

# Metropolitan Planning Commission



## Staff Reports

**May 9, 2024**



## Metro Planning Commission Meeting of 5/9/24

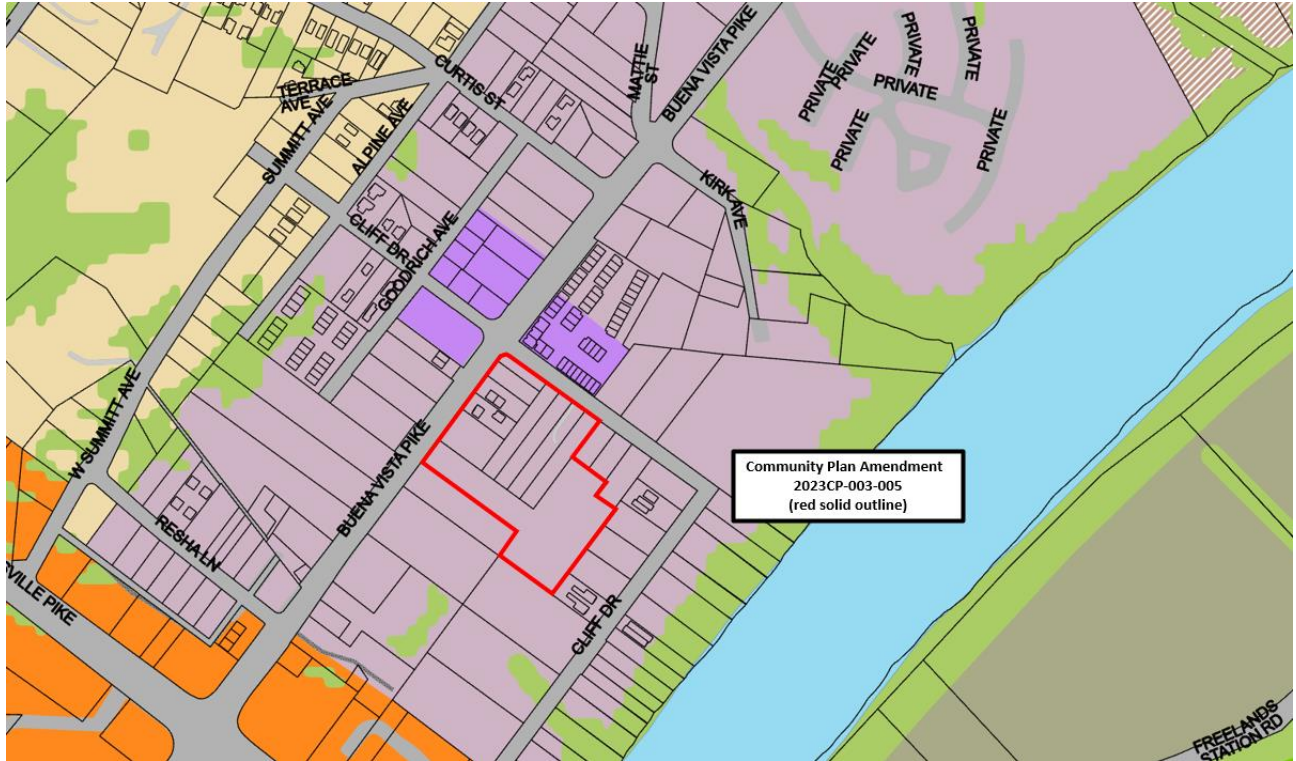
*Mission Statement: The Planning Commission is to guide the future growth and development for Nashville and Davidson County to evolve into a more socially, economically and environmentally sustainable community with a commitment to preservation of important assets, efficient use of public infrastructure,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



**SEE NEXT PAGE**



## Metro Planning Commission Meeting of 5/9/24



### **2023CP-003-005**

### **BORDEAUX-WHITES CREEK-HAYNES TRINITY COMMUNITY PLAN AMENDMENT**

Various Properties

03, Bordeaux-Whites Creek-Haynes Trinity

02, (Kyonzté Toombs)



**Metro Planning Commission Meeting of 5/9/24**

**Item # 1**  
**Project Name**

**Major Plan Amendment 2023CP-003-005**  
**Bordeaux-Whites Creek-Haynes Trinity**  
**Community Plan Amendment**

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

02 – Toombs  
01 – Gentry  
Metro Planning Department, applicant; Various owners,  
owner.

**Deferrals**

This item was deferred from the April 25, 2024, Planning Commission meeting. No public hearing was held.

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

Clark  
*Defer to the May 23, 2024, Planning Commission meeting.*

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**APPLICANT REQUEST**

**Amend Bordeaux-Whites Creek-Haynes Trinity Community Plan to change the community character policy.**

Major Plan Amendment

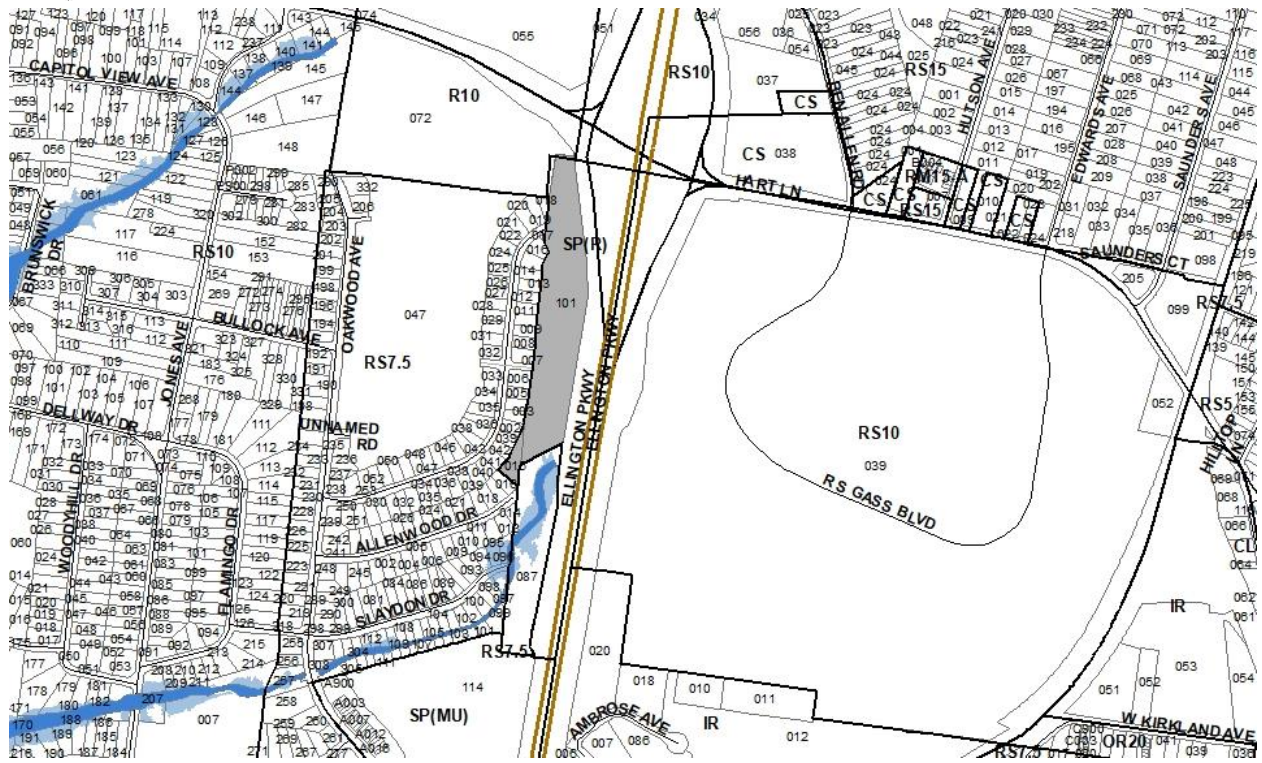
A request to amend the Bordeaux-Whites Creek-Haynes Trinity Community Plan by changing the policy from Suburban Neighborhood Evolving (T3 NE) to Suburban Neighborhood Center (T3 NC) for properties located at the southwest corner of Cliff Drive and Buena Vista Pike, zoned R8 (One and Two-Family Residential) (5.55 acres).

**STAFF RECOMMENDATION**

Staff recommends deferral to the May 23, 2024, Planning Commission meeting.



# Metro Planning Commission Meeting of 5/9/24



**2016SP-040-003**  
**BETHWOOD COMMONS (Amendment)**  
Map 061, Parcel(s) 101, 105  
05, East Nashville  
05 (Sean Parker)



## Metro Planning Commission Meeting of 5/9/24

**Item # 2a**

**Specific Plan 2016SP-040-003**

**Project Name**

**Bethwood Commons (Amendment)**

**Associated Case**

2024Z-042PR-001

**Council District**

05 – Parker

**School District**

01 – Gentry

**Requested by**

Dale & Associates, applicant; Upside, LLC, owner.

**Staff Reviewer**

Swaggart

**Staff Recommendation**

*Defer to the May 23, 2024, Planning Commission meeting.*

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### **APPLICANT REQUEST**

**Amend the previously approved SP by removing 1.35 acres from the SP currently approved for two single-family residential lots and open space.**

#### SP Amendment

A request to amend a Specific Plan (SP) on properties located at Bethwood Drive (unnumbered) and Allenwood Drive (unnumbered), at the northern terminus of Bethwood Drive, zoned SP (8.93 acres), to remove 1.35 acres from the SP boundary.

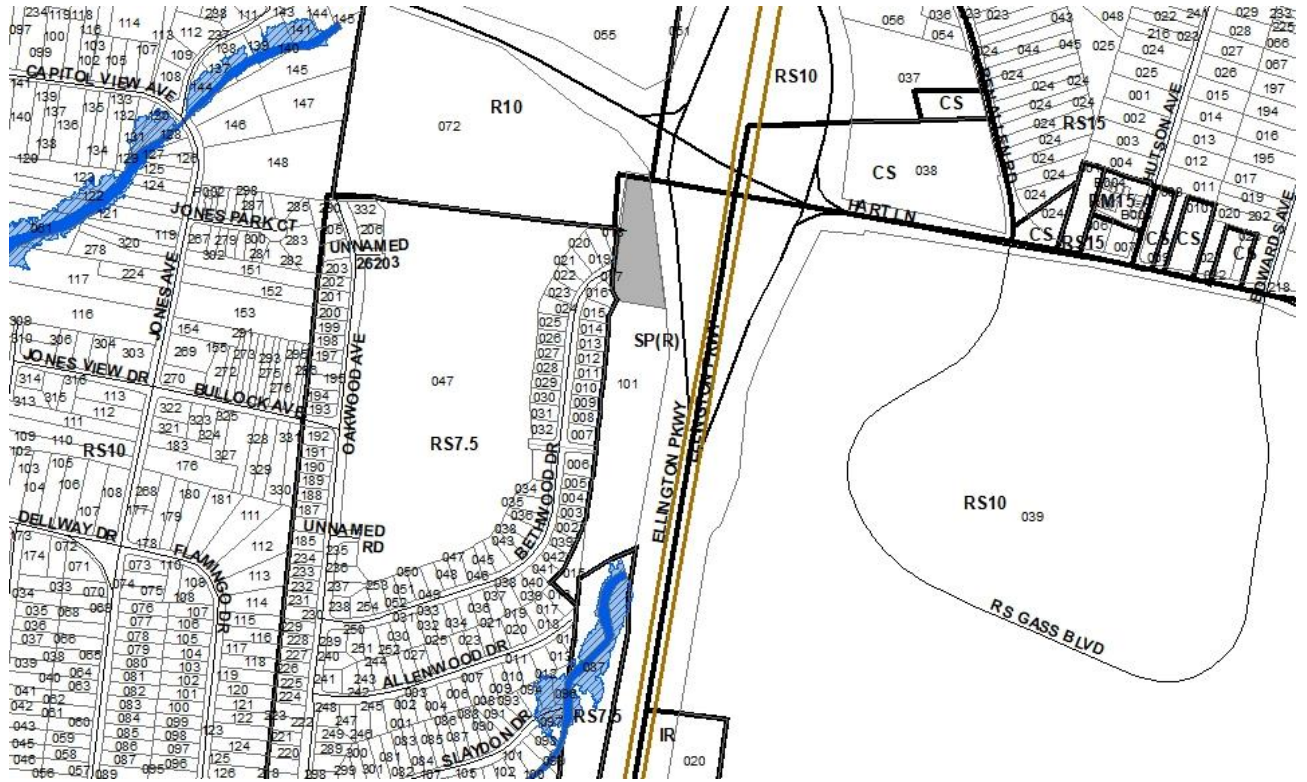
### **STAFF RECOMMENDATION**

Staff recommends deferral to the May 23, 2024, Planning Commission meeting.





# Metro Planning Commission Meeting of 5/9/24



**2024Z-042PR-001**

Map 061, Part of Parcel(s) 101

05, East Nashville

05 (Sean Parker)





## Metro Planning Commission Meeting of 5/9/24

**Item # 2b**

**Associated Case**

**Council District**

**School District**

**Requested by**

**Zone Change 2024Z-042PR-001**

2016SP-040-003

05 – Parker

01 – Gentry

Dale & Associates, applicant; Upside, LLC, owner.

**Staff Reviewer**

Swaggart

**Staff Recommendation**

*Defer to the May 23, 2024, Planning Commission meeting.*

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**APPLICANT REQUEST**

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

Zone Change

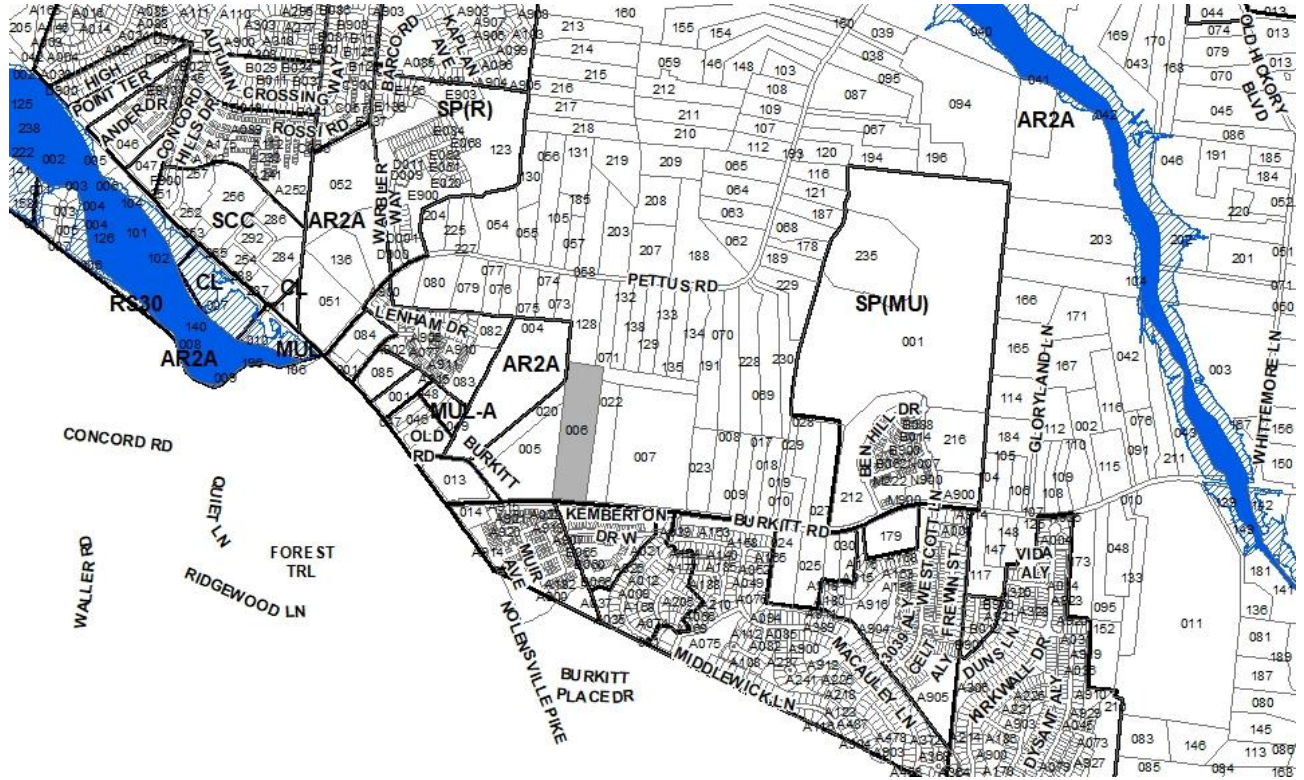
A request to rezone from Specific Plan (SP) to Single-Family Residential (RS7.5) zoning for a portion of property located at Bethwood Drive (unnumbered), at the northern terminus of Bethwood Drive (1.35 acres).

