



METROPOLITAN PLANNING COMMISSION REVISED DRAFT MINUTES

June 13, 2024
4:00 pm Regular Meeting

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

MISSION STATEMENT

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

Commissioners Present:

Greg Adkins, Chair
Stewart Clifton
Leah Dundon
Edward Henley
Kathy Leslie
Dennie Marshall
Matt Smith
Councilmember Jennifer Gamble

Commissioners Absent:

Jessica Farr, Vice Chair
Asia Allen

Staff Present:

Lucy Kempf, Executive Director
Lisa Milligan, Assistant Director of Land Development
Andrea Dorlester, Land Development Manager
Tara Ladd, Legal Counsel
Abbie Rickoff, Planning Manager I
Amelia Gardner, Planner III
Jason Swaggart, Planner II
Dustin Shane, Planner II
Donald Anthony, Planner II
Laszlo Marton, Planner I

Lucy Alden Kempf

Secretary and Executive Director, Metro Planning Commission

Metro Planning Department of Nashville and Davidson County
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Notice to Public

Please remember to turn off your cell phones.

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

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

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

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

Writing to the Commission

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

Mailing Address: Metro Planning Department, 800 President Ronald Reagan Way, P.O. Box 196300, Nashville, TN 37219-6300
Fax: (615) 862-7130
E-mail: planning.commissioners@nashville.gov

Speaking to the Commission


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

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

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

Legal Notice

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

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If any accommodations are needed for individuals with disabilities who wish to be present at this meeting, please request the accommodation through hubNashville at <https://nashville.gov/hub-ADA-boards> or by calling (615) 862-5000. Requests should be made as soon as possible, but 72 hours prior to the scheduled meeting is recommended.

MEETING AGENDA

A: CALL TO ORDER

The meeting was called to order at 4:01 p.m.

B: ADOPTION OF AGENDA

Mr. Clifton moved and Mr. Smith seconded the motion to adopt the agenda. (6-0)

C: APPROVAL OF MAY 23, 2024 MINUTES

Mr. Marshall moved and Ms. Leslie seconded the motion to approve the meeting minutes of May 23, 2024. (6-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Druffel spoke in favor of Item 12.

Mr. Henley joined the meeting.

Councilmember Kupin spoke in favor of Items 26a and 26b.

Ms. Dundon joined the meeting.

E: ITEMS FOR DEFERRAL / WITHDRAWAL: 2, 3a, 3b, 4a, 4b, 5, 6, 8, 9, 11, 13, 14, 15, 16

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

F: CONSENT AGENDA ITEMS: 1, 12, 17, 18, 20, 21, 22, 23, 24, 26a 26b, 28, 29, 33

Ms. Gardner stated Mr. Henley is recused from Items 26a and 26b.

Councilmember Gamble moved and Ms. Dundon seconded the motion to approve the Consent Agenda. (8-0)

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

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

G: ITEMS TO BE CONSIDERED

- 2023CP-003-005**
BORDEAUX - WHITES CREEK - HAYNES TRINITY
COMMUNITY PLAN AMENDMENT
Council District 02 (Kyonzté Toombs)
Staff Reviewer: Cory Clark

A request to amend the Bordeaux-Whites Creek-Haynes Trinity Community Plan by changing the policy from Urban Neighborhood Evolving (T4 NE) to Urban Neighborhood Center (T4 NC) for properties located at the southwest corner of Cliff Drive and Buena Vista Pike, zoned R8 (One and Two-Family Residential) (approximately 1.12 acres).

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend the 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 Urban Neighborhood Evolving (T4 NE) to Urban Neighborhood Center (T4 NC) for properties located at the southwest corner of Cliff Drive and Buena Vista Pike, zoned R8 (One and Two-Family Residential) (1.12 acres)

BORDEAUX-WHITES CREEK-HAYNES TRINITY COMMUNITY PLAN

Current Policy

Urban Neighborhood Evolving (T4 NE) policy is intended to create and enhance neighborhoods—to include greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques. T4 NE areas will have higher densities and/or smaller lot sizes, with a broader range and integrated mixture of housing types than some surrounding urban neighborhoods.

The Haynes Trinity Small Area Plan was adopted in 2017. The small area plan includes a Mobility Supplemental Policy to enhance street connections and an alley network along with an Open Space Concept Map to add more greenspaces and trails.

The proposed community character policy amendment does not require any changes to the small area plan and the Mobility Supplemental Policy remains in place.

Requested Policy

Urban Neighborhood Center (T4 NC) policy is intended to maintain, enhance, and create urban neighborhood centers that provide daily needs and services for surrounding urban neighborhoods. T4 NC areas are pedestrian friendly, generally located at the intersection of urban streets, and contain commercial, mixed-use, office, and residential land uses that provide services to meet the daily needs of urban neighborhood residents within a five-to-ten-minute walk.

BACKGROUND

This community plan amendment was initiated by the Metro Planning Department at the request of District 2 Councilmember Kyonzté Toombs. The community plan amendment will amend the Bordeaux-Whites Creek-Haynes Trinity Community Plan by changing the community character policy from Urban Neighborhood Evolving (T4 NE) to Urban Neighborhood Center (T4 NC) for properties located at the southwest corner of Buena Vista Pike and Cliff Drive. There was a small clerical error in the notice that was sent out. The notice indicated the amendment was considering a policy change from Suburban policy to Suburban policy but noted T4. The proposed change is from Urban policy (T4) to Urban policy (T4).

COMMUNITY PARTICIPATION

As part of the policy review, the Planning Department determined the proposed plan amendment to be minor with a required community meeting. On Thursday, December 20, 2023, Community Plans staff conducted a virtual community meeting to discuss the community plan amendment. Approximately half a dozen people attended, including Councilmember Kyonzté Toombs, and staff from Community Plans and Information Technology Services. No community members attended; however, Community Plans staff proceeded with the presentation so that it could be recorded for future viewing. The recorded meeting was posted to Metro Nashville Network's YouTube Channel, and since that time, the video has been viewed 30 times. As of the writing of this report, staff has not received any concerns or comments regarding the policy change.

ANALYSIS

NashvilleNext Growth and Preservation Concept Map

The Growth & Preservation Concept Map (Concept Map) is a county-wide vision and tool to shape improvements in quality of life so that new development and redevelopment align with community values. The Concept Map designates the community plan amendment area (site) as Transition and Infill. These areas may consist of moderately dense residential and small-scale offices that are appropriate along and around prominent corridors and centers to provide a harmonious connection to surrounding neighborhoods. Transition and Infill is applied to properties along the entire length of Buena Vista Pike starting near Greater View Primitive Baptist Church and continuing east along Buena Vista Pike as it transitions to West Trinity Lane before ending near the intersection of West Trinity Lane and Liberia Street. A policy change from T4-NE to T4-NC will not change the Concept Map's designation.

Community Character Policy

Nashville-Davidson County is divided into 14 Community Plan areas which provide history and context along with community-specific issues, strategies, and visions of how different places in the community could change over time. The Bordeaux-Whites Creek-Haynes Trinity Community Plan uses community character policies that are tailored to the rural, suburban, and urban character of its neighborhoods and areas. The site is in the T4 Urban Transect category which consists of historic inner-ring neighborhoods as well as new neighborhoods which are intended to be developed in a more intense, urban fashion. In this transect interaction is a product of density of housing, a mixture of uses, and streets and open spaces that create a welcoming public realm. Urban neighborhood centers exist within walking distance of homes and provide residents with daily needs and conveniences. These centers are often mixed-use in nature providing commercial uses on the ground floor and residential on the upper floors, adding to the bustling atmosphere of the neighborhood. Urban neighborhood centers complement the density and housing mix that surrounds them.

The amendment area is also in the Haynes Trinity Small Area Plan which focuses on creating a lively complete urban community with an integrated mixture of housing within walking distance of neighborhood services and a highly connected street system with sidewalks, bikeways, and transit facilities. This policy change does not require any changes to the small area plan.

Transportation and Connectivity

The Major & Collector Street Plan (MCSP) is a comprehensive plan and implementation tool used to address the needs of bicyclists, pedestrians, public transit users, and vehicular users by guiding public and private investment of the roadway infrastructure in Nashville and Davidson County. Urban neighborhood centers serve urban neighborhoods, and where the center's intensification is supported by adequate infrastructure and access, such as the intersection of an arterial boulevard, collector avenue or local street. The site is located at the intersection of Buena Vista Pike, classified as an arterial boulevard by the MCSP, and Cliff Drive. Cliff Drive is classified as a collector avenue as it runs northeast from Clarksville Pike and becomes a local street once it intersects and crosses over Buena Vista Pike. The Mobility Supplemental Policy calls for street connections and alley connections in this area to build out the street grid.

There are existing sidewalks near the site along both sides of Buena Vista Pike, leading west all the way to Clarksville Pike and continuing east up Buena Vista Pike as it transitions to West Trinity Lane. Sidewalks continue all the way east to Interstate 24. Bikeways need to be enhanced as currently there are no separated bicycle lanes along Buena Vista Pike. Access to public transit is provided by WeGo #22 bus route with a bus stop located at the intersection of Buena Vista Pike and Cliff Drive.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0)

Resolution No. RS2024-105

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023CP-003-005 is approved. (8-0)

2. 2016SP-019-007

SILO BEND SP (AMENDMENT)

Council District 20 (Rollin Horton)

Staff Reviewer: Donald Anthony

A request to amend a portion of a Specific Plan for property located at 54th Avenue North (unnumbered), at the current terminus of 54th Avenue North, zoned SP (8.1 acres), to permit up to 320 multi-family residential units in Zone 1 and to modify allowed heights within Zone 1, requested by Barge Cauthen and Associates, applicant; R Manuel Centennial GP, owner.

Staff Recommendation: Defer to the July 25, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2016SP-019-007 to the July 25, 2024, Planning Commission meeting. (8-0)

3a. 2016SP-040-003

BETHWOOD COMMONS (AMENDMENT)

Council District 05 (Sean Parker)

Staff Reviewer: Jason Swaggart

A request to amend a Specific Plan 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, requested by Dale & Associates, Inc., applicant; Upside, LLC, owner (See associated case 2024Z-042PR-001).

Staff Recommendation: Defer to the June 27, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2016SP-040-003 to the June 27, 2024, Planning Commission meeting. (8-0)

3b. 2024Z-042PR-001

Council District 05 (Sean Parker)

Staff Reviewer: Jason Swaggart

A request to rezone from SP to RS7.5 zoning for a portion of property located at Bethwood Drive (unnumbered), at the northern terminus of Bethwood Drive (1.35 acres), requested by Dale & Associates, applicant; Upside, LLC, owner (See associated case 2016SP-040-003).

