists of two separate areas to be rezoned within a single split-zoned parcel that comprises 13.06 total acres. The smaller area to be rezoned is approximately 0.07 acres and the application proposes to rezone from CS to AR2a. The larger area is approximately 1.77 acres and the application proposes to rezone from AR2a to CS. This would result in approximately 8.66 acres of the property zoned AR2a and 4.45 acres zoned CS. The parcel is located at the intersection of Old Hickory Boulevard and Andrew Jackson Parkway. This portion of Old Hickory Boulevard is classified as a Scenic Arterial Boulevard and this portion of Andrew Jackson Boulevard is classified as an Arterial Boulevard in the Major and Collector Street Plan. The site is bounded by an active railroad to the north and Dry Fork Creek to the east. Associated with Dry Fork Creek, floodway and/or 100-year floodplain cover a majority of the site. The site is identified as a Second Tier Center in the NashvilleNext Growth and Preservation Plan.

The surrounding area primarily contains a mixture of commercial and non-residential land uses with some multi-family residential land uses nearby. The properties along this section of Old Hickory Boulevard are primarily commercial. As Andrew Jackson Parkway extends further out from the property, the character becomes residential. The majority of the property, approximately 10 acres, is within the CO policy area as a result of the floodplain on the northern portion of the site. The area proposed for CS zoning is entirely in CO policy. The remaining portion of the site proposed for AR2a zoning is within the T3 CC policy area.

### **HISTORY**

A 3.24-acre portion of this site was rezoned in October 2020 from AR2a to CS. The majority of the area that was rezoned was outside of the floodplain and primarily within the T3 CC policy.

### **ANALYSIS**

The majority of the area proposed to be rezoned CS is within the Conservation policy area. Staff finds the proposed CS zoning to be inconsistent with the intent of the CO policy to remediate environmentally sensitive areas like the floodplain. The proposed zoning district would permit commercial development on the site and could enable further disturbance of the floodplain, which is inconsistent with the CO policy. Staff finds the proposed CS zoning district to be inappropriate given the policy and context of the site and recommends disapproval.

### **FIRE RECOMMENDATION**

**Approve**



## Metro Planning Commission Meeting of 12/14/23

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	10.31	0.50 D	10 U	125	12	11

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	2.75	0.6 F	71,874 SF	2,713	68	273

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	8.66	0.50 D	8 U	102	11	9

\*Based on two-family lots

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)	4.45	0.6 F	116,305 SF	4,391	110	443

Traffic changes between maximum: **AR2a/CS and AR2a/CS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1,655	+41	+168

### METRO SCHOOL BOARD REPORT

The proposed AR2a/CS zoning is not anticipated to generate any additional students than the existing AR2a/CS zoning district. Students would attend Dodson Elementary School, Dupont Tyler Middle School, and McGavock High School.

### STAFF RECOMMENDATION

Staff recommends disapproval.