**STAFF RECOMMENDATION**

Staff recommends deferral to the May 23, 2024, Planning Commission meeting.



# Metro Planning Commission Meeting of 5/9/24



**2022SP-021-001**  
BERKHAMSTEAD  
Map 186, Parcel(s) 006  
12, Southeast  
31 (John Rutherford)



## Metro Planning Commission Meeting of 5/9/24

<b>Item #3</b>	<b>Specific Plan 2022SP-021-001</b>
<b>Project Name</b>	<b>Berkhamstead</b>
<b>Council District</b>	31 - Rutherford
<b>School District</b>	02 – Elrod
<b>Requested by</b>	CSDG, applicant; Blackburn Family Limited Partners II LP, owner.
<b>Staff Reviewer</b>	Marton
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions.</i>

### APPLICANT REQUEST

#### **Rezone to SP to permit a multi-family residential development.**

#### Zone Change

A request to rezone from Agricultural/Residential (AR2a) to Specific Plan (SP) zoning for property located at 7088 Burkitt Rd, approximately 550 feet east of Old Burkitt Rd, (11.63 acres), to permit up to 119 multi-family residential units.

#### **Existing Zoning**

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of five lots with one duplex lot for a total of six units, based on acreage alone. Application of Metro’s Subdivision Regulations may result in fewer units at this site.*

#### **Proposed Zoning**

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

### **SOUTHEAST COMMUNITY PLAN**

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





## Metro Planning Commission Meeting of 5/9/24

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 subject site consists of a single parcel that is approximately 11.63 acres, located on the north side of Burkitt Road and approximately a quarter mile east of Nolensville Pike. The parcel currently contains a single-family residence that draws access from Burkitt Road, which is classified as an arterial boulevard in the Major and Collector Street Plan (MCSP). The MCSP also calls for a planned collector avenue to the north of this site.

### **PLAN DETAILS**

The application proposes 119 multi-family residential units with two different unit types: 72 units in 3-story stacked flat type buildings and 47 of the units in 3-story attached townhome type buildings. The plan proposes to construct a local public road, running north from Burkitt Road and terminating with a cul-de-sac turnaround feature. The local street is proposed to intersect the north/south street on the northern end of the site and then stub to the east and west property lines, creating opportunities for future connectivity. The proposed units are oriented towards Burkitt Road and the proposed public streets throughout the site. All of the proposed units draw their access from the new public streets via private drives that run behind or beside the buildings. The stacked flat units are served by surface parking that is located to the rear or to the side of the buildings and the townhomes are rear loaded with garage parking along private rear drives. No vehicular access is provided directly to individual units from the public roads. The plan also includes a publicly accessible walking path, labeled as a greenway on the plan, along the western property boundary that connects to Burkitt Road and intends to eventually connect to another path on the adjacent property to the west. This is not intended to be constructed as a standard Metro Parks Greenway. A pavilion and lawn feature are also provided within open space area as an amenity to the residents of this development. The plans include architectural standards demonstrating that the units will have an appropriate form for the policy and will be sensitive to the surrounding context.

### **ANALYSIS**

The site is located within the T3 Suburban Neighborhood Evolving (T3 NE) policy area which intends to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle, and vehicular connectivity. The SP includes an east-west public road and north-south public road, which will contribute to the overall goal of improved connectivity for the area.

The plan is consistent with the intent of the policy by providing a mixture of housing types in the form of townhomes and stacked flats as well as improving both vehicular and pedestrian connectivity where infrastructure is insufficient. The plan includes architectural standards that will provide development that properly addresses the street with high quality facades and sufficient levels of glazing. The plan is also sensitive to the Conservation Policy area on the site, associated with an existing pond at the northeast corner, showing building footprints away from the feature



## Metro Planning Commission Meeting of 5/9/24

with a buffer around the pond. Staff finds the proposal to be consistent with the T3 NE and CO policies.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

- Limited building detail, and/ or building construction information provided. Construction must meet all applicable building and fire codes. Any additional fire code or access issues will be addressed during the construction permitting process. Future development or construction may require changes to meet adopted fire and building codes. Submit architectural elevations, fire hydrant flow test reports, and fire apparatus access plan with final SP.

### **STORMWATER RECOMMENDATION**

#### **Approve with conditions**

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

### **WATER SERVICES RECOMMENDATION**

#### **Approve with conditions**

- Approved as a Preliminary SP only. Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. A minimum of 30% W&S Capacity & 100% DAPARC Fees must be Paid Prior to Final Site Plan/SP plan Approval. (See Capacity Permit #'s T2021063564 and T2021063565).

### **NASHVILLE DOT RECOMMENDATION**

#### **Approve with conditions**

- All proposed public roadways(grades, curvature, tie-ins, side slopes, etc.) shall comply with NDOT's Subdivision Street Design Standards and specifications.
- Public-roadway sections, pedestrian and vehicular access ramps, sidewalks, curb & gutter, drain inlets, etc. shall be per NDOT detail standard sections.
- Public pedestrian and vehicular access ramps, crossings shall be ADA and/or Pro-wag compliant.
- A private hauler will be required for solid waste disposal.
- Comply w/ NDOT traffic comments.
- Submit updated stopping sight distance exhibit at final, w/ speed study for Burkitt Rd.

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **Approve with conditions**

- At Final SP continue to coordinate with NDOT on improving the sight distance for vehicles traveling Westbound on Burkitt Rd. A speed study may be required.
- The applicant shall provide an Eastbound left turn lane at the site access on Burkitt Rd by extending the existing three lane cross-section. The transition taper East of the site access shall meet MUTCD and AASHTO standards.
- Comply with Roads conditions.



## Metro Planning Commission Meeting of 5/9/24

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)	11.4	0.5 D	6 U	78	9	7

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	11.4	-	119 U	647	41	52

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+113 U	+569	+32	+45

### METRO SCHOOL BOARD REPORT

**Projected student generation existing AR2a district: 1 Elementary 1 Middle 1 High**

**Projected student generation proposed SP district: 15 Elementary 6 Middle 8 High**

The proposed SP zoning is expected to generate 26 additional students than what is typically generated under the existing AR2a zoning. Students would attend Maxwell Elementary School, Marshall Middle School, and Cane Ridge High School. Maxwell Elementary is identified as being at capacity. Marshall Middle School is identified as under capacity. Cane Ridge High School is identified as being over capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

### STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

### CONDITIONS

1. Permitted uses shall be limited to a maximum of 119 multi-family residential units. Short term rental property, owner occupied and short-term rental property, not-owner occupied shall be prohibited.
2. The path along the western property line shall be placed in a public access easement and shown on the final plat.
3. Areas of surface parking which are visible from public rights of way shall be sufficiently screened with landscaping and reviewed with the final SP landscape plan.
4. On the corrected copy, update the required 40' setback along Burkitt Road in the Site Data table to be consistent with the setback shown on the plan.
5. Right-of-way for the proposed north-south and east-west roads shall extend to the property boundaries and identified for future connectivity.
6. On the corrected copy, update the purpose note to include prohibited uses as listed in the first condition.





## Metro Planning Commission Meeting of 5/9/24

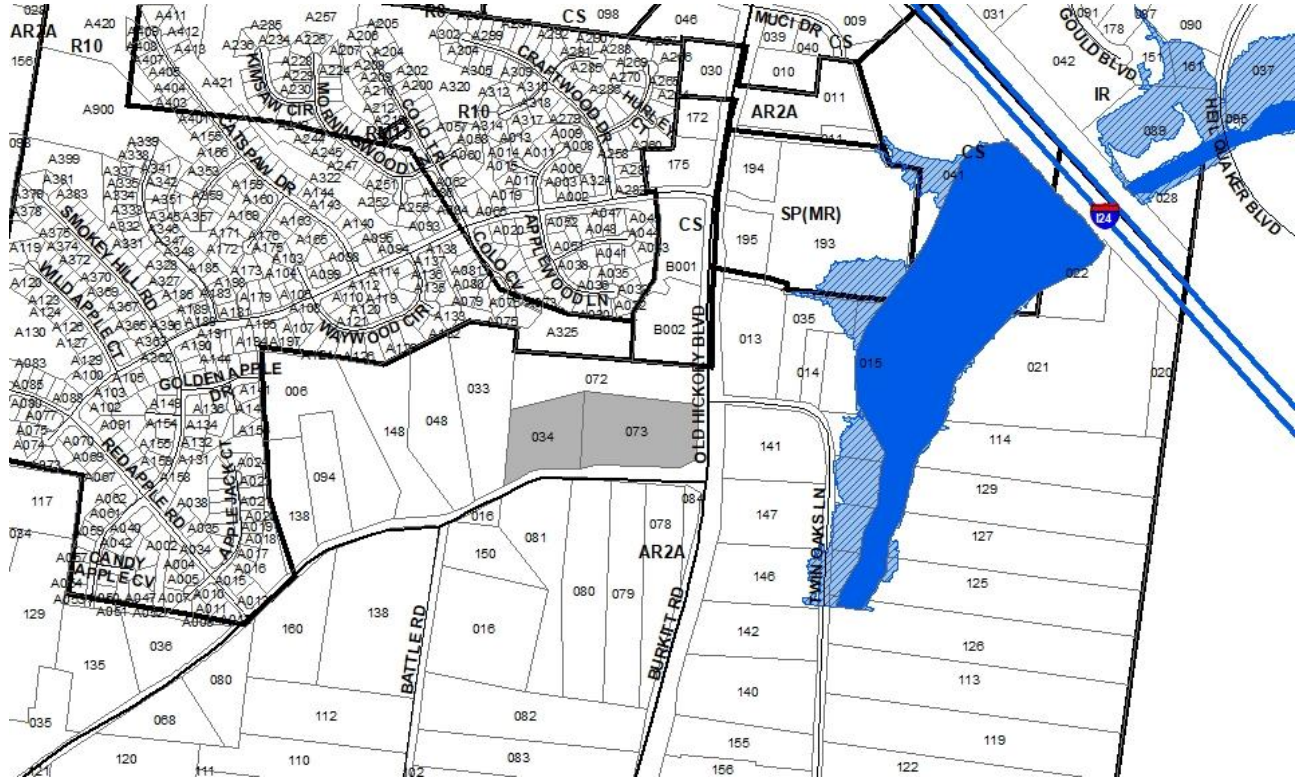
7. On the corrected copy, modify “greenway” references to “pedestrian path” as it is not maintained and operated by Metro Parks and Greenways.
8. On the corrected copy, modify note 2 under amenities to say, “Bicycle parking shall be provided per the UZO standards.”
9. With the final site plan, building elevations meeting all architectural standards of the SP shall be provided.
10. No master permit/HPR shall be recorded prior to final SP approval.
11. Final plat may be required prior to permitting.
12. 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.
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 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.
15. Comply with all conditions and requirements of Metro reviewing agencies.
16. 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 RM15 zoning district as of the date of the applicable request or application.
17. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
18. 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.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 5/9/24



**2024SP-003-001**  
**BURKITT CORNER**  
Map 183, Parcel(s) 034, 073  
12, Southeast  
33 (Antoinette Lee)





# Metro Planning Commission Meeting of 5/9/24



**2024SP-019-001 (formerly 2024Z-046PR-001)**

Map 071-142-E, Parcel(s) 001, 002, 900

05, East Nashville

02 (Kyonzté Toombs)



## Metro Planning Commission Meeting of 5/9/24

<b>Item # 5</b>	<b>Specific Plan 2024SP-019-001 (formerly 2024Z-046PR-001)</b>
<b>Project Name</b>	<b>15 A-C Fern Avenue Regulatory SP</b>
<b>Council District</b>	02 – Toombs
<b>School District</b>	01 – Gentry
<b>Requested by</b>	C&R Associates, applicant; Rhow Properties, LLC, Parga, GP, and O.I.C. Fifteen Fern Avenue, owners.
<b>Deferrals</b>	This item was deferred at the April 25, 2024, Planning Commission meeting. A public hearing was held and closed.
<b>Staff Reviewer</b>	Anthony
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions.</i>

### APPLICANT REQUEST

**Zone change from RM20-A to SP to permit two short-term rental properties, not owner-occupied.**

#### Zone Change

A request to rezone from Multi-Family Residential-Alternative (RM20-A) to Specific Plan (SP) for properties located at 15 A, B, and C Fern Avenue, approximately 150 feet west of Elmhurst Avenue (0.21 acres).

#### **Existing Zoning**

Multi-Family Residential-Alternative (RM20-A) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM20-A would permit a maximum of 5 units, based on acreage only.*

#### **Proposed Zoning**

Specific Plan-Commercial (SP-C) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan includes a detached two-family dwelling unit, each with a not-owner occupied short term rental accessory use; this use is classified as a commercial use in the Zoning Code.*

### **EAST NASHVILLE COMMUNITY PLAN**

T4 Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle, and vehicular connectivity, and moderate to high density development patterns with shallow setbacks and minimal spacing between buildings. T4 NE areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways, and existing or planned mass transit. T4 NE policy may be applied either to undeveloped or substantially under-developed “greenfield” areas or to developed areas where redevelopment and infill produce a different character that includes increased housing



## Metro Planning Commission Meeting of 5/9/24

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.

### **SUPPLEMENTAL POLICY**

The subject site lies in the Dickerson South Corridor supplemental policy area. The Dickerson South Corridor policy addresses land use, transportation, and community design at the neighborhood scale along the Dickerson Pike corridor from Martin Street on the north to Spring Street on the south. The policy limits building height to four stories in this subdistrict and includes recommendations for roadway upgrades.