Staff Recommendation: Defer to the June 27, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024Z-042PR-001 to the June 27, 2024, Planning Commission meeting. (8-0)

4a. 2021SP-009-001

NOVEL RICHLAND CREEK

Council District 24 (Brenda Gadd)

Staff Reviewer: Dustin Shane

A request to rezone from SCC to SP zoning for a portion of property located at 40 White Bridge Pike, about 375 feet west of Post Place and located within a Commercial Planned Unit Development Overlay District (3.67 acres), to permit a mixed-use development, requested by Barge Cauthen and Associates, applicant; SCG Lion's Head LLC, owner (see associated case 78-74P-003).

Staff Recommendation: Defer to the June 27, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-009-001 to the June 27, 2024, Planning Commission meeting. (8-0)

4b. 78-74P-003

LIONS HEAD VILLAGE (AMENDMENT)

Council District 24 (Brenda Gadd)

Staff Reviewer: Dustin Shane

A request to amend a portion of a Commercial Planned Unit Development Overlay District on a portion of property located at 40 White Bridge Pike, about 375 feet west of Post Place, zoned SCC (3.67 acres), to add multi-family residential as a permitted use and to permit a maximum of 277 multi-family units, requested by Barge Cauthen and Associates, applicant; SCG Lion's Head LLC, owner (see associated case 2021SP-009-001).

Staff Recommendation: Defer to the June 27, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 78-74P-003 to the June 27, 2024, Planning Commission meeting. (8-0)

5. 2022SP-021-001

BERKHAMSTEAD

Council District 31 (John Rutherford)

Staff Reviewer: Laszlo Marton

A request to rezone from AR2a to 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, requested by CSDG, applicant; Blackburn Family Limited Partners II LP, owner.

Staff Recommendation: Defer to the June 27, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-021-001 to the June 27, 2024, Planning Commission meeting. (8-0)

6. 2024SP-013-001

3124 MURFREESBORO PIKE

Council District 08 (Deonté Harrell)

Staff Reviewer: Jason Swaggart

A request to rezone from AR2A to 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, requested by Kimley-Horn, applicant; Ammon & Ruth Shreibman and NIR Homes Inc., owners.

Staff Recommendation: Defer to the June 27, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-013-001 to the June 27, 2024, Planning Commission meeting. (8-0)

7. 2024SP-014-001

6103 MT. VIEW ROAD

Council District 08 (Deonté Harrell)

Staff Reviewer: Jason Swaggart

A request to rezone from AR2A and R8 to SP zoning 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, requested by Kimley-Horn, applicant; Ammon & Ruth Shreibman, owners.

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

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 (SP) 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.

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. 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 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

Approve 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.
- 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

Approve 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

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)	22.18	-	92 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
-	-	-	+ 45	+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: 22 Elementary 10 Middle 16 High

The proposed SP zoning is expected to generate 24 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 overcapacity. 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

- 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.
- On corrected copy, update maximum height: Height shall be limited to two stories in 38 feet.
- With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.
- 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.
- 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.
- 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.
- 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.
- Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted,

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

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

10. Comply with all conditions and requirements of Metro reviewing agencies.

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

Kris Keown, Meritage Homes, 2555 Meridian Blvd, Suite 100, Franklin, spoke in favor of the application.

Jeremiah Wooten, 1828 Wild Oaks Court, spoke in favor of the application.

Jennifer Samardak, 3408 Maple Timber Drive, spoke in opposition to the application.

Brian Tull, 3601 Lake Towne Drive, spoke in opposition to the application.

Dian Polnitz, 3420 Maple Timber Drive, spoke in opposition to the application.

Darryl Polnitz, 3420 Maple Timber Drive, spoke in opposition to the application.

Lori Tull, 3601 Lake Towne Drive, spoke in opposition to the application.

Kris Keown spoke in rebuttal.

Chair Adkins closed the Public Hearing.

Councilmember Gamble asked how Councilmember Harrell felt about this project.

Ms. Milligan stated staff had an opportunity to speak to Councilmember Harrell and learned that he held an additional community meeting last night. Also, it was learned that Councilmember Harrell is generally supportive but interested in considering some amendments related to traffic calming and tree protection.

Councilmember Gamble stated housing is needed and this looks like a good project. She said she understands neighbors' concerns regarding traffic and flooding and asked if there are any flooding mitigation plans in the development to address those concerns.

Mr. Swaggart advised Metro Stormwater reviews all plans going to the Planning Commission and has approved the plan, so it meets all the regulations. He said when it comes in for final review, they will take further evaluation to make sure it meets all the requirements.

Councilmember Gamble asked if the planned traffic light at Mt. View Road and Hamilton Church Road is part of the SP and if it was explained during the community meetings.

Mr. Swaggart said there is already a traffic light at that location.

Ms. Milligan advised there will be improved cross walks to provide for connectivity to the school. She said there was a Multimodal Transportation Analysis completed as part of the review which NDOT reviewed and approved and included conditions related to the traffic mitigation.

Councilmember Gamble said this meets policy regulations but she still has concerns and is happy the Councilmember is considering doing amendments. She asked for clarification on the connection to the existing neighborhood.

Mr. Swaggart explained that is planned through the existing development and when the Commission considered it the first time, it was considered that it would provide access to the site for street connectivity.

Councilmember Gamble asked if there are sidewalks in the neighboring neighborhood.

Ms. Milligan stated there are not on Maple Timber Drive but there would be on all of the new streets.

Councilmember Gamble said she is curious if there was any discussion for sidewalks.

Ms. Milligan stated that with the Multimodal Transportation Analysis, they would have looked at the impact of this, but they did not look into extensive off site sidewalks into the neighboring neighborhood.

Ms. Leslie asked if there will be sidewalks along the streets.

Mr. Swaggart stated all new streets proposed will have sidewalks on both sides and sidewalks along the frontages.

Ms. Leslie asked if there are plans to widen the existing street.

Mr. Swaggart explained there is right-of-way dedication and they will be improving where needed. They will build sidewalks along Hamilton Church Road and Mt. View Road.

Ms. Leslie asked if there will be anything done other than the sidewalks, as it looks very narrow.

Ms. Milligan responded there are requirements for improvement to add turn lanes into the neighborhood.

Mr. Henley asked if there is traffic control particularly around speeding in the community.

Ms. Milligan explained there are a couple different ways traffic calming can be handled. There is a traffic calming program that existing neighborhoods can apply through NDOT, and all of those projects are ranked and then neighborhoods are chosen based on priority. She further explained they have seen, through SPs, where a Councilmember can ask the developer to work with NDOT for the new neighborhood to install traffic control measures. Ms. Milligan stated that because it is a new ground-up development, they can build the roads in such a way that it can calm traffic, but it is more difficult to ask a developer to go into existing neighborhoods to do traffic control without the entire neighborhood going through the whole traffic calming program.

Ms. Kempf said if the Commission could add a condition to reinforce that and encourage the developer to work with the Councilmember on the new development to impose new standards.

Mr. Henley stated creating a new inlet and outlet will likely encourage that behavior and felt that is something they should encourage in the comments to the Councilmember.

Ms. Dundon asked if the sidewalks are going to connect to the neighboring communities.

Ms. Milligan responded the sidewalks will be on the new streets and will taper into an ending. She advised sidewalks are required on all new streets; but at one point, sidewalks were not required on subdivision streets. Ms. Milligan said it is not uncommon where subdivisions were previously approved under one standard are meeting subdivisions approved under the new standard, and the sidewalks do not align.

Ms. Kempf added they are working with NDOT on rethinking their approach to sidewalk development. She stated they would recommend sidewalks here even if they do not connect elsewhere because of their adjacency to Mt. View Road and extensions towards the school.

Mr. Marshall asked if he was correct that if they approve with the conditions, the final decision goes to Council for three readings.

Councilmember Gamble responded in the affirmative.

Chair Adkins stated there are challenges with subdivisions without sidewalks in that a lot of times utilities; electric, gas, water and sewer have to be moved. He thanked the neighbors for attending and they were heard loud and clear. Chair Adkins said he would like there to be an extra condition put in the motion to work with NDOT on traffic calming measures.

Mr. Henley moved and Ms. Dundon seconded the motion to approve with conditions and disapprove without all conditions, including a condition for the property owner to work with NDOT on traffic calming measures. (8-0)

Resolution No. RS2024-106

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-014-001 is approved with conditions and disapprove without all conditions, including a condition for the property owner to work with NDOT on traffic calming measures. (8-0)

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. On corrected copy, update maximum height: Height shall be limited to two stories in 38 feet.
3. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.

4. 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.
5. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
6. The final site plan shall 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.
7. 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.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
10. Comply with all conditions and requirements of Metro reviewing agencies.

8. 2024SP-016-001

751 S. 5TH STREET

Council District 06 (Clay Capp)

Staff Reviewer: Jason Swaggart

A request to rezone from CS to 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, requested by Dream Capital Management LLC, applicant; Professional Services Industries, Inc., owner.

Staff Recommendation: Defer to the June 27, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-016-001 to the June 27, 2024, Planning Commission meeting. (8-0)

9. 2024S-001R-001

Countywide

Staff Reviewer: Seth Harrison

A request to amend the Subdivision Regulations of Nashville-Davidson County, adopted on March 9, 2006, and last amended on January 21, 2021, requested by the Metro Planning Department, applicant.

Staff Recommendation: Defer to the June 27, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024S-001R-001 to the June 27, 2024, Planning Commission meeting. (8-0)

10. 2024S-031-001

GILLOCK STREET

Council District 07 (Emily Benedict)

Staff Reviewer: Dustin Shane

A request for concept plan approval on properties located at 714B, 716 Gillock Street and Gillock Street (unnumbered), approximately 360 feet south of Hilltop Avenue, zoned RS5 (1.09 acres) to permit 5 lots, requested by W.T. Smith Land Surveying, applicant; Turnkey Builders, LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Concept plan to create 5 lots.

Concept Plan

A request for concept plan approval on properties located at 714B, 716 Gillock Street and Gillock Street (unnumbered), approximately 360 feet south of Hilltop Avenue, zoned Single-Family Residential (RS5) (1.09 acres) to permit 5 lots.

SITE DATA AND CONTEXT

Location: The site is located on the southern side of Gillock Street west of the intersection with Hilltop Lane. The site abuts a CSX rail line to the west.

Street Type: The site has frontage onto Gillock Street, which is a local street. The plan proposes a new local street extending south from Gillock Street and ending in a temporary turnaround and stub-out at the property line.

Approximate Acreage: 1.09 acres or 47,480 sq. ft.

Parcel/Site History: This site is comprised of four parcels; the parcels were all created in 1969.

Zoning History: The site is zoned Single-Family Residential (RS5). It has been zoned RS5 since 1998.