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#### **Regulatory SP 15 A-C Fern Avenue**

Map 071-142-E, Parcels 001, 002, 900

0.21 acres Current zoning RM20-A

1. The purpose of this SP is to permit two short-term rental properties, not owner-occupied on 0.21 acres at 15 A-C Fern Avenue.
2. Uses within this SP shall be limited to all uses of the RM20-A zoning district and short term rental properties, not owner occupied.
3. Landscaping and tree density requirements shall be per Metro Zoning Code.
4. Parking shall be provided per Metro Zoning Code.
5. Building height for any new structures shall be limited to the maximum building heights permitted in the RM20-A zoning district.
6. Building facades of any new structure shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function.
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. Minor modifications to the preliminary SP 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 building permits.

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#### **Proposed Regulatory SP**





## Metro Planning Commission Meeting of 5/9/24

### **SITE AND CONTEXT**

The SP application is for three properties totaling 0.21 acres located along the north side of Fern Avenue. The site lies approximately 150 feet west of Elmhurst Avenue. The site has been zoned RM20-A since 2015. A detached two-family residential unit is currently located on the site.

The site has approximately 50 feet of frontage along Fern Avenue. Segmented sidewalks are available along portions of Fern Avenue. The nearest WeGo bus stop (routes 14 and 41) is located approximately 760 feet west at the intersection of Fern Avenue and Brick Church Pike.

Adjacent zoning includes RS5 and RM20-A on the east and RM20-A on the north, south, and west. Adjacent land uses include: a cell tower on the north; two-family and multi-family residential on the east; two-family residential on the south; and two-family residential on the west. Residential uses are prominent in the broader area surrounding the site, though commercial uses can be found along both the Dickerson Pike and Brick Church Pike corridors to the east and west, respectively.

### **CASE HISTORY AND PLAN DETAILS**

At its April 25, 2024, meeting, the Planning Commission considered a request to rezone the subject site and the adjacent property at 26 Lucile Street from RM20-A to MUL-A. (See Metro case # 2024Z-046PR-001 for more information on this request.) During the applicant's presentation to the Commission, the applicant asked that the property at 26 Lucile Street be withdrawn from the rezoning request.

The applicant and the property owners at 15 A-C Fern Avenue explained that the primary purpose of their request to rezone to MUL-A was to allow an existing detached two-family residential unit to be converted to two short-term rental properties (STRP), not owner-occupied. The applicant and property owners explained that because most neighboring properties permit not-owner occupied STRPs, it is difficult to find long-term tenants for the existing two-family residential unit. Staff recommended disapproval of the rezoning request because MUL-A permits nonresidential uses such as commercial and office, which are not consistent with the applicable T4 NE policy or the Dickerson South Corridor supplemental policy.

Following the public hearing, the Planning Commission deferred the case and directed Planning staff to conduct additional research and work with the applicant to craft a regulatory SP for the Fern Avenue property. Staff researched STRP permits in the area surrounding 15 A-C Fern Avenue and found that STRPs are prominent along Fern Avenue between Elmhurst Avenue on the east and Interstate 24 on the west. Most STRP permits in this area were obtained in 2021 or earlier, prior to the reclassification of not-owner occupied STRPs as commercial uses. Before this reclassification, not-owner occupied STRPs were permitted in certain residential districts including RM20-A. The following map shows the subject site in relation to properties that are currently permitted or have been permitted for STRPs. This information was obtained from the Nashville Open Data Portal.



## Metro Planning Commission Meeting of 5/9/24



**Subject Site (indicated by blue star) and Short-Term Rental Permits (Active and Expired)**

Planning staff worked with the applicant to revise the rezoning request. Rather than seeking MUL-A zoning for the subject site, the applicant now seeks approval of a regulatory SP. The text of the SP is included in this report. The SP would permit the existing detached two-family residential unit at 15 A-C Fern Avenue to be utilized as two short-term rental properties, not owner-occupied. No other changes to existing conditions on the site are proposed with the SP. Should the site be redeveloped in the future, uses would be limited to two not-owner occupied STRPs and all uses permitted in the RM20-A zoning district. Bulk, height, and other standards for new structures would be required to comply with those for the RM20-A district.

### **ANALYSIS**

The application proposes to rezone the subject site from RM20-A to SP. The site lies within the T4 Urban Neighborhood Evolving (T4 NE) policy area and the Dickerson South Corridor supplemental policy area. Surrounding properties also lie within these policy areas. The Dickerson South Corridor supplemental policy limits building height to four stories in this area. Additionally, the supplemental policy recommends roadway upgrades, which are already accounted for in the Major and Collector Street Plan (MCSP).

The T4 NE policy supports residential neighborhoods with greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques. Neighborhoods in the T4 NE policy area are characterized by moderate to high-density residential development, a broad range of housing types, high levels of connectivity, shallow setbacks, and building heights of one to three stories with additional height possible in some circumstances.



## Metro Planning Commission Meeting of 5/9/24

Staff previously recommended disapproval of the request to rezone the subject site and the property at 26 Lucile Street to MUL-A. The MUL-A district permits a variety of nonresidential uses, many of which are not compatible with the neighborhood characteristics envisioned in the T4 NE policy and Dickerson South Corridor supplemental policy.

This is a unique case that poses specific challenges for the application of Metro's adopted policies. The subject site is surrounded by STRPs, many of which were permitted prior to a Zoning Code change that restricted not-owner occupied STRPs in residential zoning districts. The prevalence of STRPs in the immediate area has made the existing two-family residential unit on the subject site an anomaly of sorts. Both the T4 NE policy and the Dickerson South Corridor supplemental policy are intended to support residential neighborhoods in part by prohibiting most nonresidential uses. However, in this case, there is little of a traditional neighborhood remaining. While the proposed SP conflicts with the adopted policies, the primary use proposed in the SP aligns with surrounding uses.

Again, this is a unique situation where the reality of existing conditions in a specific area is not consistent with the adopted policies for that area. While staff recommends approval of this SP, staff's recommendation in this specific case does not apply to any other case or situation. In this particular case, an SP permitting one specific use beyond those permitted in the existing zoning district is sensible considering the existing neighborhood context. In future cases where such conflicts might exist, applicants should either comply with the adopted policies or request that Community Plans explore possible community plan updates.

### **STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

### **CONDITIONS**

1. Permitted uses shall be limited to all uses of the RM20-A zoning district and short term rental properties, not owner occupied.
2. Landscaping and tree density requirements shall be per Metro Zoning Code.
3. Parking shall be provided per Metro Zoning Code.
4. Building height for any new structures shall be limited to the maximum building heights permitted in the RM20-A zoning district.
5. Building facades of any new structure shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function.
6. If a development standard, not included permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
7. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
8. The final site plan/building permit site plan shall depict any required public sidewalks, any required grass strip or frontage zone, and the location of all existing and proposed vertical obstructions within any required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of any



## Metro Planning Commission Meeting of 5/9/24

required sidewalk. Vertical obstructions are only permitted within any required grass strip or frontage zone.

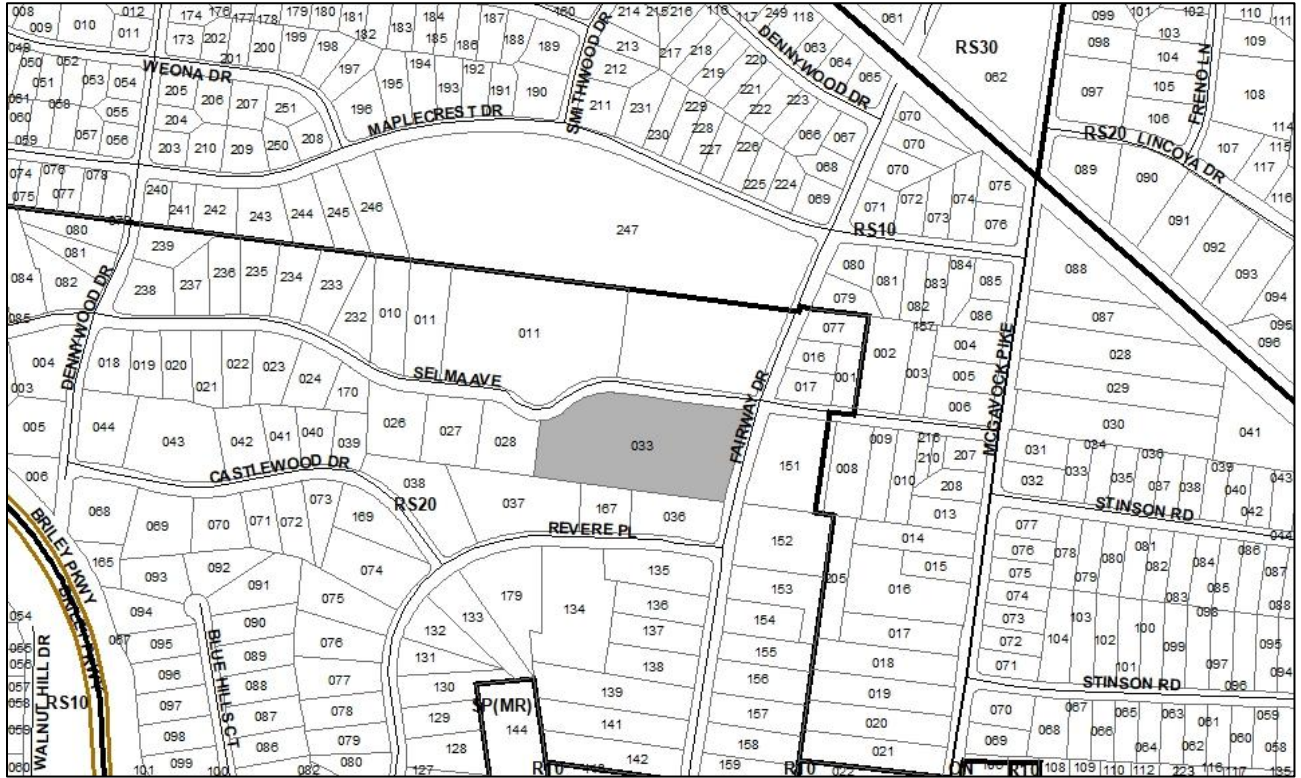
9. The preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
10. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided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



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 5/9/24



**2024S-033-001**  
BATSON SELMA  
Map 084-15, Parcel(s) 033  
14, Donelson - Hermitage - Old Hickory  
15 (Jeff Gregg)



**Metro Planning Commission Meeting of 5/9/24**

**Item # 6**  
**Project Name**  
**Council District**  
**School District**  
**Requested by**

**Final Plat 2024S-033-001**  
**Batson Selma**  
15 – Gregg  
04 – Nabaa-McKinney  
Clint Elliott Survey, applicant; Donelson Heights United Methodist Church, Trustees, owner.

**Deferrals**

The item was deferred from the March 14, 2024, March 28, 2024, April 11, 2024, and April 25, 2024, Planning Commission meetings. No public hearing was held.

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

Dorlester  
*Defer to the May 23, 2024, Planning Commission meeting.*

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**APPLICANT REQUEST**

**Request for final plat approval to create 3 lots.**

Final Plat

A request for final plat approval to create three lots on property located at 84 Fairway Drive, at the southwest corner of Fairway Drive and Selma Ave., zoned Single-Family Residential (RS20) (4.18 acres).

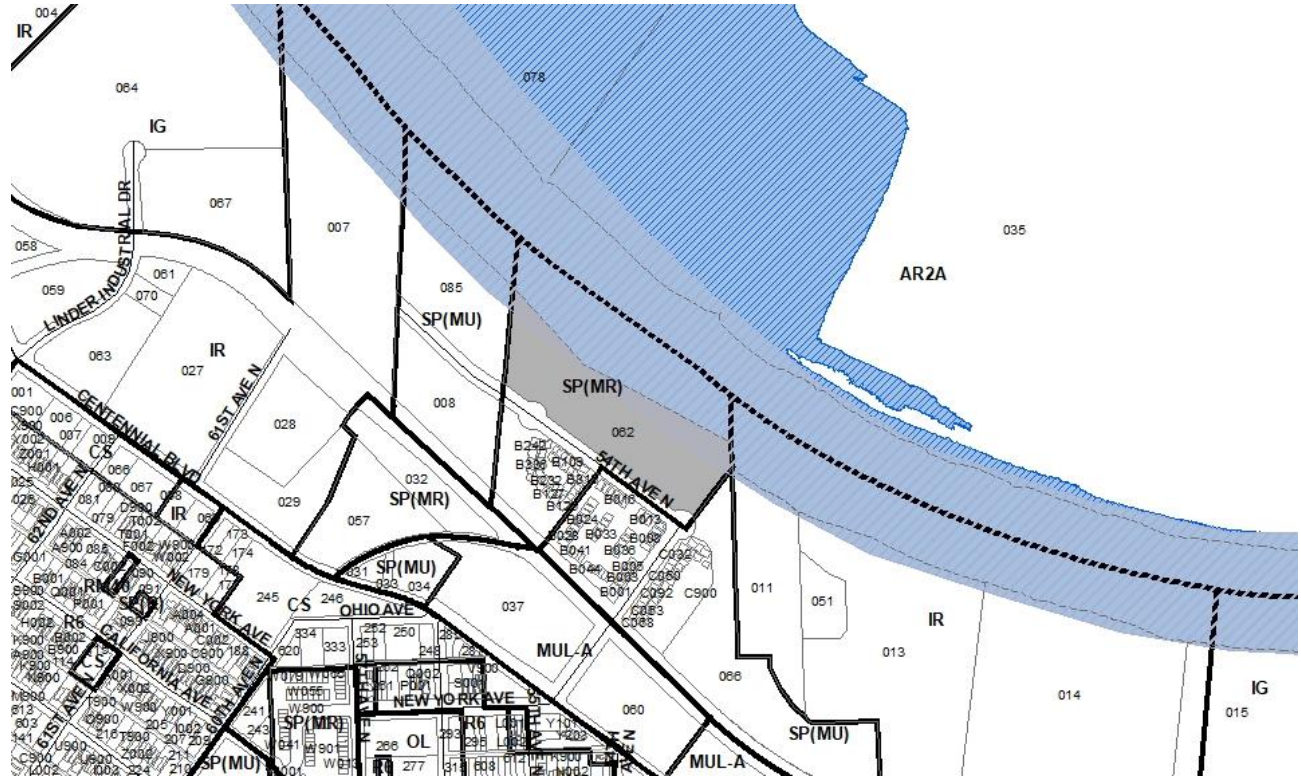
**STAFF RECOMMENDATION**

Staff recommends deferral to the May 23, 2024, Planning Commission meeting.





# Metro Planning Commission Meeting of 5/9/24



**2016SP-019-007**  
**SILO BEND SP (AMENDMENT)**  
 Map 091, Parcel(s) 062  
 07, West Nashville  
 20 (Rollin Horton)



## Metro Planning Commission Meeting of 5/9/24

**Item # 7**  
**Project Name** Specific Plan 2016SP-019-007  
**Council District** Silo Bend SP (Amendment)  
**School District** 20 – Horton  
**Requested by** 05 – Buggs  
Barge Civil Associates, applicant; R Manuel-Centennial,  
GP, owner.

**Staff Reviewer** Anthony  
**Staff Recommendation** *Defer to the June 13, 2024, Planning Commission meeting.*

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### **APPLICANT REQUEST**

**SP amendment to permit 320 multi-family residential units.**

#### SP Amendment

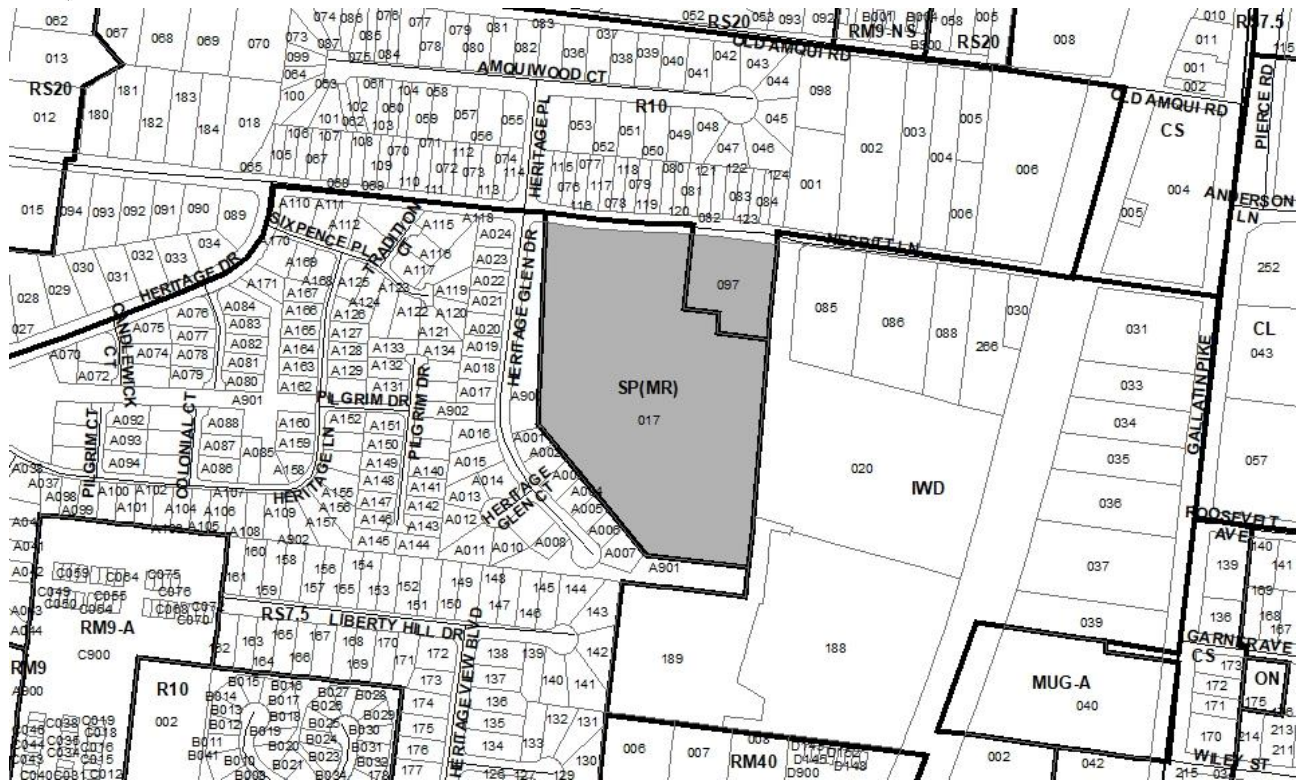
A request to amend a portion of a Specific Plan for property located at 54<sup>th</sup> Avenue North (unnumbered), at the current terminus of 54<sup>th</sup> Avenue North, zoned Specific Plan (SP) (8.1 acres), to permit up to 320 multi-family residential units in Zone 1 and to modify allowed heights within Zone 1.

### **STAFF RECOMMENDATION**

Staff recommends deferral to the June 13, 2024, Planning Commission meeting.



# Metro Planning Commission Meeting of 5/9/24



**2023SP-013-003**  
253 NESBITT LANE SP (AMENDMENT)  
Map 042-08, Parcel(s) 017, 097  
04, Madison  
03 (Jennifer Gamble)



## Metro Planning Commission Meeting of 5/9/24

**Item # 8**  
**Project Name** **Specific Plan 2023SP-013-003**  
**Council District** **253 Nesbitt Lane SP (Amendment)**  
**School District** 03 – Gamble  
**Requested by** 03 – Masters  
Catalyst Design Group, applicant; Robert J. Wingo, Jr.,  
and Robert J. Wingo, owners.

**Staff Reviewer** Anthony  
**Staff Recommendation** *Defer to the May 23, 2024, Planning Commission meeting.*

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### **APPLICANT REQUEST**

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

#### SP Amendment

A request to amend a Specific Plan and rezone from One and Two-Family Residential (R10) to Specific Plan (SP) for properties located at 251 and 253 Nesbitt Lane, near the southeast corner of Heritage Glen Drive and Nesbitt Lane, to add 1.28 acres to the SP boundary to permit 24 additional multi-family residential units (11.16 acres).

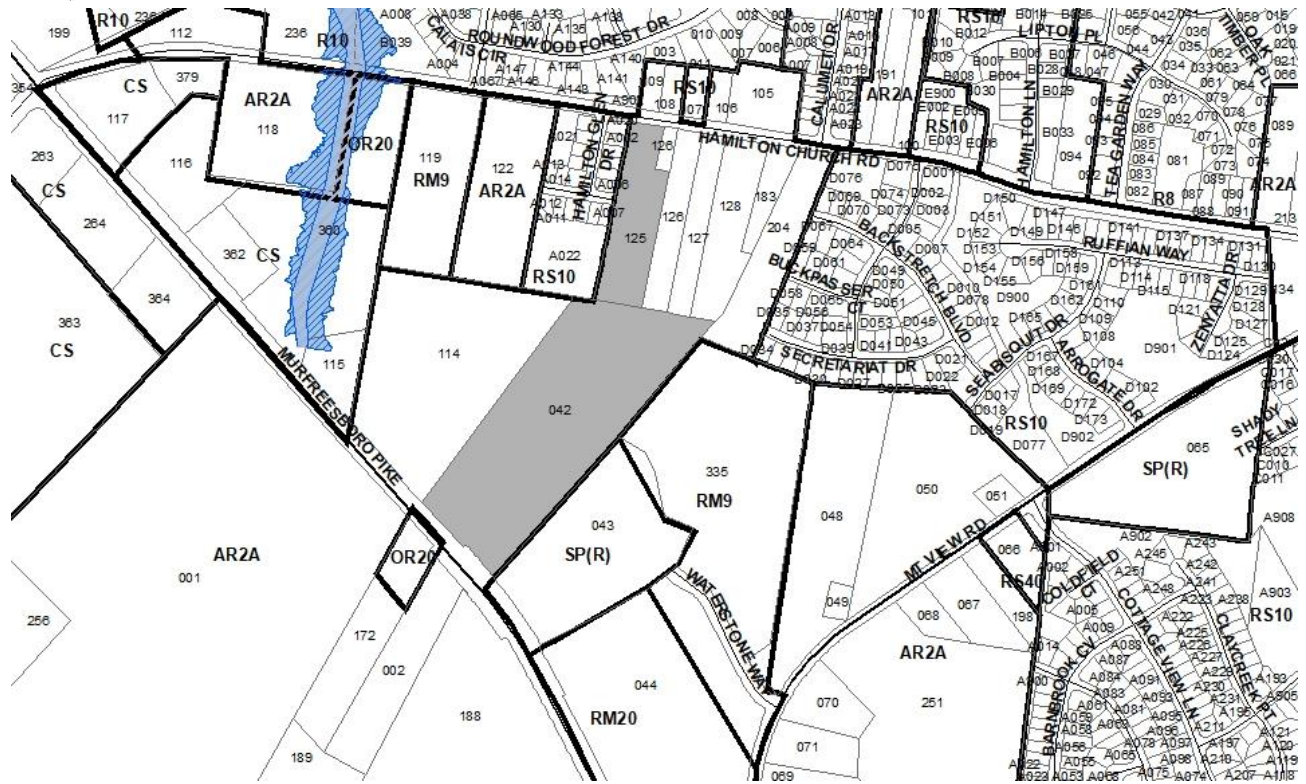
#### **STAFF RECOMMENDATION**

Staff recommends deferral to the May 23, 2024, Planning Commission meeting.





# Metro Planning Commission Meeting of 5/9/24



**2024SP-013-001**  
3124 MURFREESBORO PIKE  
Map 150, Parcel(s) 125  
Map 164, Parcel(s) 042  
13, Antioch – Priest Lake  
08 (Deonté Harrell)



**Metro Planning Commission Meeting of 5/9/24**

<b>Item # 9</b>	<b>Specific Plan 2024SP-013-001</b>
<b>Project Name</b>	<b>3124 Murfreesboro Pike</b>
<b>Council District</b>	08 – Harrell
<b>School District</b>	06 – Mayes
<b>Requested by</b>	Kimley-Horn, applicant; Ammon & Ruth Shreibman and NIR Homes Inc., owners.
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Defer to the May 23, 2024, Planning Commission meeting.</i>

**APPLICANT REQUEST**

**Preliminary SP to permit 175 units.**

Zone Change

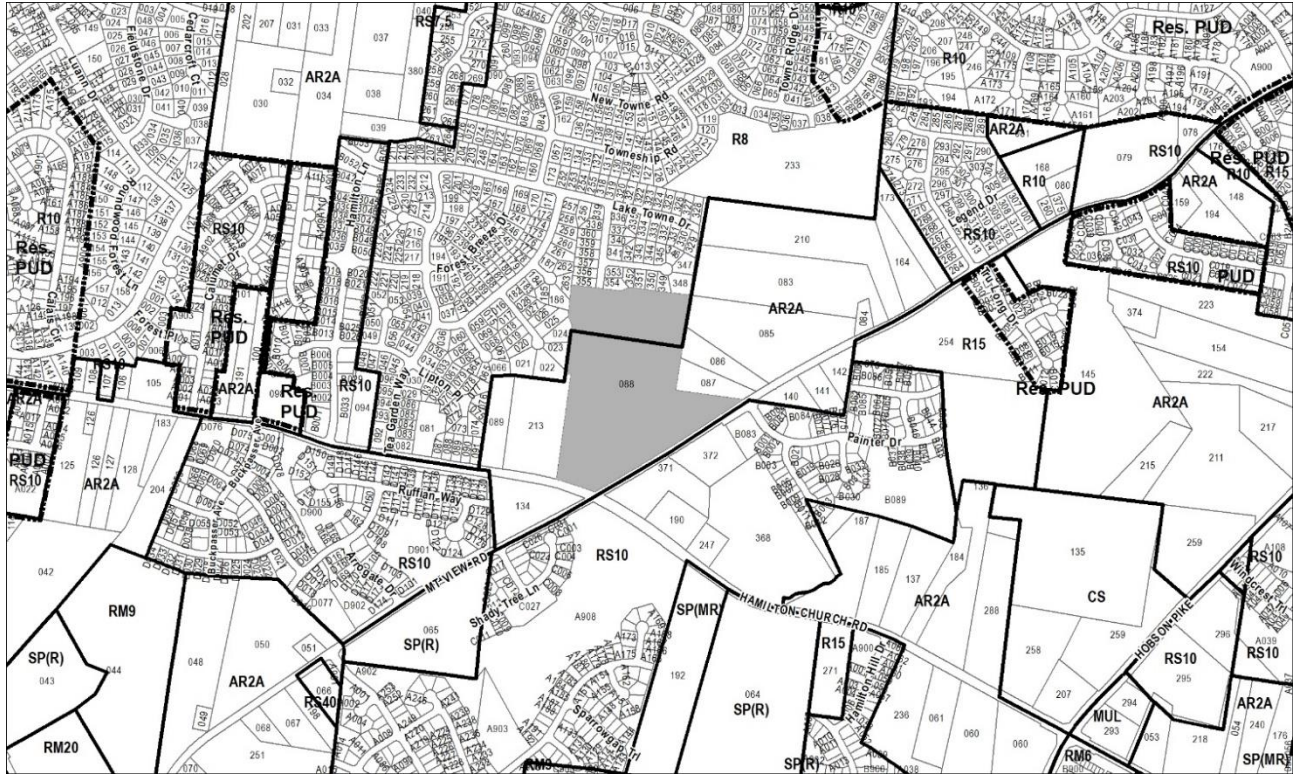
A request to rezone from Agricultural/Residential (AR2a) to Specific Plan (SP) zoning for properties located at 3201 Hamilton Church Road and 3124 Murfreesboro Pike, approximately 1310 feet northwest of Mt. View Road (19.11 acres), within the Murfreesboro Pike Urban Design Overlay, to permit 175 multi-family residential units.

**STAFF RECOMMENDATION**

Staff recommends deferral to the May 23, 2024, Planning Commission meeting.



# Metro Planning Commission Meeting of 5/9/24



**2024SP-014-001**  
6103 MT. VIEW ROAD SP  
Map 150, Parcel(s) 088  
13, Antioch – Priest Lake  
08 (Deonté Harrell)



## Metro Planning Commission Meeting of 5/9/24

<b>Item # 10</b>	<b>Specific Plan 2024SP-014-001</b>
<b>Project Name</b>	<b>6103 Mt. View Road SP</b>
<b>Council District</b>	08 – Harrell
<b>School District</b>	06 – Mayes
<b>Requested by</b>	Kimley-Horn, applicant; Ammon & Ruth Shreibman, owners.
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions.</i>

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### APPLICANT REQUEST

#### **Preliminary SP to permit 92 single-family lots.**

#### Preliminary SP

A request to rezone from One and Two-Family Residential (R8) and Agricultural/Residential (AR2a) to Specific Plan- Residential (SP-R) for property located at 6103 Mt. View Road, at the northwest corner of Hamilton Church Road and Mt. View Road (22.18 acres), to permit 92 single-family lots.