Existing land use and configuration: Three of the parcels are identified as vacant residential land, with Parcel 141 (716 Gillock Street) containing a single-family residential use. The southern portion of the site wraps to the east behind properties fronting Gillock Street and Hilltop Lane, to the east.

Surrounding land use and zoning:

- North: Single-Family Residential (RS7.5)
- South: Single-Family Residential (RS5)
- East: Single-Family Residential (RS5)
- West: Single-Family Residential (RS10); Railroad ROW

Zoning: Single-Family Residential (RS5)

- Min. lot size: 5,000 sq. ft.
- Min. building coverage: 0.50
- Min. rear setback: 20'
- Min. side setback: 5'
- Min. street setback: 20' or Contextual per Zoning Code
- Max. height: 3 stories

PROPOSAL DETAILS

Number of lots: 5

Lot sizes: Lots range from 5,084 to 7,796 sq. ft in size.

Access: The lots have frontage onto the proposed new local street, and the site draws access from Gillock Street.

Open space: One open space of 5,015 square feet is proposed at the entrance to the subdivision, west of the new street, that will contain stormwater mitigation features.

Subdivision Variances or Exceptions Requested: None

APPLICABLE SUBDIVISION REGULATIONS

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

Prior versions of Subdivision Regulations for Nashville and Davidson County contained a uniform set of standards that were applied Metro-wide. This did not take into account the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is located within the Urban Neighborhood Maintenance (T4 NM) policy. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For sites within the T4 Urban transect, the conventional regulations found in Chapter 3 are utilized.

3-1 General Requirements

Staff finds that all standards are met.

3-2 Monument Requirements

Monuments will be placed on property corners or referenced to property lines consistent with the requirements of the subdivision regulations.

3-3 Suitability of the Land

Land which the Planning Commission finds to be unsuitable for development due to flooding, steep slopes, rock formations, problem soils, sink holes, other adverse earth formations or topography, utility easements, or other features which may be harmful to the safety, health and general welfare of inhabitants of the land and surrounding areas shall not be subdivided or developed unless adequate methods to solve the problems created by the unsuitable land conditions are formulated.

Staff finds that the land is suitable for development consistent with this section.

3-4 Lot Requirements

All proposed lots comply with the minimum lot size of the Zoning Code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of RS5 zoning at the time of building permit. All proposed lots have frontage on a new public street.

3-5 Infill Subdivisions

In order to ensure compatibility with the General Plan, the Commission has adopted specific regulations applicable to infill subdivisions, defined as residential lots resulting from a proposed subdivision within the R, R-A, RS, and RS-A zoning districts on an existing street. If a proposed infill subdivision meets all of the adopted applicable regulations, then the subdivision is found to be harmonious and compatible with the goals of the General Plan.

Not applicable. No lots are proposed fronting on an existing street.

3-6 Blocks

All proposed block lengths meet the distance requirements as established in the subdivision regulations.

3-7 Improvements

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

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

Sidewalks are required in association with new streets. The proposed subdivision includes new public streets. The proposed concept plan indicates sidewalks will be provided consistent with the local street standard for the proposed new public street. Sidewalks will be required at the time of building permit pursuant to Section 17.20.120 of the Zoning Code.

3-9 Requirements for Streets

The application proposes one new local street perpendicular to and drawing access from Gillock Street. The new road will end in a hammerhead stub out to the property to the south for future connectivity to the south. The stub out will be over 150 feet long and therefore requires a temporary turnaround, which is provided by a hammerhead turnaround identified within portions of Lots 3 and 5, under fire access turnaround easements. Public street requirements are reviewed by Nashville DOT. Metro Fire and NDOT have reviewed the concept plan and found it to be in compliance with the standards of this section subject to several conditions. Those conditions are listed in the recommendations from all agencies section below.

3-10 Requirements for Dedication, Reservations, or Improvements

The application proposes one local street with a right-of-way width that varies from 46 feet to 51 feet of right-of-way per NDOT requirements. Right-of-way and easements for this project will be dedicated with the final plat.

3-11 Inspections During Construction

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

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

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

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

Not applicable to this case. The concept plan does not propose any new private streets.

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

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

3-16 Sewerage Facilities

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

3-17 Underground Utilities

Utilities are required to be located underground whenever a new street is proposed. All utilities for the proposed subdivision will be located underground.

PLANNING STAFF COMMENTS

The proposed subdivision meets the standards of the Metro Subdivision Regulations for a major subdivision and the standards of the Metro Zoning Code. Future development will be required to meet the standards of the Metro Zoning Code regarding setbacks, building heights, etc.

POLICY CONSIDERATIONS

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

The Community Character Manual (CCM) policy applied to the site is Urban Neighborhood Maintenance (T4 NM). T4 areas are urban neighborhoods characterized by their moderate- to high-density residential development pattern, building form/types, setbacks, and building rhythm along the street. T4 NM areas are intended to experience some changes over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. High levels of connectivity with street networks and sidewalks are a key feature of T4 NM areas. Lot sizes within the broader policy can vary, and zoning districts ranging from RS3.75 up to RM20-A are supported depending on context.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

- Approved temporary easement as noted.

STORMWATER RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT ROADS RECOMMENDATION

Approve

NASHVILLE DOT TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

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

STAFF RECOMMENDATION

Staff recommends approval with conditions.

RECOMMENDED ACTION

Motion to approve with conditions proposed subdivision Case No. 2024S-031-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances, and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

CONDITIONS

1. On corrected copy, provide total acreage on the cover sheet.
2. On corrected copy, remove Note #3 (Drawing Illustration note).
3. Pursuant to 2-2.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.
4. Pursuant to 2-2.5.f of the Metro Subdivision Regulations, the approval of a concept plan shall be effective for four years from the date of Planning Commission approval to the recording of the final plat or a phase of the plat as described in Section 2-2.5.g.

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

Patrick Napier, 2002 Richard Jones Road, spoke in favor of the application.

Sheri Hendel, 777 Gillock Street, spoke in opposition to the application.

Maggie Ford, 714 Gillock Street, spoke in opposition to the application.

Patrick Napier spoke in rebuttal.

Chair Adkins closed the Public Hearing.

Chair Adkins asked for Ms. Milligan to explain the difference between a rezoning and a subdivision request.

Ms. Milligan explained a rezoning is where someone is asking for a change in what is permitted on the property. A zone change is a legislative action and requires approval of the Metro Council. Subdivisions are the creation of lots. Subdivision approval is fully within the Planning Commission purview. She further explained the State has adopted enabling legislation that grants cities the authority to adopt subdivision regulations. The creation of lots happens under the existing zoning and with no increase of entitlements.

Chair Adkins asked Attorney Ladd to explain the legal obligations under subdivision regulations.

Ms. Ladd advised it is generally an administrative review where they are looking at the subdivision regulations and trying to determine if that property is meeting those subdivision regulations. She stated there was a case that said the Planning Commission can look at subdivisions to ensure they are consistent with the general plan.

Chair Adkins reminded the Commissioners that if they do not approve this plan, there has to be a solid reason why it does not meet subdivision regulations.

Mr. Henley said he hoped that the trash collector would have a place to turn around with the new street and on street parking would improve with some kind of parking control measures. He asked if there is any preference they can show for the tree canopy along the property lines of existing homes.

Ms. Milligan said there is a unique circumstance here in that there is a 25 foot set back from the rail line and typically a rear set back is 20 feet. She explained it is not required to be planted as a buffer, but it may give the applicant an opportunity to protect some trees that are within that area, as it is not an area they can build in anyway. Planning would revert to the zoning code for tree requirements.

Mr. Clifton pointed out the staff report indicates the proposed subdivision meets the standards of the subdivision regulations and the standards of the zoning code. He said they do not have a specific reason to justify a denial but hopes the applicant will have further meetings to address the neighbors' concerns.

Ms. Leslie asked if there are certain reasons they have to fall under within a guideline to disapprove.

Ms. Ladd answered that they would look to see what subdivision regulations this is triggering and then they would work their way through those regulations to determine they are or are not being met.

Ms. Kempf added they have created subdivision regulations which gives them guidance on where to place streets and how to develop lots in the existing zoning. In this case, staff has determined this subdivision meets the regulations and if they want to disapprove the proposal, they will need to identify one of those characteristics in the subdivision regulations. Ms. Kempf advised the density and lot size is a function of zoning and the zoning decision is not before the Planning Commission.

Ms. Dundon asked if staff would find a subdivision plan that did not meet regulations or there was some question up for debate amongst staff about it, would that be reflected in the staff report.

Ms. Milligan stated subdivisions will not come to the Planning Commission if there is a debate about whether or not it meets something in the subdivision regulations because staff will go back to the applicant to specify what is not being met.

Ms. Kempf said there are times when they have discretion and they will enumerate that in the staff report where they have a choice. She stated they can add a condition to work with the applicant to ask to modify things to help address the neighbors' concerns.

Ms. Ladd repeated they can look at subdivision regulations and also have the ability to make sure the subdivision is consistent with the general plan including its constituent elements in the major street plan.

Ms. Kempf pointed to the policy considerations in the staff report to see how staff evaluated that test. She said this is a T4 Urban Neighborhood Maintenance policy and evaluated against that standard. If this was a Suburban or Rural policy, they might have evaluated it differently.

Ms. Leslie asked if staff determined this is consistent with the general plan.

Ms. Ladd stated staff thinks it is.

Ms. Milligan advised staff is giving the Commission policy considerations as the court has ruled they can consider policies.

Mr. Clifton moved and Councilmember Gamble seconded the motion to approve with conditions and urge the applicant, prior to final site plan, to develop a tree buffer plan adjacent to the rail line and evaluate a tree buffer on lot 4 adjacent to the existing homes in consultation with those homeowners. (8-0)

Councilmember Gamble left the meeting.

Resolution No. RS2024-107

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-031-001 is **approved with conditions and urge the applicant, prior to final site plan, to develop a tree buffer plan adjacent to the rail line and evaluate a tree buffer on lot 4 adjacent to the existing homes in consultation with those homeowners. (8-0)**
CONDITIONS

1. On corrected copy, provide total acreage on the cover sheet.
2. On corrected copy, remove Note #3 (Drawing Illustration note).
3. Pursuant to 2-2.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.
4. Pursuant to 2-2.5.f of the Metro Subdivision Regulations, the approval of a concept plan shall be effective for four years from the date of Planning Commission approval to the recording of the final plat or a phase of the plat as described in Section 2-2.5.g.

11. 2024S-058-001

MINOR SUB PLAT OF THE FRED H. CARNEY PROPERTIES

Council District 01 (Joy Kimbrough)

Staff Reviewer: Laszlo Marton

A request for final plat approval to create two lots on properties located at 7645 and 7651 Bidwell Road, approximately 687 feet south of Baxter Road, zoned AR2A (7.73 acres), requested by OHM Advisors, applicant; Fred Carney, owner.