#### **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 eight lots with two duplex lots for a total of ten units, on the portion zoned AR2a.*

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. Based on acreage alone, *R8 would permit a maximum of 30 lots with 7 duplex lots for a total of 37 units, on the portion zoned R8.*

#### **Proposed Zoning**

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

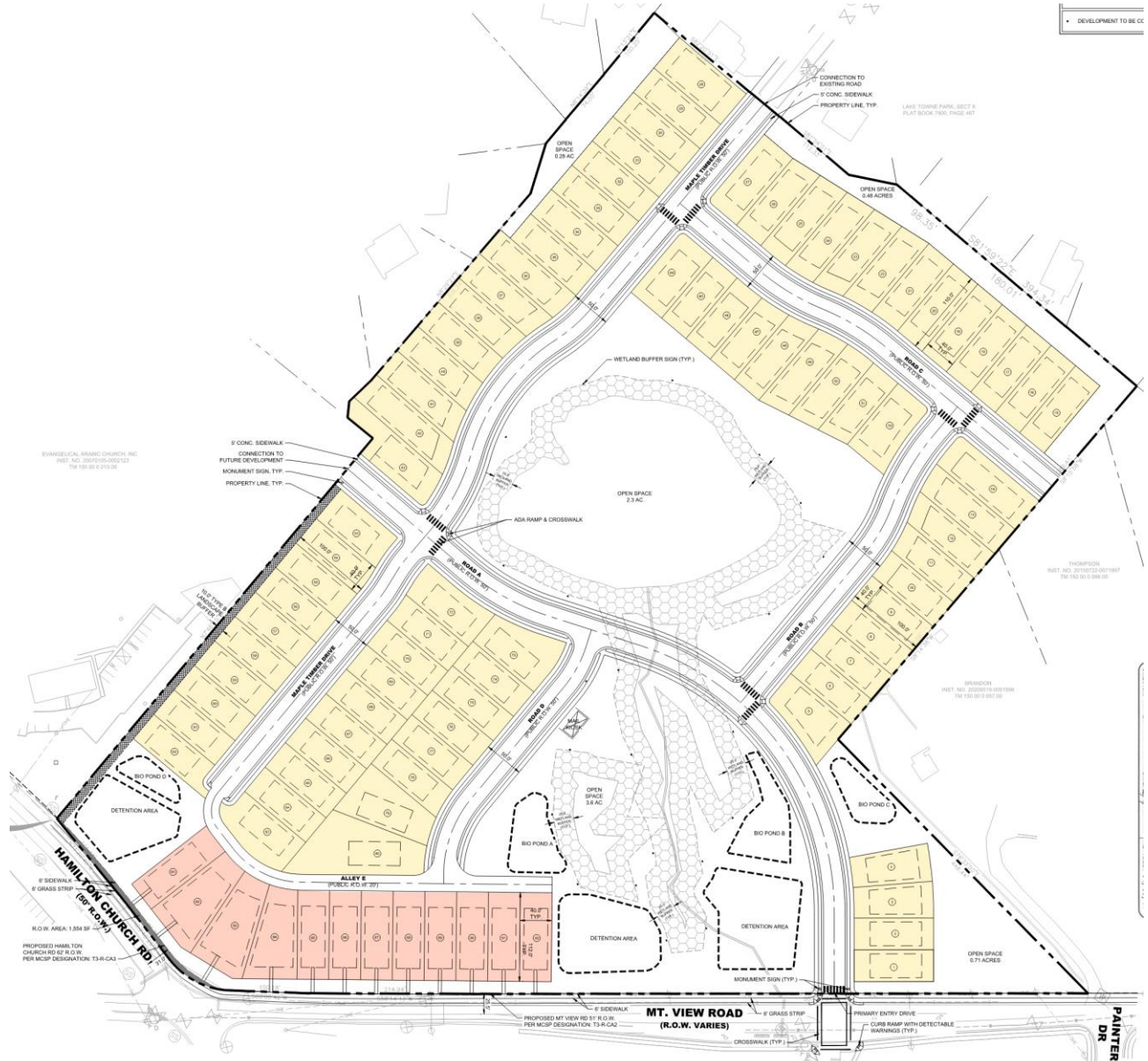
### **SITE CONTEXT AND REQUEST DETAILS**

The property included in the proposed SP is located at the intersection of Mt. View Road and Hamilton Church Road. The approximately 22-acre property consists mostly of open field with some wooded areas in the northwest corner of the property. There is a pond on the property. Adjacent zoning includes AR2a and R8. Surrounding land uses include single-family and a church.





## Metro Planning Commission Meeting of 5/9/24



### Proposed Preliminary Site Plan

#### Site Plan

The plan proposes 92 single-family residential lots with a density of approximately 4.2 units an acre. The plan calls for 81 front loaded lots and 12 rear loaded lots. The minimum lot size for the front-loaded lots is 3,988 sq. ft. and the maximum lot size is 6,104 sq. ft. The minimum lot size for the rear loaded lots is 4,000 sq. ft. and the maximum lot size is 4,889 sq. ft. The plan includes sample front elevations and includes additional design standards pertaining to, but not limited to, materials, porches, windows, entrance, and foundation.

Except for the 12 rear loaded lots, lots are accessed by new public roads. The 12 rear loaded lots front onto Hamilton Church Road and Mt. View Road and are accessed by a rear public alley.



## Metro Planning Commission Meeting of 5/9/24

The 12 rear loaded lots do not have access to Hamilton Church Road or Mt. View Road. Access into the proposed development is from Mt. View Road and the extension of Maple Timber Drive from the north. A future public street connection to adjacent properties is proposed to the east and the west. A five-foot-wide sidewalk and four-foot-wide grass strip are proposed along all new public streets. A six-foot-wide sidewalk and six-foot-wide grass strip are proposed along Hamilton Church Road and along Mt. View Road. Right-of-Way dedication along Hamilton Church Road and Mt. View Road are proposed.

There is an existing pond that is centrally located on the site. The pond and surrounding area are proposed for open space. A buffer yard is proposed along a portion of the western property line adjacent to a church.

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

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

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

### **Analysis**

Staff finds that the proposed SP is consistent with the land use policies. The T3-NE policy supports a range of housing choices. The surrounding area consists of existing and planned residential development composed primarily of single-family dwellings with limited townhome or cottage unit types. The proposed SP will provide single-family housing offering front loaded and rear loaded units, providing variety within the development. The proposed plan includes several architectural standards aimed at improving the quality of design of the units within the SP. The plan will improve vehicular and pedestrian connectivity by incorporating future connections to adjacent parcels and providing connections to an existing stub street to the north. All proposed public streets include sidewalks consistent with the local street standard. Sidewalks along Hamilton Church Road and Mt. View Road are consistent with the Major and Collector Street Plan (MCSP). The pond, which is located in the CO policy area is proposed as open space which is consistent with the CO policy. The Planning Commission considered a similar plan on this property in 2021 (2021SP-006-001). The Planning



## **Metro Planning Commission Meeting of 5/9/24**

Commission approved the plan with conditions and an ordinance was sent to Council for consideration (BL2021-1001). The ordinance was withdrawn at Council.

### **FIRE MARSHAL RECOMMENDATION**

**Approve**

### **STORMWATER RECOMMENDATION**

**Approve with conditions**

- Preliminary approval only. Will need to meet all Stormwater requirements prior to final approval, including possible Stormwater variance.

### **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**

**Approved with conditions**

- All proposed public roadways (A through E, including alley E) shall comply with NDOT Subdivision Street Design Standards (profiles, grades, horizontal and vertical curvature, etc.).
- Any proposed public roads shall have a minimum ROW cross section of 50 ft., NDOT detail per ST-252.
- Proposed public alley E shall have a minimum ROW cross section of 20 ft., per NDOT detail ST-263.
- Site ROW frontages along Mt. View and Hamilton Church shall meet the Major Collector Street Plan (MCSP) requirements.
- Any proposed public roadway sections, (access and ADA) ramps, sidewalks, curb & gutter, etc. shall be constructed per NDOT detail standards and specifications.
- With the final SP submittal provide the following: Show 'Now Entering Private Drive' signage where applicable off public roads and ramps. Provide internal stop control at intersections. For reference, provide stopping sight distance (SSD) exhibits in plan set at any relevant intersections and accesses points off ROW. Provide adequate sight distance spacing at all access ramps, driveways, and public streets with on-street parking.
- All residential driveways shall meet minimum edge-to-edge spacing of 25 ft. (refer to metro code).
- Flares for shared driveways are permitted beyond ROW/property line.
- Provide adequate driveway depth (20' minimum) off proposed public alley rear-loaded units.
- Dimension all ROW pavement widths for clarity.



## Metro Planning Commission Meeting of 5/9/24

- Label assumed truck and bus routes around and/or through the site-internal or along ROW frontage(s).
- Provide a loading/unloading, mail kiosk, plan for each aspect of the development or amenities.
- Provide any (fire and/or trash) truck turning exhibits relevant to loading/unloading activities-at intersections, alleys and general site access points.
- Provide a landscape (street tree) plan with Final SP.

### TRAFFIC AND PARKING RECOMMENDATION

#### Approved with conditions

- Parking shall be shown per metro code.
- Coordinate with NDOT on proposed public road network.
- Comply with MCSP on all public ROW frontages.
- Per MMTA, developer shall: (A) Install an RRFB and appropriate curb ramps, detectable warning mats, crosswalk markings, and signage to the intersection of Site Access and School Driveway along Mt View Road, (B) Restripe the south leg approach lanes of the intersection of Site Access and School Driveway (School Driveway leg), and (C) Install a six foot sidewalk and six foot planting buffer (per MCSP) along the site frontage with Mt. View Rd.
- Per previous conditions from 2021SP-006-001, developer shall: (A) Contribute \$50,000 toward the intersection improvements at Mt. View Road and Hamilton Church prior to obtaining the 60th use and occupancy permit for this development, (B) the northbound approach of Mt View Road should be restriped to provide a northbound left turn deceleration lane at the Site Access. The left turn lane should include approximately 130 feet of storage and 120 feet of bay taper. The left turn lane width can be accommodated within the existing lane reduction taper and channelized striping, (C ) coordinate with Metro Public Works and dedicate the necessary right-of-way along the Hamilton Church Road property frontage to allow for future construction of an eastbound left turn lane on Hamilton Church Road at Mt View Road, and (D), coordinate with Metro Public Works and dedicate the necessary right-of-way along the Mt View Road property frontage to allow for future construction of a southbound left turn lane on Mt View Road at Hamilton Church Road.
- Developer should continue to coordinate with NDOT on the implementation of off-site improvement before final SP approval.

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*	16.79	0.5 D	10 U	170	15	16

\*Based on two-family lots

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*	5.53	4.52 F	37 U	354	27	33

\*Based on two-family lots



## Metro Planning Commission Meeting of 5/9/24

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	22.32	-	93 U	973	71	95

Traffic changes between maximum: **AR2A/R8 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 46	+449	+29	+46

### METRO SCHOOL BOARD REPORT

**Projected student generation existing R8 & AR2a district: 11 Elementary 5 Middle 8 High**  
**Projected student generation proposed SP-R district: 23 Elementary 10 Middle 17 High**

The proposed SP zoning is expected to generate 26 more students than the existing R8 and AR2a zoning. Students would attend Thomas A. Edison Elementary School, J.F. Kennedy Middle School, and Antioch High School. Both Thomas A. Edison Elementary and J.F. Kennedy Middle School are identified at capacity. Antioch High School is identified as over capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

### STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

### CONDITIONS

1. Permitted uses shall be limited to a maximum of 92 single-family residential lots. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. Height shall be limited to two stories in 38 feet.
3. 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 RS5 zoning district as of the date of the applicable request or application.
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
6. A corrected copy of the preliminary SP plan, incorporating any conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of



## **Metro Planning Commission Meeting of 5/9/24**

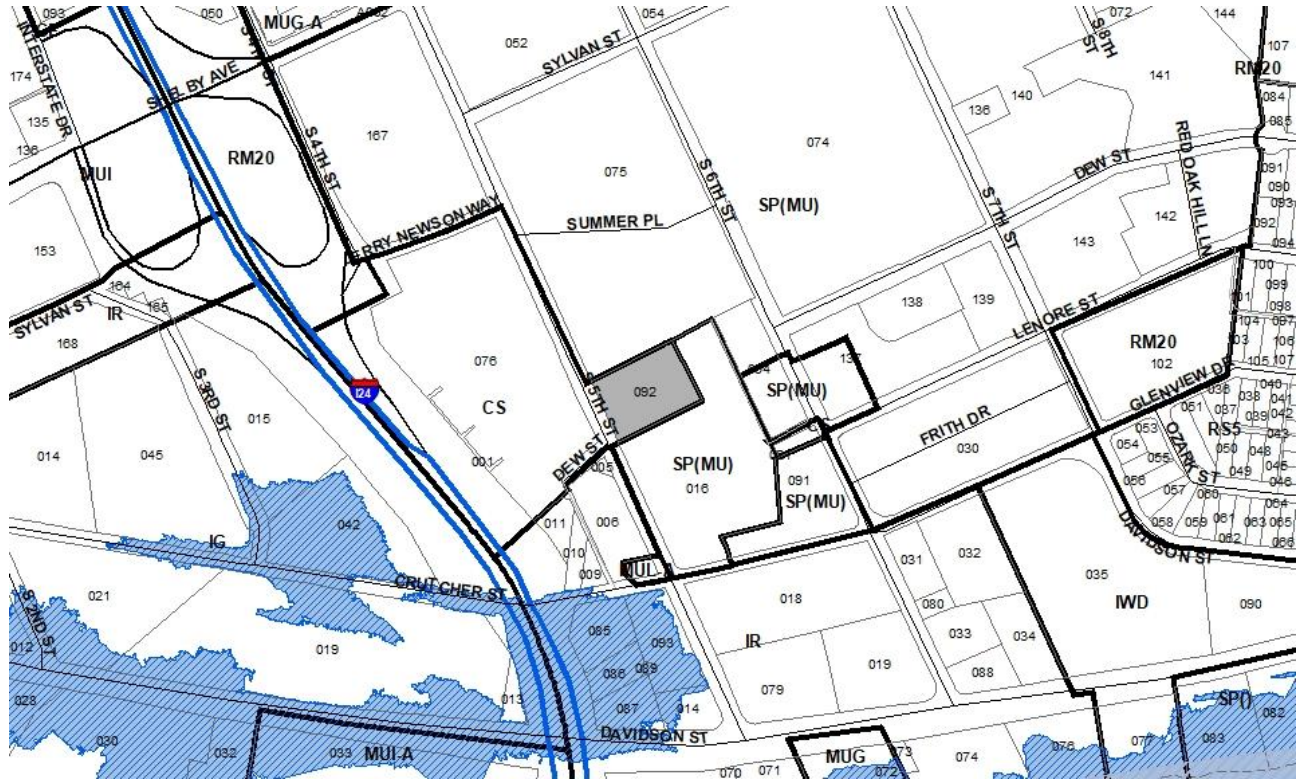
the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance,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

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





# Metro Planning Commission Meeting of 5/9/24



**2024SP-016-001**  
751 S. 5TH STREET  
Map 093-08, Parcel(s) 092  
05, East Nashville  
06 (Clay Capp)



## Metro Planning Commission Meeting of 5/9/24

<b>Item # 11</b>	<b>Specific Plan 2024SP-016-001</b>
<b>Project Name</b>	<b>751 S. 5<sup>th</sup> Street</b>
<b>Council District</b>	06 – Capp
<b>School District</b>	01 – Gentry
<b>Requested by</b>	Dream Capital Management LLC, applicant; Professional Services Industries, Inc., owner.
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Defer to the May 23, 2024, Planning Commission meeting.</i>

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### **APPLICANT REQUEST**

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

#### Preliminary SP

A request to rezone from Commercial Services (CS) to Specific Plan (SP) zoning for property located at 751 S. 5th Street, at the northeast corner of S. 5th Street and Dew Street (1.41 acres), to permit a mixed-use development.