Staff Recommendation: Withdraw.

The Metropolitan Planning Commission withdrew 2024S-058-001. (8-0)

12. 2024S-073-001

BROOK HOLLOW

Council District 23 (Thom Druffel)

Staff Reviewer: Donald Anthony

A request for concept plan approval to create seven lots and remove reserve parcel status on properties located at 6210, 6214, 6218, and 6222 Harding Pike and Highway 70 S. (unnumbered), at the northeast corner of Brook Hollow Road and Harding Pike, zoned RS80 (13.78 acres), requested by BCA Civil, applicant; Michael Shmerling and Woodlawn Danish Properties, G.P., owners.

Staff Recommendation: Approve with conditions, including exceptions to Section 3-5.2.

APPLICANT REQUEST

Request for concept plan approval to create 7 lots.

Concept Plan

A request for concept plan approval to create seven lots and remove reserve parcel status on properties located at 6210, 6214, 6218, and 6222 Harding Pike and Highway 70 S. (unnumbered), at the northeast corner of Brook Hollow Road and Harding Pike, zoned Single-Family Residential (RS80) (13.78 acres).

SITE DATA AND CONTEXT

Location: The site consists of five existing parcels located along the north side of Harding Pike at the northeast corner of Brook Hollow Road and Harding Pike.

Street Type: The site has approximately 1,060 linear feet of frontage on Harding Pike, an arterial boulevard with an existing right-of-way width of approximately 142 feet. The site also has approximately 550 feet of frontage on Brook Hollow Road, a local street with an existing right-of-way width of 50 feet.

Approximate Acreage: 13.78 acres or approximately 600,254 square feet.

Parcel/Site History: The site consists of four existing lots and a reserve parcel in the West Meade Farms subdivision. The lots were created by plat in 1948 and 1983.

Zoning History: The site has been zoned RS80 since 1998.

Existing Land Use: Four single-family residential units are currently located on the site.

Surrounding Land Use and Zoning:

- North: Single-Family Residential/RS80
- South: Single-Family Residential/R80
- East: Single-Family Residential, Multi-Family Residential/RS20, R20
- West: Single-Family Residential/RS80

Zoning: Single-Family Residential (RS80)

Min. lot size: 80,000 square feet

Max. building coverage: 0.20

Min. rear setback: 20'

Min. side setback: 20'

Max. height: 3 stories

Min. street setback: Contextual per Zoning Code

PROPOSAL DETAILS

Number of lots: 7

Lot sizes: The areas of the proposed lots range from 80,041 (lots 3 and 5) to 116,515 (lot 1).

Access: Access to Lots 1 through 5 is provided from Harding Pike, an arterial boulevard lying adjacent to the subject site on the south. The concept plan indicates that Lots 2-3 and 4-5 will utilize shared driveways. Access to Lots 6 and 7 is provided from Brook Hollow Road, a local street lying adjacent to the subject site on the west. The concept plan indicates that Lots 6 and 7 will utilize a shared driveway.

Subdivision Variances or Exceptions Requested: Yes. Exceptions are needed for lot frontage, lot size, and street setbacks.

APPLICABLE SUBDIVISION REGULATIONS

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

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

3-1 General Requirements

This subdivision is required to meet the standards of Chapter 3. With the exceptions discussed in this report, staff finds that all standards are met.

3-2 Monument Requirements

Does not apply to concept plans. Monuments will be identified with the final plat.

3-3 Suitability of the Land

The site is gently sloped and has no major topographical challenges. However, a wet weather conveyance passes through the northeastern portion of the property. The concept plan includes a 22.5-foot drainage easement to accommodate the conveyance. Staff finds that the land is suitable for development consistent with this section.

3-4 Lot Requirements

All lots comply with the minimum standards of the zoning code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of RS80 zoning at the time of building permit.

3-5 Infill Subdivisions

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

3-5.2 Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Maintenance, except where a Special Policy and/or a Designated Historic District exists. For the purposes of this analysis, "surrounding parcels" is defined by the Subdivision Regulations as the five R, RS, AR2A, or AG parcels oriented to the same block face on either side of the parcel proposed for subdivision, or to the end of the same block face, whichever is less.

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

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

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

Complies. Each lot has frontage on either Harding Pike or Brook Hollow Road, both of which are existing public streets. Lot 6 is a corner lot with frontage on both streets.

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

The T3 NM policy that applies to the site does not specifically identify an appropriate density; however, the policy supports the underlying RS80 zoning district and its prescribed density.

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

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

Lots 1 through 6 have frontage on Harding Pike; these frontages range from 141 feet to 281.68 feet. (Lot 6 is a corner lot that will be oriented toward Harding Pike.) For Lots 1 through 6, there are no surrounding parcels with which to compare, as the Harding Pike block face is formed by Brook Hollow Road on the west and Vossland Drive on the east. Per Section 3-5.2, in cases where there are no surrounding parcels, the Planning Commission may grant an exception to the compatibility requirement by considering a larger area to evaluate general compatibility. More information is provided in the Variance/Exceptions Analysis section below.

The proposed frontage for Lot 7 on Brook Hollow Road complies. Applying the 70 percent standard results in a minimum required frontage of 148.4 feet. Lot 7 has approximately 281 feet of frontage on Brook Hollow Road.

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

As previously noted, Lots 1 through 6 have no surrounding lots with which to compare and per Section 3-5.2, the Planning Commission may grant an exception to the compatibility requirement by considering a larger area to evaluate general compatibility. More information is provided in the Variance/Exceptions Analysis section below.

The proposed lot size for Lot 7 does not comply with surrounding parcels on Brook Hollow Road. Applying the 70 percent standard results in a minimum lot size of 2.13 acres. Lot 7 has a proposed area of 1.87 acres. Therefore, an exception from Section 3-5.2.d.2 would be needed for Lot 7.

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

As previously noted, there are no surrounding lots on Harding Pike for proposed Lots 1 through 6 and per Section 3-5.2, the Planning Commission may grant an exception to the compatibility requirement by considering a larger area to evaluate general compatibility. More information is provided in the Variance/Exceptions Analysis section below.

The proposed 150-foot street setback on Brook Hollow Road for Lots 6 and 7 does not comply. The average street setback of the two parcels north of the subject site is 425.5 feet. Lots 6 and 7 have depths of 281.68 and 287.8 feet, respectively; neither lot has sufficient depth to provide a 425.5-foot street setback. An exception from Section 3-5.2.d.3. would be necessary to permit the 150-foot street setback as proposed.

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

Lots 1 through 5 are oriented toward Harding Pike, which is consistent with the orientation of lots on the opposite side of Harding Pike. Lot 6 is a corner lot, which would also be oriented toward Harding Pike. The preferred approach for single-family lots located along an arterial or collector is for dwelling units to be oriented towards the arterial or collector, with vehicular access provided from the non-arterial or collector street. Lot 7 is oriented toward Brook Hollow Road and complies with this standard.

e. *The current standards of all reviewing agencies are met.*
All agencies have recommended approval or approval with conditions.

f. *If the proposed subdivision meets subsections a, b, c and e of this section but fails to meet subsection d, the Planning Commission, following a public hearing in accordance with the Planning Commission Rules and Procedures, may consider whether the subdivision can provide for the harmonious development of the community by otherwise meeting the provisions of TCA 13-4-303(a). In considering whether the proposed subdivision meets this threshold, the Commission shall specifically consider the development pattern of the area, any unique geographic, topographic, and environmental factors, and other relevant information. The Commission may place reasonable conditions, as outlined in Section 3-5.6, necessary to ensure that the development of the subdivision addresses any particular issues present in an infill subdivision and necessary to achieve the objectives as stated in TCA 13-4-303(a).* This request requires exceptions from Section 3-5.2. pertaining to lot frontage, lot size, and setbacks. The following section discusses each of these exceptions.

Variations/Exceptions Analysis

In cases where surrounding parcels do not exist, Section 3-5.2. of the Subdivision Regulations allows the Planning Commission to grant exceptions to compatibility requirements by considering a larger area to evaluate general compatibility. This section applies to Lots 1 through 6, which have no surrounding lots as defined by the Subdivision Regulations.

In cases where a subdivision does not meet the compatibility standards established in Section 3-5-2., Section 3-5.2.f. allows the Planning Commission to grant exceptions to compatibility requirements if the subdivision can provide for the harmonious development of the community. This section applies to Lot 7, which has surrounding lots but does not meet all compatibility standards. It also applies to the setback along Brook Hollow Road for Lot 6.

Lot Frontage

Section 3-5.2

Lots 1 through 6 have no surrounding lots per the Subdivision Regulations' definition. Planning staff recommends that the Planning Commission consider the lots on the opposite (south) side of Harding Pike for evaluating a larger area for general compatibility. These lots have frontages ranging from 220 feet to 270 feet. The proposed frontages of lots 1 through 6 range from 141 feet (lots 2 through 5) to 281 feet (lot 6). Lots 1 and 6 have the largest frontages at 204.5 feet and 281 feet, respectively; these lots are located at the eastern and western ends of the proposed subdivision. The proposed lots with the least frontage (Lots 2 through 5) would be mid-block lots. The frontages of the lots on the opposite (south) side of Harding Pike range from 220 to 270 feet.

Lot Size

Section 3-5.2

Lots 1 through 6 have no surrounding lots per the Subdivision Regulations' definition. Planning staff recommends that the Planning Commission consider the lots on the opposite (south) side of Harding Pike for evaluating a larger area for general compatibility. These lots have areas of 2.0 acres or slightly greater. Proposed lots 1 through 6 have areas of 1.84 to 2.67 acres. Proposed Lots 2 through 6 have areas comparable to the lots directly across Harding Pike, and the proposed lots exceed the minimum lot size for the zoning district (80,000 square feet) and are still within the general range of lot sizes present on the opposite side of the street.

Section 3-5.2.d.2.

An exception is requested for Lot 7, which does not meet the lot size compatibility standard. Lot 7 has a proposed area of 1.87 acres, while the minimum lot size is 2.13 acres. Like Lots 1 through 6, Lot 7 exceeds the minimum lot size for the RS80 zoning district.

Street Setbacks

Section 3-5.2

Lots 1 through 6 have no surrounding lots per the Subdivision Regulations' definition. Planning staff recommends that the Planning Commission consider the lots on the opposite (south) side of Harding Pike for evaluating a larger area for general compatibility. These lots have street setbacks ranging from 90 feet to 150 feet. The proposed street setback along Harding Pike for Lots 1 through 5 is 183 feet, which is the setback of the existing house on the subject site with the smallest setback; by using this setback, any future development on Lots 1 through 5 would be no closer to the street than this existing structure is today. The proposed street setback along Harding Pike for Lot 6 is 150 feet. The proposed 150-foot and 183-foot setbacks equal or exceed the 90-foot to 175-foot setbacks on the opposite side of Harding Pike.