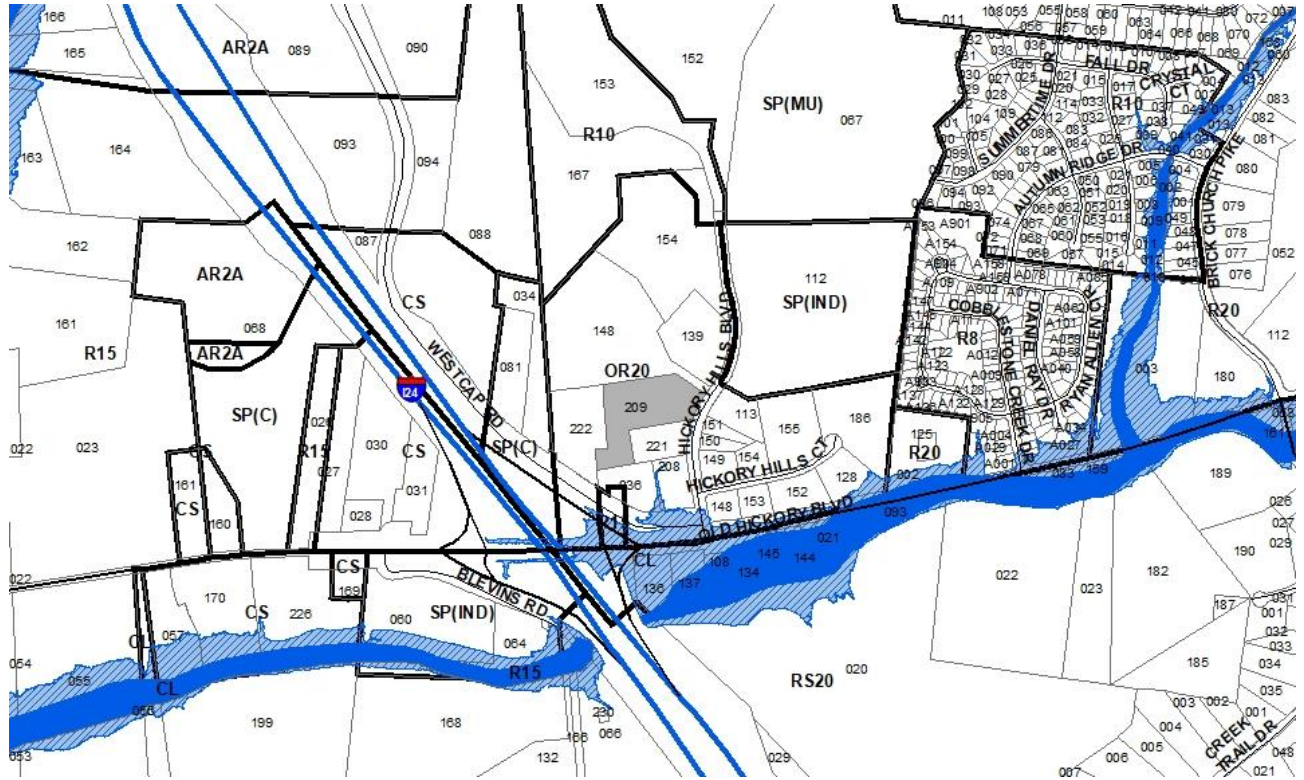
### **STAFF RECOMMENDATION**

Staff recommends deferral to the May 23, 2024, Planning Commission meeting.





# Metro Planning Commission Meeting of 5/9/24



## 98-73P-007

HICKORY HILLS PUD (REVISION & FINAL)

Map 040, Parcel(s) 209

02, Parkwood – Union Hill

03 (Jennifer Gamble)



## Metro Planning Commission Meeting of 5/9/24

<b>Item # 12</b>	<b>Planned Unit Development 98-73P-007</b>
<b>Project Name</b>	<b>Hickory Hills PUD (Revision &amp; Final)</b>
<b>Council District</b>	03 – Gamble
<b>School District</b>	01 - Gentry
<b>Requested by</b>	Development Management Group LLC, applicant; TAS Angel, LLC, owner.
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Approve with conditions.</i>

### APPLICANT REQUEST

**Revise preliminary PUD and final site plan.**

#### PUD Revision and Final

A request to revise the preliminary plan and for final site plan approval for property located at 529 Hickory Hills Boulevard, approximately 103 feet northeast of Westcap Road, zoned Office and Residential (OR20) and located within a Planned Unit Development Overlay District (5.4 acres), to permit a 34,319 sq. ft. building.

#### **Existing Zoning**

Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. This portion of the PUD is approved for light industrial/warehousing.

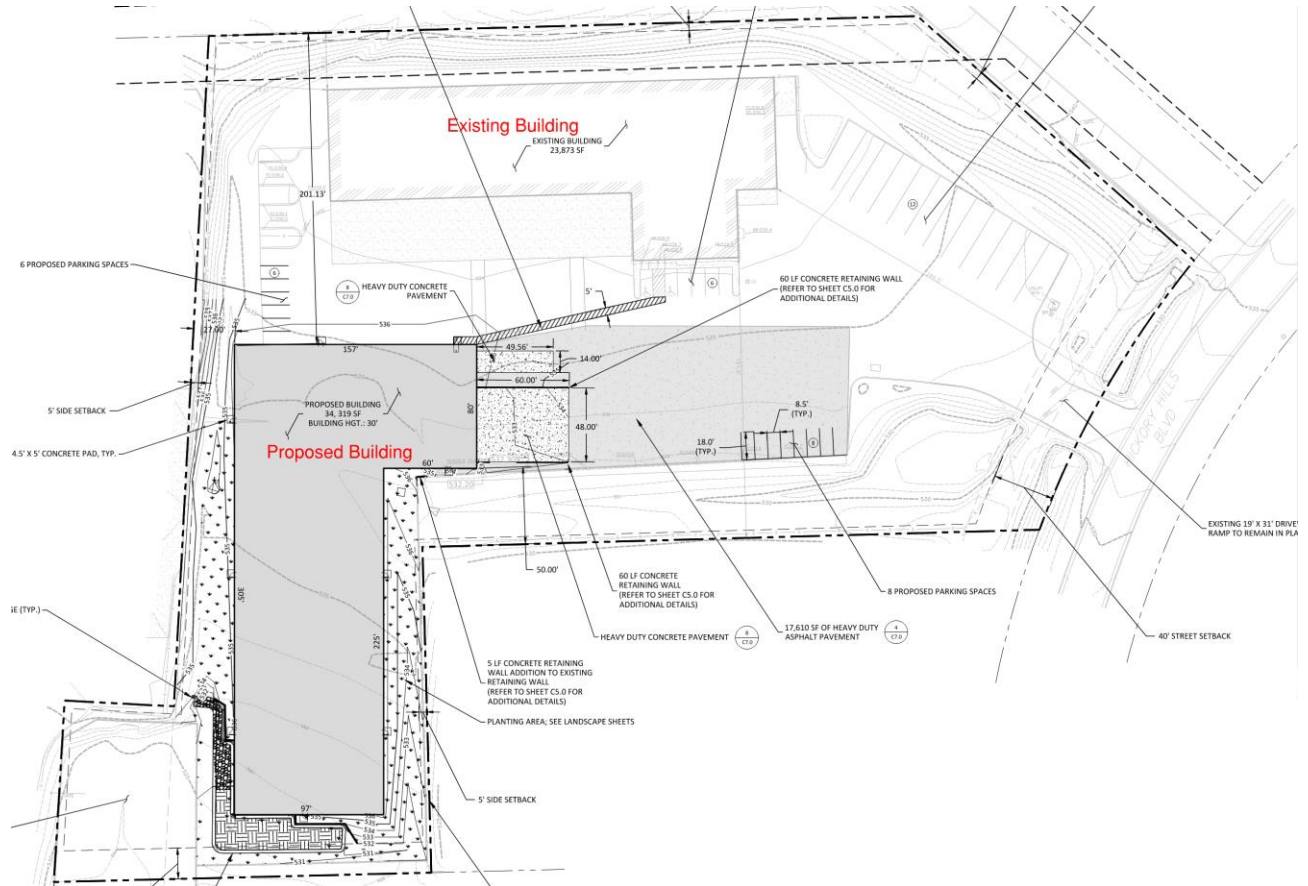
Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of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

#### **PUD HISTORY**

The preliminary PUD, which includes more properties beyond the subject property, was first approved by Council in 1973, and was amended in 1978. It created a business park with supporting uses. The amended PUD permits up to 579,000 square feet of office, warehousing, light industrial, automobile convenience, and restaurant uses. Since 1998, there have been many revisions and all the properties in the PUD contain some form of development. Records indicate that there is approximately 300,000 sq. ft. of developed floor space within the PUD. The subject property is developed with an approximately 23,873 sq. ft. warehouse with associated parking.



## Metro Planning Commission Meeting of 5/9/24



**Site Plan**

### SITE CONTEXT AND PLAN DETAILS

The subject property is located on the west side of Hickory Hills Boulevard and approximately 800 feet north of Old Hickory Boulevard. The intersection of Hickory Hills Boulevard and Old Hickory Boulevard is located at the entrance ramp to I-24. Adjacent zoning is OR20 and adjacent land uses include warehousing, automobile repair, and mini storage. The subject property is developed with an approximately 23,873 sq. ft. building with associated parking.

#### Site Plan

The site plan includes the existing warehouse and associated parking and the proposed 34,319 sq. ft. warehouse. The proposed warehouse is located south of the existing 23,873 sq. ft. building.

### ANALYSIS

Section 17.40.120.G permits the Planning Commission to approve “minor modifications” under certain conditions. Staff finds that the request is consistent with and meets all of the criteria of Section 17.40.120.G and is provided below for review.



## Metro Planning Commission Meeting of 5/9/24

- G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous Zoning Code and remaining a part of the official zoning map upon the enactment of this title.
1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
  2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
    - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
    - b. The boundary of the planned unit development overlay district is not expanded;
    - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
    - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
    - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
    - f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
    - g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
    - h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
    - i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
    - j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development



## Metro Planning Commission Meeting of 5/9/24

- plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
  - m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

As proposed, the revision is consistent with the Council approved plan. The plan does not increase the floor area above what was approved by Council. The revision does not propose a use not permitted in the PUD. The request does not expand the boundary of the PUD, nor does it include any new access points. Staff recommends approval with conditions since the plan meets all the above criteria.

### **FIRE MARSHAL RECOMMENDATION**

**Approve**

### **STORMWATER RECOMMENDATION**

**Approve**

### **WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approval does not apply to private water and sewer line design. Plans for these must be submitted and approved through a separate review process with Metro Water Permits before their construction may begin. WSAVUTIL: T2023089115. - 30% Water & Sanitary Sewer Capacity Paid.

### **NASHVILLE DOT RECOMMENDATION**

**Approve**

### **TRAFFIC & PARKING RECOMMENDATION**

**Approve**

### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.



## **Metro Planning Commission Meeting of 5/9/24**

### **CONDITIONS**

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
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. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
5. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.





# Metro Planning Commission Meeting of 5/9/24



**2001UD-002-015**  
**MUSIC HOTEL**  
Map 093-13, Parcel(s) 181  
10, Green Hills-Midtown  
17 (Terry Vo)



## Metro Planning Commission Meeting of 5/9/24

<b>Item #13</b>	<b>UDO Major Modification 2001UD-002-015</b>
<b>Project Name</b>	<b>Music Hotel</b>
<b>Council District</b>	17 – Vo
<b>School District</b>	5 – Buggs
<b>Requested by</b>	Smith Gee Studio, LLC., applicant, RNA LLC, owner.

<b>Staff Reviewer</b>	Lange
<b>Staff Recommendation</b>	Approve with conditions and defer without all conditions.

### APPLICANT REQUEST

**Approve a major modification to the Music Row UDO.**

#### UDO Modification

A request for a modification to the Music Row Urban Design Overlay District for property located at 1407 Division Street, at the southeast corner of Music Circle East and Division Street, zoned Core Frame (CF) and located in the MDHA Arts Center Redevelopment District, (1.27 acres), to permit a maximum building height of 140 feet.

#### **Existing Zoning**

Core Frame (CF) is intended to implement the general plan's central business district land use policies for support services. The district is designed primarily for a diverse variety of business service functions along with retail trade and consumer service establishments and large parking structures that require locations in proximity to the central business district.

MDHA Arts Center Redevelopment District (MDHA-AC) is intended to establish harmonious land use patterns and provide sites adequate for the planned development of new cultural, commercial, mixed use, and residential uses.

Music Row UDO is an overlay intended to reinforce a scale and form of development that emphasizes a pedestrian-oriented environment, with strategic placement of public spaces in relationship to building masses, streetscapes, and landscaping features. This UDO encourages active ground floor uses to animate the street, such as restaurants, shops and services; includes the adaptive use and sensitive rehabilitation of existing older buildings and protects and enhances the economic viability of the area.

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

#### **GREEN HILLS-MIDTOWN COMMUNITY PLAN**

T5 Center Mixed-Use Neighborhood (T5 Center) applies to generally larger areas that are more intensely developed with a regional service area. T5 Centers are envisioned to evolve over time into complete communities that feature a mixture of housing convenient to commercial, employment, and recreational land uses. Complete communities provide multiple modes of transportation with sidewalk and bikeways or multiuse paths and facilities for mass transit. In any case, each T5 Center is encouraged to develop to meet the functional scale and service needs of the area served. Building height and footprints may vary within T5 Centers. Generally, buildings are taller than in





## Metro Planning Commission Meeting of 5/9/24

surrounding Community Character Policies, accommodating multiple uses and functions and often providing structured parking, entertainment, office, and open space.

Music Row Vision Plan was adopted in 2019 to establish a direction for the future of the creative cluster that has existed in Music Row for decades by allowing flexibility to meet the ever-changing needs of the music and entertainment industry. The property located at 1407 Division Street is located in Subdistrict 1B within the Music Row North character area of the Music Row Vision Plan. This sub-district is a focal point for recent mid-to high-rise development activity in the area.

### **BACKGROUND**

Since the Music Row UDO was adopted in 2001, the neighborhood has seen substantial redevelopment, specifically in the northern area of the neighborhood where 1407 Division Street is located. According to the Music Row Vision Plan, between 2009 and 2019 nine properties located in Subdistrict 1B within the Music Row North character area have been rezoned for high-rise developments, ranging from 20 to 25 stories. Several other properties have been rezoned since the release of the vision plan for similar high-rise development.

The Music Row Vision Plan illustrates updated massing guidance for this area within the Music Row UDO. While the UDO substantially limits building height in Subdistrict 3: Support, the Vision Plan has identified this area as appropriate to absorb some of the development pressure on Music Row and to balance out the smaller, neighborhood or village-scale development encouraged for the center and southern sections of the study area.

### **PLAN DETAILS**

The project proposes a new hotel building with structured above-grade parking and a ground floor active liner use fronting Division Street. The proposal preserves the existing Best Western hotel on the site, modifies the existing port cochere to create a shared access for both hotels, and eliminates a row of existing parking spaces fronting Division Street, proposing a 'Hotel Plaza' with outdoor seating in their place. The plan also dedicates right-of-way along Division Street to meet the Major and Collector Street Plan.