Section 3-5.2.d.3.

Lots 6 and 7 have frontage on Brook Hollow Road. Exceptions to the setback requirements are requested for both lots. The proposed street setback for both Lots 6 and 7 is 150 feet, which is considerably less than the 425.5-foot minimum. The proposed 150-foot setback for Lots 6 and 7 exceeds the platted 100-foot setback for other lots in the West Meade subdivision located along Brook Hollow Road.

3-6 Blocks

Not applicable. No new blocks are being created.

3-7 Improvements

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

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

Not applicable. Sidewalks are required only in association with new streets. The proposed subdivision is located on an existing street. Sidewalks may be required at the time of building permit pursuant to Section 17.20.120 of the Zoning Code.

3-9 Requirements for Streets

Not applicable. No new streets are proposed.

3-10 Requirements for Dedication, Reservations, or Improvements

Not applicable. No dedication, reservations, or improvements to public infrastructure are required.

3-11 Inspections During Construction

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

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

Not applicable. No new streets are proposed.

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

Not applicable. No private streets are proposed.

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

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

3-16 Sewerage Facilities

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

3-17 Underground Utilities

Not applicable. No new streets are proposed.

Reserve Parcel

A portion of the land included in proposed Lot 1 is currently platted as a reserve parcel. Chapter 2-8, Miscellaneous Platting Situations, applies to this request. Section 2-8.1 pertains to converting parcels to building sites. The Planning Commission is required to review parcels being converted to building sites. An exception to this is when a parcel is in reserve due to pending action by a public utility to provide service to the parcel and the reason is stated on the plat that created the reserve parcel. In the event where the reason is stated in the plat, the review can be done at an administrative level with all reviewing agency approvals. However, because no reason was provided on this plat, action by the Planning Commission is required.

When determining if the reserve status should be removed from parcels where the plat does not cite why the parcel is in reserve, the regulations require the Planning Commission to consider the following:

1. *That the parcel fits into the character of the area and is consistent with the general plan.*
Complies. The existing reserve parcel is 1.37 acres smaller than the minimum lot size of the zoning district, and it does not currently have street frontage as it is located behind a platted lot along Harding Pike. Once the reserve parcel is combined with the platted lot to create proposed Lot 1, the proposed lot will be similarly configured to others in the immediate area and consistent with the recommendations set forth in NashvilleNext.
2. *That all minimum standards of the zoning code are met.*
Complies. The proposed lot meets the minimum standards of the zoning code.
3. *That the parcel has street frontage or meets the requirements of Section 3-4.2.b or meets the requirements of Sections 3-4.2.b, 3-4.2.c, 4-6.3, or 5-3.1.*
Complies. The proposed lot has street frontage on Harding Pike.
4. *That the current standards of all reviewing agencies are met.*
Complies. All reviewing agencies have indicated either approval or approval with conditions.

PLANNING STAFF COMMENTS

With the exceptions for lot frontage, lot size, and setbacks, the proposed subdivision satisfies the standards of the Subdivision Regulations and Metro Zoning Code. Staff recommends approval with conditions, including exceptions to Section 3-5.2.

POLICY CONSIDERATIONS

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

NashvilleNext includes a Community Character Manual (CCM), which establishes character areas for each property within Metro Nashville. The community character policy applied to the entirety of the subject property is Suburban Neighborhood Maintenance (T3 NM). The goal of the T3 NM policy is to maintain suburban neighborhoods as characterized by their development pattern, building form, land use, and associated public realm. T3 NM areas are anticipated to experience some change over time, and when such change occurs, efforts should be made to retain the existing character of the neighborhood. Appropriate land uses in the T3 NM policy area include single-family residential, one and two-family residential, open space, and institutional uses.

In the T3 NM policy area, density is secondary to the form of development. However, T3 NM areas are intended to be low to moderate-density. Since the T3 NM policy is applied to predominantly developed neighborhoods whose character is intended to be maintained, the appropriate density is determined by the existing character of each individual neighborhood in terms of its mix of housing types, setbacks, spacing between buildings, and block structure.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve with conditions

- Preliminary approval only. Final submittal shall meet all requirements of Stormwater Management Manual.

NASHVILLE DOT RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Concept Plan only. Public water and/or sanitary sewer construction plans if necessary to serve the final site development plan lot configuration must be submitted and approved prior to Final Site/Development Plan approval. The approved construction plans must match the Final Site/Development Plans. Any required capacity fees must also be paid prior to Final Site/Development Plan approval.

STAFF RECOMMENDATION

Staff recommends approval with conditions, including exceptions to Section 3-5.2

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2024S-073-001 with conditions, including an exception to Section 3-5.2 of the Subdivision Regulations, based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances, and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

CONDITIONS

1. Lot 6 shall be oriented toward Harding Pike. Access to Lot 6 shall be from Brook Hollow Road.
2. Lots 6 and 7 shall share access from Brook Hollow Road as depicted in the concept plan.
3. The existing stone wall shall be preserved, and damaged or disturbed portions of the wall shall be repaired. Clearly identify the stone wall on the concept plan and label it as "stone wall to be preserved and repaired."
4. Lots 2/3 and Lots 4/5 shall share access from Harding Pike as depicted in the concept plan. Final shared access points to be determined with the final site plan. Attempts shall be made to avoid access points that disturb the existing stone wall.
5. Add note: Landscaping per Metro Zoning Code.
6. To the extent practicable, the developer shall maintain existing trees.
7. Display the 183-foot setback dimension along Harding Pike more clearly on the face of the lots.
8. Comply with all conditions and requirements of Metro reviewing agencies.
9. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

Approve with conditions including exceptions to Section 3-5.2. and updated condition in memo (8-0)

Resolution No. RS2024-108

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-073-001 is approved with conditions including exceptions to Section 3-5.2, and updated condition in memo.(8-0)

CONDITIONS

1. Lot 6 shall be oriented toward Harding Pike. Access to Lot 6 shall be from Brook Hollow Road.
2. Lots 6 and 7 shall share access from Brook Hollow Road as depicted in the concept plan.
3. The existing stone wall shall be preserved, and damaged or disturbed portions of the wall shall be repaired. Clearly identify the stone wall on the concept plan and label it as "stone wall to be preserved and repaired."
4. Lots 2/3 and Lots 4/5 shall share access from Harding Pike as depicted in the concept plan. Final shared access points to be determined with the final site plan. Attempts shall be made to avoid access points that disturb the existing stone wall.

5. Add note: Landscaping per Metro Zoning Code.
6. To the extent practicable, the developer shall maintain existing trees.
7. Display the 183-foot setback dimension along Harding Pike more clearly on the face of the lots.
8. Comply with all conditions and requirements of Metro reviewing agencies.
9. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

13. 2024Z-018PR-001

Council District 02 (Kyonzté Toombs)
Staff Reviewer: Celina Konigstein

A request to rezone from RS7.5 to RM15 zoning for property located at 520 Ewing Drive, approximately 375 feet west of Gwynnwood Drive (3.58 acres), requested by Legacy South, LLC, applicant; Legacy South, LLC, owner.

Staff Recommendation: Withdraw.

The Metropolitan Planning Commission withdrew 2024Z-018PR-001. (8-0)

14. 2024Z-028PR-001

Council District 01 (Joy Kimbrough)
Staff Reviewer: Oscar Orozco

A request to rezone from AR2A to IR zoning for property located at Ashland City Highway (unnumbered), at the northwest corner of Amy Lynn Drive (1.71 acres), requested by Nashville Civil LLC, applicant; DWT, LLC, owner.

Staff Recommendation: Defer to the July 25, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024Z-028PR-001 to the July 25, 2024, Planning Commission meeting. (8-0)

15. 2024SP-002-001

ROCK HARBOR

Council District 20 (Rollin Horton)
Staff Reviewer: Donald Anthony

A request to rezone from IWD and R10 to SP zoning for property located at 525 Basswood Ave. and a portion of property located at 517 Basswood Ave., at the southwest corner of Robertson Ave. and Basswood Ave., (30.2 acres), to permit a mixed-use development, requested by Centric Architecture, applicant; PSF II Rock Harbor Propco LLC and Western Express, Inc., owners.

Staff Recommendation: Defer to the June 27, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-002-001 to the June 27, 2024, Planning Commission meeting. (8-0)

16. 2020S-207-004

CHANDLER RESERVE, PHASE 3

Council District 11 (Jeff Eslick)
Staff Reviewer: Dustin Shane

A request for final plat approval to create 40 lots and an open space on a portion of properties located at Chandler Road (unnumbered) and Hidden Hills Drive (unnumbered), at the current terminus of Flora Grove, zoned R10 (13.29 acres), requested by Wilson and Associates, applicant; Meritage Homes of Tennessee Inc., owners.

Staff Recommendation: Defer to the June 27, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020S-207-004 to the June 27, 2024, Planning Commission meeting. (8-0)

17. 2024S-077-001

DABBS & ELLIOTT SUBDIVISION

Council District 11 (Jeff Eslick)

Staff Reviewer: Savannah Garland

A request for final plat approval to create two lots on properties located at 2400 Lakeshore Drive and 24th Street (unnumbered), at the southeast corner of 24th Street and Dabbs Avenue, zoned RS5 (0.34 acres), requested by Jim McAleer, applicant; Pinnacle Stone Enterprises Inc., owner.

Staff Recommendation: Approve with conditions, including exceptions to Section 3-5.2.

APPLICANT REQUEST

Request for final plat approval to create two lots.

Final Plat

A request for final plat approval to shift lot lines on properties located at 2400 Lakeshore Drive and 24th Street (unnumbered), at the southeast corner of 24th Street and Dabbs Avenue, zoned Single-Family Residential (RS5) (0.33 acres).

SITE DATA AND CONTEXT

Location: The site consists of two parcels located on the corner of Lakeshore Drive and 24th Street.

Street Type: The site has frontage on Lakeshore Drive and 24th Street, both of which are local streets.

Approximate Acreage: 0.33 acres or approximately 14,374 square feet.

Parcel/Site History: This site consists of two lots which were originally platted as Lots No. 1 and 2, Block 15, in the Plan of Dabbs & Elliott in 1925 (Book 547, Page 127).

Zoning History: The property has been zoned Single-Family Residential (RS5) since 2011.