# Metro Planning Commission Meeting of 5/9/24

## 06

### UDO MODIFICATION REQUEST

The UDO regulates height to 65 ft. maximum at the build-to-line then up to the sky exposure plane of 1.5:1 units beyond that dimension per the base zoning. The modification request is to allow for a max. height up to 140 ft. in lieu of the height control plane.

- Entitlements allowed by Code
- Proposed Building Encroaching into the Sky Exposure Plane

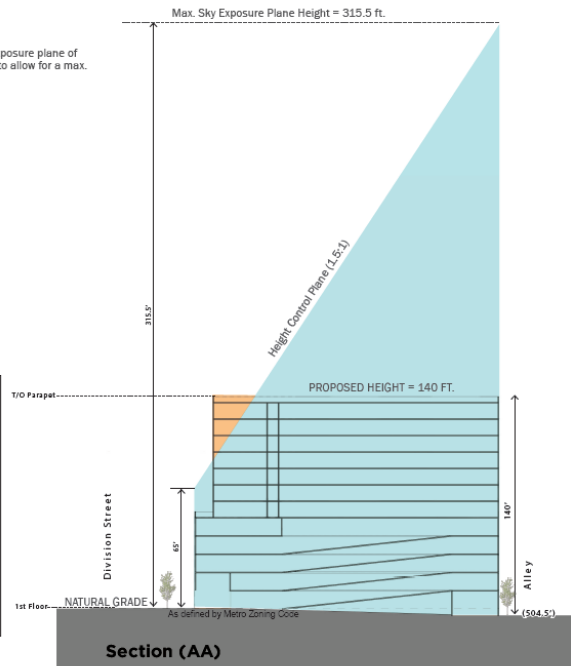
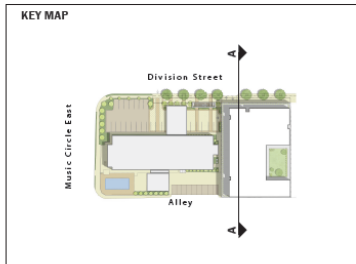


Figure 1. Building section showing building encroachment to the Sky Exposure Plane



Figure 2. Concept Site Plan



## Metro Planning Commission Meeting of 5/9/24

### MODIFICATION REQUEST DETAILS

#### 1) Overall Building Height

UDO Requirement: The UDO regulates height to 65 ft. maximum at the build-to-line then up to the sky exposure plane of 1.5:1 units beyond that dimension per the base zoning

Modification Request: to allow for a maximum height up to 140 ft. in lieu of the height control plane.

### MODIFICATION REQUEST ANALYSIS

The proposed development plans to subdivide the remainder of the existing Best Western property to accommodate the new hotel to the east, where the hotel's surface parking lot is currently located. Building a second structure on this parcel creates a shallow and narrow site condition for the proposed new hotel development. The requested modification seeks a small deviation from the required height control plane in order to create a more logical massing while limiting the overall height compared to what is allowed by the height control plane.

The proposed design is otherwise compliant with the UDO requirements, including the 65' maximum height at the build-to line. The requested height is also consistent with the Music Row Vision Plan. The site is in Subdistrict 1B, which is a focal point for recent mid to high-rise development activity allowing stories by-right but has seen a large amount of development in recent years ranging from 20 to 25 stories. While this proposal requires a UDO modification to the sky exposure plane, it does not deviate from the type of development intended for Music Row North Subdistrict 1B by the Music Row Vision Plan.

This proposal includes a programmed ground-floor building liner that will house amenities such as a restaurant or coffee shop that will contribute to a more activated streetscape and higher levels of pedestrian activity in the immediate area. Public-realm improvements are also included in this proposal, such as an "Allee Promenade" (double-row of trees) and a new outdoor space along the public right-of-way that will include seating, planters, and a shading structure.

### STAFF RECOMMENDATION

Staff recommends approval with conditions and deferral without all conditions.

### CONDITIONS

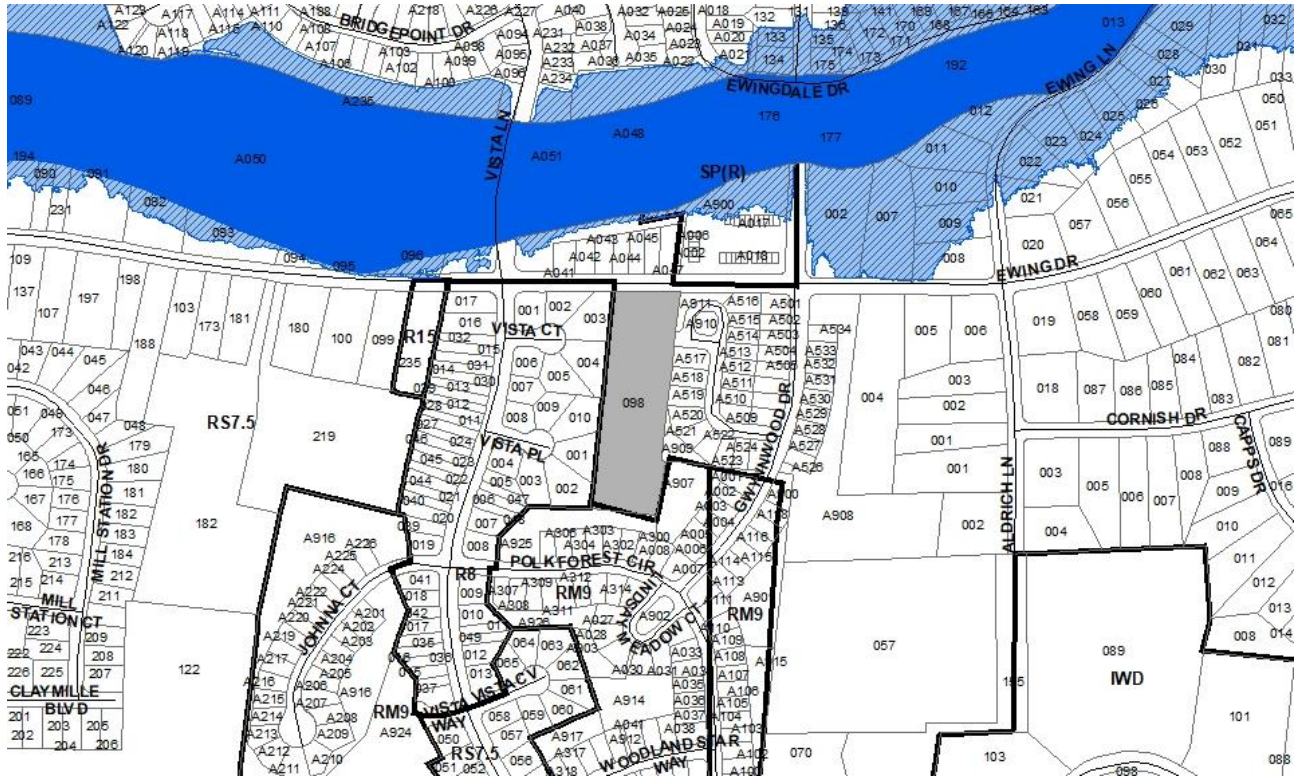
1. Must use high quality materials for all facades that are subject to staff review and approval.
2. Final window recess design detail shall appear similar to provided concept imagery and shall be subject to staff review and approval.
3. Metal screening for parking garage shall be subject to staff review and approval.
4. Eliminate glass façade that extends into parking garage if parking will be clearly visible and replace with more opaque material.
5. Approval is specific to the general architecture and site design submitted with this application. Changes to the design subject to staff review when a Final Site Plan is submitted.



**SEE NEXT PAGE**



## Metro Planning Commission Meeting of 5/9/24



**2024Z-018PR-001**

Map 059, Parcel(s) 098

03, Bordeaux – Whites Creek – Haynes Trinity

02 (Kyonzté Toombs)



## Metro Planning Commission Meeting of 5/9/24

**Item # 14**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2024Z-018PR-001**  
02 – Toombs  
01 – Gentry  
Legacy South, LLC, applicant and owner.

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

Konigstein  
*Disapprove.*

### **APPLICANT REQUEST**

**Zone change from RS7.5 to RM15.**

#### Zone Change

A request to rezone from Single-Family Residential (RS7.5) to Multi-Family Residential (RM15) zoning for property located at 520 Ewing Drive, approximately 375 feet west of Gwynnwood Drive (3.58 acres).

#### **Existing Zoning**

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of 20 lots based on acreage alone. This does not account for compliance with the Subdivision Regulations. Application of Metro’s Subdivision Regulations may result in fewer units at this site.*

#### **Proposed Zoning**

Multi-Family Residential (RM15) is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre. *Based on acreage alone, RM15 would permit a maximum of 54 units.*

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

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle, and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 NE policy may be applied either to undeveloped or substantially 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.

### **ANALYSIS**

The site is one 3.58-acre property located at 520 Ewing Drive approximately 375 feet west of Gwynnwood Drive. Ewing Drive is designated as a collector-avenue by the Major and Collector Street Plan (MCSP). There is one house presently on the subject site. Surrounding zoning districts include Single-Family Residential (RS7.5), Multi-Family Residential (RM9) and Specific Plan (SP). The Specific Plan to the northeast of the site is 3.74 acres and permits 28 multi-family residential



## Metro Planning Commission Meeting of 5/9/24

units at a density of 7.5 units per acre. The land uses surrounding the subject parcel include multi-family, single-family residential, and vacant land.

Staff is not supportive of this rezoning request for two primary reasons. First, the T3 NE policy emphasizes the need to connect to adjacent planned roadways and improve connectivity. The adjacent subdivision to the east was platted in 2010 and provided a road stub from McCarthy Park Lane to the eastern boundary of the subject site. Staff would expect this road to continue through the subject site with any redevelopment, providing for enhanced access and connectivity through the previously developed subdivision.

The second reason is that the proposed density of RM15 is likely too intense at this site, given the existing surrounding context. Although the T3 NE policy can provide some opportunities for change, the site is surrounded by properties on the south side of Ewing Drive that have been previously subdivided and developed as lower intensity residential lots. The density proposed under RM15 is dissimilar to the surrounding development. The surrounding densities of nearby subdivisions range from approximately 3 to 6 units per acre. The surrounding densities are much lower than the requested RM15 zoning. Although the site is located along a collector avenue, which could make it suitable for additional density, it is located mid-block, where an RM15 level of intensity may not be appropriate.

Staff may consider a proposal for more intensity than the existing RS7.5 zoning if a revised request for a site-plan based Specific Plan is submitted that incorporates the road stub from McCarthy Park Lane to the east, designed at a level of intensity that is more in keeping with the surrounding developments. A site plan-based SP would provide assurances for road connectivity that cannot be achieved through a straight rezone. An increase in intensity beyond the existing RS7.5 zoning may be appropriate for the site, given the location along a collector and the existing SP across the street. Any SP should also prohibit short term rental properties to provide for long term housing, which is appropriate in residential policy areas. However, the proposed RM15 zoning does not achieve these goals and is not consistent with T3 NE policy guidance. Therefore, staff recommends disapproval.

### FIRE RECOMMENDATION

#### Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	3.58	5.80 D	20 U	237	19	22

Maximum Uses in Proposed Zoning District: **RM15**

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)	3.58	15 D	54 U	293	19	25



## Metro Planning Commission Meeting of 5/9/24

Traffic changes between maximum: RM15

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+56	+0	+3

### METRO SCHOOL BOARD REPORT

**Projected student generation existing RS7.5 zoning districts: 2 Elementary 1 Middle 2 High**  
**Projected student generation proposed RM15 district: 14 Elementary 5 Middle 6 High**

The proposed RM15 zoning is expected to generate 20 additional students beyond the existing RS7.5 zoning. Students would attend Alex Green Elementary School, Brick Church Middle School, and Whites Creek High School. Alex Green Elementary School is exceedingly over capacity, Brick Church Middle School and Whites Creek High School are exceedingly under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

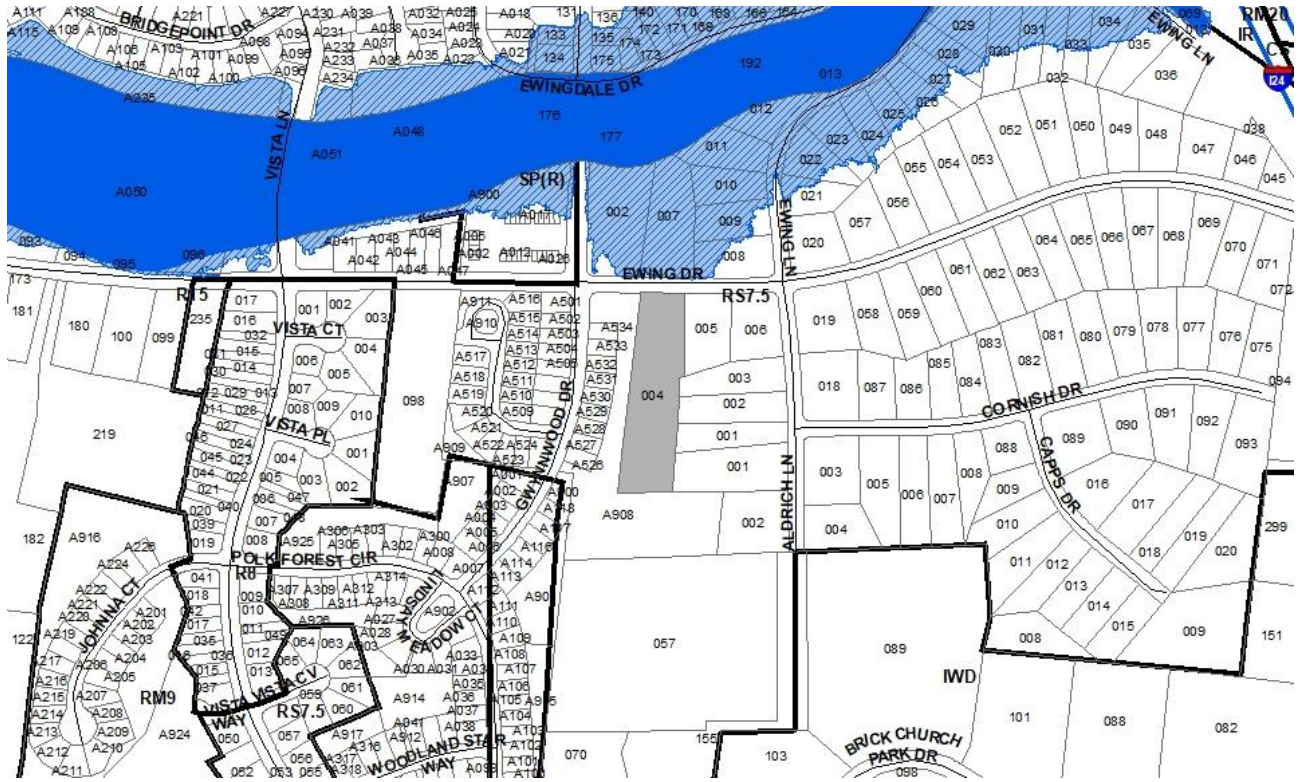
### STAFF RECOMMENDATION

Staff recommends disapproval.