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

Surrounding Land Use and Zoning:

- North: Multi-Family Residential/MUL (Mixed-Use Limited)
- South: Single-Family Residential/RS5
- East: Single-Family Residential/RS5
- West: Single-Family Residential/RS5

Zoning: Single-Family Residential (RS5)

Min. lot size: 5,000 square feet

Max. building coverage: 0.50

Min. rear setback: 20'

Min. side setback: 5'

Max. height: 3 stories

Min. street setback: Contextual per Zoning Code

PROPOSAL DETAILS

Number of lots: 2

Lot sizes: Proposed Lot 1 is approximately 0.22 acres, or 9,374 square feet and proposed Lot 2 is approximately 0.11 acres or 5,000 square feet.

Access: One 16-foot-wide shared access easement located along the western property line is proposed to access the lots from 24th Street.

Subdivision Variances or Exceptions Requested: An exception is required for compatibility standards.

APPLICABLE SUBDIVISION REGULATIONS

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

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

3-1 General Requirements

The proposal meets the requirements of 3-1.

3-2 Monument Requirements

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

3-3 Suitability of the Land

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

3-4 Lot Requirements

The proposed lots comply with the minimum standards of the Zoning Code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of RS5 zoning at the time of building permit. All proposed lots are 5,000 square feet or greater. The proposed Lot 1 has frontage on Lakeshore Drive and 24th Avenue North, both of which are public streets. The proposed Lot 2 has frontage along Lakeshore Drive and unimproved alley right-of-way along the eastern boundary.

3-5 Infill Subdivisions

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

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

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

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

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

Complies. All lots front Lakeshore Drive.

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

The T3 NM policy that applies to the site does not specifically identify an appropriate density; however, the policy supports the underlying RS5 zoning district and its prescribed density.

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

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

The proposed Lot 1 has 93.95 feet of frontage and proposed Lot 2 has 50.05 feet of frontage. The block face is formed by 24th Street to the north and unimproved alley right-of-way to the south. The proposed lots do not have surrounding parcels with which to compare. Per Section 3-5.2, in cases where there are no surrounding parcels, the Planning Commission may grant an exception to the compatibility requirement by considering a larger area to evaluate general compatibility. More information is provided in the Variance/Exceptions Analysis section below.

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

The proposed Lot 1 is 9,374 square feet and proposed Lot 2 is 5,000 square feet. The proposed lots do not have surrounding parcels with which to compare. As previously noted, per Section 3-5.2, when there are no surrounding parcels, the Planning Commission may grant an exception to the compatibility requirement by considering a larger area to evaluate general compatibility. More information is provided in the Variance/Exceptions Analysis section below.

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

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

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

The proposed lots are oriented to Lakeshore Drive, which is consistent with the orientation of lots to the north and south of the subject block and on the opposite side of Lakeshore Drive. Lot 1 is a corner lot and is currently oriented towards Lakeshore Drive.

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

All agencies have recommended approval or approval with conditions.

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

The initial compatibility analysis identified no properties along Lakeshore Drive on the same block face with which to compare. Section 3-5.2.f. above states that if the compatibility requirements are not met, the Planning Commission may consider other factors including the development pattern of the area.

In this case, there are no surrounding parcels with which to compare based on the proposed lot layout. Where surrounding parcels do not exist, the Planning Commission may grant an exception to the compatibility criteria by considering a larger area to evaluate general compatibility.

Variations/Exceptions Analysis

In cases where surrounding parcels do not exist, Section 3-5.2. of the Subdivision Regulations allows the Planning Commission to grant exceptions to compatibility requirements by considering a larger area to evaluate general compatibility.

While this block has no other parcels to be considered as surrounding parcels, there are other parcels to the north, south, and on the east side of Lakeshore Drive that can be used in the consideration of a larger area to evaluate general compatibility.

Lot Frontage

Lots 1 and 2 have no surrounding lots per the definition in the Subdivision Regulations. The Lakeshore Drive block face comprises only the existing parcel located at 2400 Lakeshore Drive, located between 24th Street and the unimproved alley right-of-way along the southern boundary. Planning staff recommends that the Planning Commission consider the lots along both sides of Lakeshore Drive that are oriented towards Lakeshore Drive for evaluating a larger area for general compatibility. There are several parcels to the north and south of the subject block that are also oriented towards Lakeshore Drive. These lots that are oriented toward Lakeshore Avenue have lot frontages ranging from 70 feet to 100 feet. The proposed frontage of Lot 1 is 93.95 feet and the frontage of Lot 2 is 50 feet. Often, differences in frontages can be perceived by the number of driveways and access points. In this case, Lot 1 is currently accessed from a driveway along 24th Street. The plat proposes to create a shared 16-foot-wide access easement from this existing drive, providing access to proposed Lots 1 and 2. Vehicular access will be limited to this shared access easement for both lots. This is intended to avoid creating any additional driveways along Lakeshore Drive to keep the existing rhythm along Lakeshore Drive. In addition to shared access, the existing structure on Lot 1 is intended to remain, and the future development on Lot 2 would be oriented to Lakeshore Drive. This is consistent with the orientation and surrounding pattern of the parcels on both sides of Lakeshore Drive to the north and south of the subject site.

Lot Size

Lots 1 and 2 have no surrounding lots per the Subdivision Regulations' definition. Planning staff recommends that the Planning Commission consider the lots oriented to Lakeshore Drive for evaluating a larger area for general compatibility. These lots have areas of 0.27 acres or slightly greater. Proposed Lots 1 and 2 have areas of 0.22 and 0.11 acres, respectively, and meet the minimum lot size for the zoning district (5,000 square feet). The plat also includes a note limiting height to two stories in 35 feet which is intended to be sensitive to the surrounding development pattern and control the height on parcels with reduced lot sizes. While the smaller lots in this area are typically found internal to the blocks off Lakeshore Drive, given that the proposed plat includes a shared access easement and an additional note related to limiting height to two stories in 35 feet, staff finds that the requested exception to lot size is appropriate.

Street Setbacks

Lots 1 and 2 have no surrounding lots per the Subdivision Regulations' definition. The plat does not include any setbacks. Planning staff would consider an exception to the requirement of platting the setbacks as future building setbacks will be determined by Metro Codes at the time of building permit.

Given this information, staff finds the proposed lots to be consistent with the larger area and that an exception to compatibility requirements would be appropriate.

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

Not applicable to this case.

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

Not applicable to this case.

3-5.5 Infill Subdivision Frontage

Not applicable to this case.

3-5.6 Reasonable Conditions

Not applicable to this case.

3-6 Blocks

Not applicable. No new blocks are being created.

3-7 Improvements

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

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

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

3-9 Requirements for Streets

Not applicable. No new streets are proposed.

3-10 Requirements for Dedication, Reservations, or Improvements

No additional ROW is required because both streets are currently at the minimum ROW for local street.

3-11 Inspections During Construction

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

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

Not applicable. No new streets are proposed.

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

Not applicable. No private streets are proposed.

3-14 Drainage and Storm Sewers

Not applicable. No new drainage and storm sewers are proposed.

3-15 Public Water Facilities

Metro water services has approved with conditions.

3-16 Sewerage Facilities

Metro water services has approved with conditions.

3-17 Underground Utilities

There are no new utilities proposed.

PLANNING STAFF COMMENTS

With the exception of the compatibility criteria, the proposed subdivision meets the standards of the Metro Subdivision Regulations and Metro Zoning Code. Future development will be required to meet the standards of the Metro Zoning Code regarding setbacks, building heights, etc.

POLICY CONSIDERATIONS

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

NashvilleNext includes a Community Character Manual (CCM) which established character areas for each property within Metro Nashville. The community character policy applied to this property is T3 Suburban Neighborhood Maintenance. The intent of T3 NM policy is to maintain the general character of suburban neighborhoods as characterized by their development pattern, building form, land use, and associated public realm. The T3 NM policy is low- to moderate-density residential development and institutional land uses with lots generally accessed from local streets. The proposed subdivision maintains the low- to moderate-density residential development and meets the general characteristics of the T3 NM policy.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions.

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

STAFF RECOMMENDATION

Approve with conditions including exceptions to Section 3-5.2.

CONDITIONS

1. On the corrected copy, add "See Note #22" to the shared access easement label on the face of the plat.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

Approve with conditions including exceptions to Section 3-5.2. (8-0)

Resolution No. RS2024-109

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-077-001 is approve with conditions including exceptions to Section 3-5.2. (8-0)

CONDITIONS

1. On the corrected copy, add "See Note #22" to the shared access easement label on the face of the plat.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

18. 2024Z-054PR-001

Council District 17 (Terry Vo)
Staff Reviewer: Savannah Garland

A request to rezone from CS to MUL-A-NS zoning for property located at 924 8th Ave. South, approximately 142 feet north of Archer Street (0.44 acres), requested by Fulmer Lucas Engineering, applicant; Easy Eye Sound Trust, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from CS to MUL-A-NS.

Zone Change

A request to rezone from Commercial Service (CS) to Mixed Use Limited-Alternative-No Short-Term Rental Property (MUL-A-NS) for property located at 924 8th Avenue South, approximately 142 feet north of Archer Street (0.44 acres).

Existing Zoning

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

Proposed Zoning

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

GREEN HILLS – MIDTOWN COMMUNITY PLAN

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

ANALYSIS

The application consists of one parcel (Map 105-02, Parcel 448) totaling 0.44 acres, located along the east side of 924 8th Avenue South, and 142 feet north of Archer Street. The property has been zoned Commercial Service (CS) since 2007 and contains a single-story structure. The application proposes to rezone the property from CS to MUL-A-NS. The surrounding land uses are primarily commercial with some office and medical land uses along the corridor. The surrounding zoning includes Industrial Warehousing/Distribution (IWD), Specific Plan (SP), Commercial Service (CS) and Mixed Use General (MUG) along the corridor. This parcel has frontage along 8th Avenue South, which is classified as an arterial boulevard by the Major and Collector Street Plan (MCSP). The parcel also has vehicular access via improved Alley #389 and Alley #402, south and east of the parcel.