# Metro Planning Commission Meeting of 5/9/24



**2024Z-019PR-001**

Map 060-01, Parcel(s) 004

03, Bordeaux – Whites Creek – Haynes Trinity

02 (Kyonzté Toombs)



## Metro Planning Commission Meeting of 5/9/24

**Item #15**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2024Z-019PR-001**  
02 – Toombs  
01 – Gentry  
Legacy South, LLC, applicant; Fannie & James Holmes, owner.

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

Konigstein  
*Disapprove RM15 and approve RM9-NS.*

### **APPLICANT REQUEST**

**Zone change from RS7.5 to RM15.**

#### Zone Change

A request to rezone from Single-Family Residential (RS7.5) to Multi-Family Residential (RM15) zoning for property located at 506 Ewing Drive, approximately 185 feet east of Gwynnwood Drive (2.88 acres).

#### **Existing Zoning**

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of 16 single-family lots. This does not account for compliance with the Metro Subdivision Regulations which may result in fewer lots.*

#### **Proposed Zoning**

Multi-Family Residential (RM15) is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre. *RM15 would permit a maximum of 43 units based on acreage alone.*

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

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

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal



## Metro Planning Commission Meeting of 5/9/24

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 site is one 2.88-acre parcel located at 506 Ewing Drive, approximately 185 feet east of Gwynnwood Drive. There is one unit presently on the subject property. Surrounding zoning districts include Single-Family Residential (RS7.5), Multi-Family Residential (RM9) within a PUD Overlay, and Specific Plan (SP). The Specific Plan to the northwest of the site is 3.74 acres and permits 28 multi-family residential units at a density of 7.5 units per acre. Land uses of surrounding parcels include single-family residential, multi-family residential, and vacant land. The PUD to the south is developed with single-family residential homes.

The T3 NE policy guidance states that when considering rezonings, the size and location of the site, environmental conditions on and near the site, and the character of adjacent Transect and policy areas should be considered.

The site is located mid-block along Ewing Drive, which is classified as a collector avenue, where a modest increase in intensity may be appropriate. However, the proposed RM15 density is too intense at this site given the surrounding context, environmental conditions, and surrounding policy areas. To the west of this site is an existing subdivision that developed with an approximate density of 3 units per acre under RS7.5 zoning standards. To the east are existing RS7.5-zoned lots ranging in size from 0.67 acres to 1.2 acres. While the subject parcel is within the T3 NE policy, it is also immediately adjacent to the Suburban Neighborhood Maintenance (T3 NM) policy to the east. The proposed RM15 level density is too intense at this site, given the adjacent context in the T3 NM policy area. Additionally, the eastern portion of this site is in CO policy, recognizing water features located along the shared boundary with the adjacent property. The T3 NE policy provides guidance for balancing the conservation of sensitive environmental features with proposed development supported by T3 principles. Prioritization is given to the preservation of sensitive features over development capacity of a property. Based on site acreage alone, the requested RM15 zoning district would yield a maximum of 43 multi-family residential units. If considering the portion of the site outside of the stream and stream buffer, the proposed RM15 zoning district would result in an approximate density of 23 units per acre. With limited area for development, the resulting density is much more intense than a than a site zoned RM15 with no existing environmental features.

Staff recommends the RM9-NS zoning district, which is lower in density than the requested RM15 zoning district. The RM9-NS zoning district is a less intense multifamily zoning district that would permit an increase in density from the existing zoning and account for the reduced developable lot area due to the conservation policy along the eastern boundary. A density of nine units per acre could yield a maximum of 26 multi-family residential units on the site, based on acreage alone. Excluding the area for environmental features, it yields a density of around 14 units per acre.

The initial request did not include the -NS designation which prohibits Short-Term Rental Property – Owner Occupied and Short-Term Rental Property – Not Owner Occupied uses from the district. Adding the -NS would ensure long term housing, which is appropriate in residential policy areas.



## Metro Planning Commission Meeting of 5/9/24

Accounting for this reduction in developable lot area due to the stream buffer, the size and mid-block location of the site, and the adjacent Suburban Neighborhood Maintenance policy, staff could likely support a moderate increase in density at this site of nine units per acre rather than the requested fifteen units per acre.

### FIRE RECOMMENDATION

#### Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	2.88	5.80 D	16 U	193	16	17

Maximum Uses in Proposed Zoning District: **RM15**

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)	2.88	15 D	43 U	233	15	20

Traffic changes between maximum: **RS7.5 and RM15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+40	-1	+3

### METRO SCHOOL BOARD REPORT

Projected student generation existing **RS7.5** zoning districts: 2 Elementary 1 Middle 1 High

Projected student generation proposed **RM15** district: 12 Elementary 4 Middle 5 High

The proposed RM15 zoning is expected to generate 17 additional students beyond the existing RS7.5 zoning. Students would attend Alex Green Elementary School, Brick Church Middle School, and Whites Creek High School. Alex Green Elementary School is exceedingly over capacity, Brick Church Middle School and Whites Creek High School are 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 disapproval of RM15 and approval of RM9-NS.



# Metro Planning Commission Meeting of 5/9/24



**2024Z-028PR-001**

Map 068, Parcel(s) 030

03, Bordeaux – Whites Creek – Haynes Trinity

01 (Joy Kimbrough)



## Metro Planning Commission Meeting of 5/9/24

**Item # 16**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2024Z-028PR-001**  
01 - Kimbrough  
01 – Gentry  
Requested by Nashville Civil LLC, applicant; DWT, LLC, owners.

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

Orozco  
*Disapprove.*

### **APPLICANT REQUEST**

#### **Zone change from AR2a to IR.**

##### Zone Change

A request to rezone from Agricultural Residential (AR2a) to Industrial Restrictive (IR) zoning for property located at Ashland City Highway (unnumbered), at the northwest corner of Amy Lynn Drive. (1.71 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 one duplex lot for a total of two units. Metro Codes provides final determinations on duplex eligibility. Application of Metro’s Subdivision Regulations may result in fewer units at this site.*

##### **Proposed Zoning**

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

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

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

### **SITE AND CONTEXT**

The subject property consists of one parcel totaling 1.71 acres located on the north side of Amy Lynn Drive, south of Ashland City Highway. The property is currently zoned Agricultural/Residential (AR2a). The subject parcel is currently classified as a vacant land use. The land uses of the surrounding properties include other vacant properties, single family residential, agricultural, and industrial land uses. Amy Lynn Drive is a local street. Ashland City Highway is classified as an Arterial Boulevard on the Major and Collector Street Plan (MCSP). Surrounding properties are zoned AR2a, IR, and Specific Plan Zoning District (SP).



## Metro Planning Commission Meeting of 5/9/24

### ANALYSIS

The Rural Maintenance Policy (T2 RM) is applied to properties at the intersection of Amy Lynn Drive and Ashland City Highway and additional properties to the east, west of Briley Parkway. This policy also applies to a larger area of properties on the north side of Ashland City Highway. The District Industrial (D-IN) policy is applied to properties surrounding the subject site to the south and west, and further east along Briley Parkway. The intent of the T2 RM policy is to create and maintain an environment that would support rural character as a choice of living. The T2 RM policy supports a limited number of zoning districts, including the existing AR2a zoning and also Agricultural (AG) zoning. The existing AR2a zoning district is consistent with policy, where the proposed IR zoning is not. The IR zoning would introduce land uses that are not consistent with the goals and intent of the T2 RM Policy. Due to the inconsistency with policy, Planning staff recommends disapproval.

### FIRE 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
Single-Family Residential (210)	1.71	0.5 D	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	1.71	0.6 F	44,692 SF	116	8	8

Traffic changes between maximum: **AR2A and IR**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+101	+3	+7

### METRO SCHOOL BOARD REPORT

**Projected student generation existing AR2A district: 0 Elementary 0 Middle 0 High**

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

The proposed IR zoning is expected to generate no additional students. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. Cumberland Elementary and Haynes Middle School have been identified as being at capacity. Whites Creek High School has been identified as exceedingly under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.





## Metro Planning Commission Meeting of 5/9/24

### **STAFF RECOMMENDATION**

Staff recommends disapproval.



# Metro Planning Commission Meeting of 5/9/24



**2024Z-043PR-001**

Map 058-16, Parcel 033

03, Bordeaux-Whites Creek-Haynes Trinity

01 (Joy Kimbrough)



## Metro Planning Commission Meeting of 5/9/24

**Item # 17**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2024Z-043PR-001**  
01 - Kimbrough  
01 – Gentry  
Phillip Nesmith, applicant; Phillip Nesmith & Michael Thompson, owners.

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

Orozco  
*Approve.*

### **APPLICANT REQUEST**

**Zone change from RS15 to R15.**

#### Zone Change

A request to rezone from Single-Family Residential (RS15) to One and Two-Family Residential (R15) for property located at 4019 Meadow Road, approximately 298 feet south of Cedar Circle. (0.39 acres).

#### **Existing Zoning**

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

#### **Proposed Zoning**

One and Two-Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots. *R15 would permit a maximum of one duplex lot for a total of two units. Metro Codes provides final determinations on duplex eligibility.*

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

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

### **SITE CONTEXT**

The subject property consists of one parcel totaling 0.39 acres located on the western side of Meadow Road, one block from Clarksville Pike. The property is currently zoned Single Family Residential (RS15). The subject parcel has been developed with a single-family unit. The land uses of the surrounding properties are predominantly residential, including single family and two-family



## Metro Planning Commission Meeting of 5/9/24

residential land uses. Non-residential land uses are located to the south along Fairview Drive and to the east along Clarksville Pike. Clarksville Pike is classified as an arterial boulevard on the Major and Collector Street Plan (MCSP). Surrounding properties are zoned RS15, R15, Specific Plan Zoning District (SP), Mixed Use Limited (MUL), and Commercial Limited (CL). Nearby Mullins Park offers open space and greenway amenities for pedestrian and cyclist modes of transportation. The site is also in proximity to Bordeaux-Timothy Park to the west.

### ANALYSIS

The application proposes to rezone the property from RS15 to R15. The property is located within the Suburban Neighborhood Evolving (T3 NE) policy area which is intended to create and enhance suburban neighborhoods with more housing choices, improved connectivity, and moderate density patterns.

The T3 NE policy on Meadow Road allows for a transition from the Suburban Mixed Use Corridor (T3 CM) and Suburban Community Center (T3 CC) policies along Clarksville Pike to the Suburban Neighborhood Maintenance (T3 NM) policy located along Cedar Circle to the west. The proposed rezoning could yield a two-family use on the property, meaning the rezoning would yield in one additional unit on the site. A minor increase in density such as the one permitted by this request may be appropriate given that the site is situated in an evolving policy area located between policies of varying intensities. Allowing for additional density in the evolving policy area, near the corridor, reduces pressure on rezoning in the adjacent T3 NM policy area, which is located further from the corridor and where the single-family character is more intact. Rezoning to a two-family residential zoning district at this location could provide some variation in housing along a street where opportunities for housing diversity have already been introduced, including the SP at the corner of Fairview Drive and Meadow Road which was permitted in 2018 to permit seven residential units. Given T3 NE policy guidance for expanding housing diversity, surrounding context, and proximity of the site to an arterial boulevard, staff recommends approval. It is worth noting that if a similar request were to come through in the Neighborhood Maintenance policy area to the west, staff may not have the same reasons to support.

### FIRE RECOMMENDATION

#### Approve

Maximum Uses in Existing Zoning District: **RS15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.39	2.56 F	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.39	14.52 F	2 U	28	7	2

\*Based on two-family lots



## Metro Planning Commission Meeting of 5/9/24

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

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

### METRO SCHOOL BOARD REPORT

**Projected student generation existing RS15 districts: 0 Elementary 0 Middle 0 High**

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

The proposed zoning is not expected to generate any additional students than the existing RS15 zoning district. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. Cumberland Elementary and Haynes Middle are identified as at capacity. Whites Creek High School is identified as 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.



# Metro Planning Commission Meeting of 5/9/24



**2024Z-048PR-001**  
Map 119-01, Parcel 481  
11, South Nashville  
16 (Ginny Welsch)



## Metro Planning Commission Meeting of 5/9/24

**Item # 18**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2024Z-048PR-001**  
16 - Welsch  
07 – Player  
David Maxwell, applicant; David and Mariana Maxwell, owners.

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

Garland  
*Approve.*

### **APPLICANT REQUEST**

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

##### Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential-Alternative (R6-A) zoning for property located at 2320 Foster Avenue, approximately 50 feet north of Peachtree Street (0.17 acres).

##### **Existing Zoning**

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

##### **Proposed Zoning**

One and Two Family Residential-Alternative (R6-A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre, including 25 percent duplex lots, and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *Based on acreage alone, R6-A would permit a maximum of one duplex lot for a total of two units. Metro Codes provides final determinations on duplex eligibility. Application of Metro’s Subdivision Regulations may result in fewer units at this site.*

### **SOUTH NASHVILLE COMMUNITY PLAN**

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

### **ANALYSIS**

The application consists of one parcel (Map 119-01, Parcel 481) totaling 0.17 acres, located along the east side of Foster Avenue, and 50 feet north of Peachtree Street. The property has been zoned Single Family Residential (RS5) since 2004 and contains a single-story single-family residence. The application proposes to rezone the property from RS5 to R6-A. The surrounding properties are primarily zoned RS5 and there are a couple of properties that were rezoned to R6-A in the last few years, just north of this parcel. The surrounding land uses are primarily single-family with some





## Metro Planning Commission Meeting of 5/9/24

two-family land uses in the area as well. This parcel has frontage along Foster Avenue, which is classified as Arterial Boulevard in the Major and Collector Street Plan (MCSP). The parcel also has vehicular access via improved Alley #1863, at the rear of the property.

The property is located within the T4 Urban Neighborhood Maintenance (T4 NM) policy area which intends to maintain the general character of existing urban residential neighborhood. The T4 NM policy supports moderate to high density residential development. Based on acreage alone, the proposed R6-A zoning could allow up to one duplex lot for a total of two units. The site is located along an Arterial Boulevard, where additional intensity may be appropriate, and is accessed via an improved alley at the rear, which also assists in providing being able to accommodate a slight increase in density. The proposed Alternative (-A) district standards would ensure that future development on the site has an urban form, consistent with the policy guidance. The proposed R6-A district increases density modestly and aligns with goals of T4 NM policy.

### 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)	0.17	5.88 F	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.17	11.76 F	2 U	28	7	2

\*Based on two-family lots

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

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

### METRO SCHOOL BOARD REPORT

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

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

The proposed R6-A zoning is not expected to generate any additional students than the existing RS5 zoning. Students would attend John B. Whitsitt Elementary School, Cameron College Preparatory Middle School, and Glencliff High School. John B. Whitsitt Elementary and Glencliff Highschool are identified as at over capacity while Cameron College Prep Middle school is identified as exceedingly under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.



## Metro Planning Commission Meeting of 5/9/24

### **STAFF RECOMMENDATION**

Staff recommends approval.