The property is located within the Urban Mixed-Use Corridor (T4 CM) policy. These policy areas prioritize higher-intensity mixed use and commercial uses at intersections. T4 CM areas are pedestrian-friendly, prominent arterial-boulevard and collector-avenue corridors that accommodate a mixed-use of developments. The site is located next to two WeGo bus stops with sidewalks present on either side of the street. The proposed Alternative (-A) standard would ensure that future development on the site has an urban form, consistent with the policy guidance. The T4 CM policy supports high access management, served by highly connected street networks, sidewalks, and mass transit. The MUL-A-NS zoning district may be used in areas planned for concentrations of mixed commercial uses and for existing areas of commercial development. The existing sidewalk and improved alleyways help provide enhanced connectivity, aligning with the policy goals. Given the surrounding uses and the site's location along the corridor, coupled with improved alleys for better access management to the site, Staff recommends approval as the proposed MUL-A-NS district fits the context of the area and aligns with the goals of T4 CM policy.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.44	0.6 F	11,500 SF	434	11	44

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	0.22	1.0 F	10 U	53	4	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.11	1.0 F	4,791 SF	181	5	18

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.11	1.0 F	4,791 SF	537	47	47

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+337	+45	+26

METRO SCHOOL BOARD REPORT

Given the mix of uses, the number of students could vary and assumption of impact at this point is premature. Students would attend Waverly-Belmont Elementary School, John Trotwood Moore Middle School, and Hillsboro High School. All three schools are identified as at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0)

Resolution No. RS2024-110

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-054PR-001 is approved. (8-0)

19. 2024Z-055PR-001

Council District 07 (Emily Benedict)
Staff Reviewer: Laszlo Marton

A request to rezone from RS7.5 to RS3.75 zoning for a portion of property located at 1245 Kenmore Place, at the current terminus of Love Joy Court (0.68 acres), requested by Williams & Associates Engineering, Inc., applicant; Dale M. Ferguson ET UX, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS7.5 to RS3.75.

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to Single-Family Residential (RS3.75) zoning for a portion of property located at 1245 Kenmore Place, at the current terminus of Love Joy Court (0.68 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. *Based on acreage alone for the portion of the property being rezoned, RS7.5 would permit a maximum of three single-family lots.*

Proposed Zoning

Single Family Residential (RS3.75) requires a minimum 3,750 square foot lot and is intended for single-family dwellings at a density of 9.87 dwelling units per acre. *Based on acreage alone for the portion of the property being rezoned, RS3.75 would permit a maximum of seven single-family lots*

EAST 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.

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.

ANALYSIS

The application consists of one parcel (Map 072-07, Parcel 088) totaling 1.2 acres, located at the current terminus of Love Joy Court, however the rezoning request is solely for a portion of the parcel, totaling approximately 0.68 acres. The entirety of the property has been zoned RS7.5 since 1998 and contains a single-story home. Surrounding properties are zoned RS3.75 and RS7.5 while surrounding uses are primarily single-family residential.

The application proposes to rezone a portion of the property from RS7.5 to RS3.75. 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 neighborhoods. T4 NM policy is generally supportive of a mixture of housing types in areas with underutilized land. The subject property is particularly deep and has more underutilized land towards the rear (northern) portion of the property than other properties in the vicinity to the east, as well as proximity to existing infrastructure along Love Joy Court, making it an appropriate location to allow smaller infill lots. The proposed RS3.75 zoning could allow for the creation of lots that are similar in size to those directly to the east along Love Joy Court. Any future subdivision application would have to meet the requirements of the Metro Subdivision Regulations, likely including the extension of Love Joy Court. Given the request to rezone to RS3.75 is solely on the undeveloped rear portion of the property, and that the front portion of the property will be retained as RS7.5 with a lot pattern along Kenmore Place consistent with the existing adjacent development, staff finds the rezoning request to be consistent with policy goals of maintaining the existing development pattern along existing streets and, therefore, staff recommends approval.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.68	4.41 D	3 U	41	7	3

Maximum Uses in Proposed Zoning District: **RS3.75**

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)	0.68	10.29 D	7 U	90	9	8

Traffic changes between maximum: **RS7.5 and RS3.75**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+4	+49	+2	+5

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed RS3.75 district: 1 Elementary 0 Middle 0 High

The proposed RS3.5 zoning is expected to generate one more student than the existing RS7.5 zoning. Students would attend Inglewood Elementary School, Isaac Litton Middle School, and Stratford STEM Magnet High School. Inglewood Elementary is identified as at capacity while Isaac Litton Middle School and Stratford STEM Magnet High School are 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.

Mr. Marton presented the staff recommendation to approve.

Ashley Hull, 5507A Louisiana Avenue, spoke in favor of the application.

Linda Sparks, 1211 Shelton Avenue, spoke in opposition to the application.

Jennifer Boyer, 1220 Kenmore Place, spoke in opposition to the application.

Ashley Hull spoke in rebuttal.

Chair Adkins closed the Public Hearing.

Mr. Marshall stated he hears the concerns of the neighbors but it appears that everything meets policies and guidelines and this seems like it would improve this street.

Mr. Clifton said that from a Planning perspective it makes sense, which then makes it a policy decision for the Metro Council.

Ms. Dundon asked how they rezone a portion of one parcel.

Ms. Milligan explained it is common to rezone portions of property. It is not a legal description. There is a sketch that is filed with the Council and they map it in their mapping department. She further explained if this was approved and approved by the Council, then it would likely be subdivided along that zoning line, which then there would not be split zone situation as there would be separate parcels that are zoned differently.

Ms. Dundon asked if there is a minimum of square feet within one parcel that they would entertain having a separate zoning on.

Ms. Milligan answered it depends on what is being requested.

Mr. Clifton moved and Mr. Smith seconded the motion to approve. (7-0)

Resolution No. RS2024-111

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-055PR-001 is approved. (7-0)

20. 2024Z-056PR-001

Council District 16 (Ginny Welsch)
Staff Reviewer: Savannah Garland

A request to rezone from RS5 to R6-A zoning for property located at 310 Joyner Avenue, approximately 415 feet east of Nolensville Pike (0.21 acres), requested by The L & L Flooring Company, Inc., applicant; William A. Rucker and Mary J. Bryant ETAL, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential-Alternative (R6-A) zoning for property located at 310 Joyner Avenue, approximately 415 feet east of Nolensville Pike (0.21 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.*

SOUTH NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The application consists of one parcel (Map 119-05, Parcel 272) totaling 0.21 acres, located along the north side of Joyner Avenue, and 415 feet east of Nolensville Pike. The property has been zoned Single-Family Residential (RS5) since 2004 and contains a single-story structure. The application proposes to rezone the property from RS5 to R6-A. The surrounding land uses are primarily single-family with some two-family residential and non-residential land uses to the west, along and adjacent to Nolensville Pike. The subject parcel has frontage along Joyner Avenue, which is a local road. The parcel also has vehicular access via improved Alley #1876, at the rear of the property.

The property is located within the Urban Neighborhood Evolving (T4 NE) policy. These policy areas have higher densities and/or smaller lot sizes, with a broader range and integrated mixture of housing types. The site is approximately 415 feet from an Arterial Blvd (Nolensville Pike) where two WeGo bus stops are located. The proposed Alternative (-A) standards would ensure that future development on the site has an urban form, consistent with the policy guidance. The T4 NE policy supports lots accessed from alleyways and establishing diverse mix of housing with a higher level of connectivity. Based on acreage alone, the proposed R6-A zoning could allow up to one duplex lot for a total of two units. The -A standards would require access via the rear alley which also assists in being able to accommodate a slight increase in density by not increasing traffic along the local street. The proposed R6-A district increases density modestly and aligns with goals of T4 NE 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)	0.21	4.76 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)	0.21	9.52 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 Glenclyff High School. John B. Whitsitt Elementary and Glenclyff High School are identified as overcapacity while Cameron College Prep Middle school is identified as 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.

Approve. (8-0)

Resolution No. RS2024-112

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-056PR-001 is approved. (8-0)

21. 2024Z-060PR-001

Council District 09 (Tonya Hancock)
 Staff Reviewer: Oscar Orozco

A request to rezone from RS7.5 to R8 zoning for property located at 1204 Sylvania Drive, approximately 100 feet east of Palmer Avenue (0.2 acres), requested by Builder Assist LLC, applicants; Brewer Holdings LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS7.5 to R8.

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to One and Two-Family Residential (R8) zoning for property located at 1204 Sylvia Drive, approximately 100 feet east of Palmer Avenue (0.2 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 one unit.*

Proposed Zoning

- One and Two Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of one duplex lot for a maximum of two units. Duplex eligibility to be confirmed by Metro Codes.*

MADISON COMMUNITY PLAN

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

SITE CONTEXT

The subject property consists of one parcel totaling 0.2 acres located on the south side of Sylvia Drive, east of Palmer Avenue. The property is currently zoned Single-Family Residential (RS7.5) and has been developed with one single-family dwelling. Nearby properties are zoned RS7.5 and Specific Plan (SP) zoning district. Surrounding land uses are predominately residential including single-family residential, two-family residential, multi-family residential, as well as scattered vacant properties. Sylvia Drive is identified as a local street.

ANALYSIS

The policy on the site is T4 Urban Neighborhood Evolving (T4 NE) which has the intent of creating a diversity of residential uses and housing options within urban contexts. The proposed zoning, R8, is supported by the T4 NE policy in the Community Character Manual. With more than 8,700 square feet the parcel meets the minimum lot size for the R8 zoning district.

In 2018, a preliminary SP was approved on Palmer Avenue to the south of the subject property to permit 28 multi-family residential units (2018SP-024-001). The SP property is currently under development. The increase in density has provided a diversity in housing that is supported by the Neighborhood Evolving policy. In 2022, a request to rezone from RS7.5 to SP zoning for property located at 1118 and 1120 Lawrence Ave was approved to permit up to 21 multi-family units (insert case #). With the exception of these SPs, the surrounding area has largely remained RS7.5.

A rezone from RS7.5 to R8 for the subject property would support the policy intent to increase housing diversity by allowing for more density in the area. The rezoning would allow for one and two-family land uses, which is supported by the T4 NE policy. Given the higher density on surrounding properties, the existing lot area, and the T4 NE policy guidance, staff recommends approval.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.20	5.00 F	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.20	10.00 F	2 U	28	7	2

*Based on two-family lots

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

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

METRO SCHOOL BOARD REPORT

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

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

The proposed R8 zoning is not expected to generate any additional students. Students would attend Amqui Elementary School, Neely’s Bend Middle School, and Hunters Lane High School. Amqui Elementary School and Hunters Lane High School have been identified at capacity. Neely’s Bend Middle School has been identified as being under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0)

Resolution No. RS2024-113

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-060PR-001 is approved. (8-0)

22. 2024Z-061PR-001

Council District 21 (Brandon Taylor)

Staff Reviewer: Oscar Orozco

A request to rezone from RS5 to R6-A zoning for property located at 2806 Georgia Avenue, approximately 134 feet south of Torbett Street (0.2 acres), requested by Michael McGinniss and Citlaly Gomez, applicants and owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential – Alternative (R6-A) zoning for property located at 2806 Georgia Avenue, approximately 134 feet south of Torbett Street (0.2 acres).

Existing Zoning

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

Proposed Zoning

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

NORTH NASHVILLE COMMUNITY PLAN

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

such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors.

SITE CONTEXT

The subject property consists of one parcel totaling 0.2 acres located on the north side of Georgia Avenue, west of 28th Avenue North. The property is currently zoned RS5 and has developed with one single family dwelling. Nearby properties along and north of Georgia Avenue are zoned RS5, One and Two-Family Residential – Alternative (R6-A and R8-A), and Multi-Family Residential-Alternative (RM9-A). Properties along 28th Avenue North are zoned RS5 Commercial Service (CS), and Multi-Family Residential – Alternative (RM20-A). Surrounding land uses are single family residential, one and two-family residential, multifamily residential, community, commercial, and vacant land. Georgia Avenue is identified as a local street, while nearby 28th Avenue North is classified by the Major and Collector Street Plan (MCSP) as an Arterial Boulevard.

ANALYSIS

The subject parcel is within the T4 Urban Neighborhood Evolving policy (T4 NE), adjacent to T4 Urban Residential Corridor (T4 RC) to the east. The T4 NE policy was established for the intent of creating a diversity of residential uses and housing options within urban contexts. The proposed zoning, R6-A, is supported by the T4 NE policy in the Community Character Manual. The adjacent T4 RC policy is applied to the 28th Avenue North corridor, intended to support moderate- to high-density residential, commercial, office, and light industrial uses. When areas, like the subject site, are abutting or adjacent to Centers and Corridors, higher density housing and buildings, can be more appropriate.

Within the last several years, there have been other zone changes from RS5 to R6-A in the surrounding area, including for properties to the west along Georgia Avenue.

The rear property line of the site abuts a built alley, Alley #1203. The Alternative -A district standards would ensure that future development on the site has an urban form, consistent with the T4 NE policy guidance. This would also require vehicular access from the alley. In addition, the subject parcel is within the Urban Zoning Overlay (UZO), which encourages flexibility for access onto sites through improved connectivity for vehicles, pedestrians, and transit by addressing the amount and location of parking.

A rezone from RS5 to R6-A for the subject property is supported by the T4 NE policy intent to increase housing diversity, allowing for more density. The requested rezoning would allow for one and two-family land uses which is supported by policy to provide residential land uses. Given the adjacency to the corridor, the existing alley network, policy guidance, and proximity to a more intense policy, staff recommends approval.

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)	0.20	5.00 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)	0.20	10.00 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 zoning 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. Students would attend Park Avenue Elementary School, Moses McKissack Middle School, and Pearl-Cohn High School. All three schools have been 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.

Approve. (8-0)

Resolution No. RS2024-114

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-061PR-001 is approved. (8-0)

23. 2024Z-063PR-001

Council District 21 (Brandon Taylor)

Staff Reviewer: Dustin Shane

A request to rezone from RS5 to R6-A zoning for property located at 2400 Merry Street, approximately 212 feet south of Booker Street and located within a Detached Accessory Dwelling Unit Overlay (DADU) district (0.22 acres), requested by SWS Engineering, applicants; 2400 Merry St. GP, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential-Alternative (R6-A) zoning for property located at 2400 Merry Street, located within the Detached Accessory Dwelling Unit (DADU) Overlay, approximately 212 feet south of Booker Street (0.22 acres).

Existing Zoning

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

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

Proposed Zoning

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

NORTH NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The application consists of one parcel (Map 092-07, Parcel 265) totaling 0.22 acres in size and located on the northern side of Merry Street east of 25th Avenue North. The property is vacant. Surrounding uses include single-family and two-family residential, vacant land, a parking lot, and a light manufacturing facility, variously zoned RS5, R6, R6-A and IR. The TR policy present at this site acts as a transitional buffer between the T4 NM (Urban

Neighborhood Maintenance) policy to the north and the adjacent T4 MU (Urban Mixed Use Neighborhood) policy to the south.

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

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

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)	0.22	4.45 F	1 U	15	5	1

Maximum Uses in Proposed Zoning District: R6

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.22	9.09 F	2 U	28	7	2

*Based on two-family lots

Traffic changes between maximum: RS5 and R6

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

METRO SCHOOL BOARD REPORT

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

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

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

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0)

Resolution No. RS2024-115

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-063PR-001 is approved. (8-0)

24. 2024Z-064PR-001

Council District 25 (Jeff Preptit)
Staff Reviewer: Donald Anthony

A request to rezone from RS20 to R20 zoning for property located at 1306 Belmont Park Court, at the terminus of Belmont Park Court (2.2 acres), requested by Peggy Newman, applicant and owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS20 to R20.

Zone Change

A request to rezone from Single-Family Residential (RS20) to One and Two-Family Residential (R20) zoning for property located at 1306 Belmont Park Court, at the terminus of Belmont Park Court (2.2 acres)

Existing Zoning

Single-Family Residential (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre. *RS20 would permit a maximum of 4 lots, based on acreage only.*

Proposed Zoning

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots. *R20 would permit a maximum of 4 lots with 1 duplex lot for a total of 5 units.*

GREEN HILLS – MIDTOWN COMMUNITY PLAN

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

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

SITE AND CONTEXT

The rezoning application is for a 2.2-acre property located at 1306 Belmont Park Court. The property is currently zoned RS20 and is occupied by a single-family residential unit. The property has approximately 59 feet of street frontage and lies along the terminus of Belmont Park Court, a cul-de-sac that connects to Belmont Park Terrace on the east.

Adjacent zoning includes RS20 on the north, east, and west and R20 on the south and northeast. Adjacent land uses include single-family residential on the north, east, and west and two-family residential on the south and northeast.

Prior to 2006, the subject property was zoned R20, which permits one and two-family residential uses. However, in 2006, the subject property was part of a broader rezoning that downzoned several properties in the area to RS20. The subject property and an adjacent property on the east (1304 Belmont Park Court) were the only two properties on Belmont Park Court included in the 2006 rezoning. Of the five properties addressed on Belmont Park Court, three remained in the R20 district following the 2006 rezoning, and all three are currently occupied by two-family residential units.

Based on acreage only, the proposed R20 zoning would permit one more unit than the existing RS20 zoning. Bulk standards for the R20 district include maximum building coverage of 0.35, maximum height of three stories, and minimum setbacks of 20 feet on the rear and ten feet on sides. The minimum street setback is contextual.

ANALYSIS

The application proposes to rezone the subject property from RS20 to R20. The property lies within the T3 Suburban Neighborhood Maintenance (T3 NM) and Conservation (CO) policy areas. The T3 NM policy is intended to maintain the general character of suburban neighborhoods as characterized by their development patterns, building forms,

land uses, and associated public realms. The T3 NM policy supports: low to moderate density residential development and institutional uses; moderate to deep building setbacks; lots generally accessed from local streets; moderate levels of connectivity; and building heights generally limited to three stories. The CO policy is intended to preserve, remediate, and enhance environmentally sensitive land.

Staff evaluated the rezoning request in light of the T3 NM and CO policies. The proposed R20 zoning district falls within the range of zoning districts and residential densities supported by the T3 NM policy. The bulk standards associated with the R20 district—including setbacks and building height—align with the T3 NM policy. No changes to existing site access or connectivity are proposed with this rezoning request. With regard to the CO policy, the rezoning request does not propose any new development within the portion of the property that has steep slopes. Any new development in the area will be required to follow Metro’s grading, landscaping, tree preservation, and stormwater requirements.

Because the proposed rezoning is consistent with the T3 NM and CO policies and aligns with existing zoning patterns in the area, staff recommends approval of the rezoning request.

Maximum Uses in Existing Zoning District: RS20

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential (210)	2.2	1.81 F	4 U	54	8	5

Maximum Uses in Proposed Zoning District: R20

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	2.2	2.27 D	5 U	66	8	6

*Based on 25% two-family lots

Traffic changes between maximum: RS20 and R20

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1	+12	+0	+1

METRO SCHOOL BOARD REPORT

Projected student generation existing RS20 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed R20 district: 0 Elementary 0 Middle 0 High

The proposed R20 zoning district is expected to generate no more students than the existing RS20 zoning district. Students would attend Percy Priest Elementary School, J.T. Moore Middle School, and Hillsboro High School. All three schools are at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (8-0)

Resolution No. RS2024-116

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-064PR-001 is approved. (8-0)

25. 2024Z-065PR-001

Council District 01 (Joy Kimbrough)
Staff Reviewer: Donald Anthony

A request to rezone from RS15 to RM9-NS zoning for property located at 4212 Ashland City Highway, approximately 83 feet north of Clintondale Drive (0.53 acres), requested by RJX Partners LLC, applicant; Leroy Curtis ETUX, owner.
Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS15 to RM9-NS.

Zone Change

A request to rezone from Single-Family Residential (RS15) to Multi-Family Residential – No Short-Term Rental (RM9-NS) zoning for property located at 4212 Ashland City Highway, approximately 83 feet north of Clintondale Drive (0.53 acres).

Existing Zoning

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

Proposed Zoning

Multi-Family Residential – No Short-Term Rental (RM9-NS) is intended for single-family, duplex, and multi-family dwellings at a density of nine dwelling units per acre. Short-term rental property, owner-occupied and non-owner occupied, is prohibited. *RM9-NS would permit a maximum of five units, based on acreage only.*

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

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

SITE AND CONTEXT

The rezoning application is for a 0.53-acre property located at 4212 Ashland City Highway. The subject property is currently zoned RS15, which permits single-family residential uses with a minimum lot area of 15,000 square feet. The property is currently occupied by a single-family residential unit. The property has approximately 158 feet of street frontage on Ashland City Highway, which is classified as an arterial boulevard in the Major and Collector Street Plan (MCSP).

All adjacent properties are zoned RS15. The properties to the south and east are currently occupied by single-family residential units, while the properties to the north and west are currently vacant. A more diverse array of zoning districts and land uses are present in the broader area. Approximately 220 feet to the northwest, multiple properties along Ashland City Highway are zoned CS and contain commercial uses. Beyond those properties are a public park, an SP-zoned property approved for detached and attached single-family residential units, and an RM9-zoned multi-family residential development.

The proposed RM9-NS zoning district would permit up to five multi-family residential units on the subject property. Bulk standards for the RM9-NS district can be found in Section 17.12 of the Zoning Code and are dependent on building type. Short-term rentals, owner-occupied and not owner-owner occupied, would be prohibited.

ANALYSIS

The application proposes to rezone the subject property from RS15 to RM9-NS. The property lies within the T3 Suburban Neighborhood Evolving (T3 NE) policy area. The T3 NE policy is intended to create and enhance suburban neighborhoods with greater housing choices, improved connectivity, and creative, innovative, and environmentally sensitive development techniques. The T3 NE policy supports: moderate-density residential development and institutional uses; moderate setbacks and spacing between buildings; lots accessed from local streets or alleys; moderate to high levels of connectivity; and building heights generally limited to three stories.

Staff evaluated the rezoning request for consistency with the T3 NE policy and found that the proposed rezoning aligns with the T3 NE policy goals. The proposed RM9-NS zoning district falls within the range of zoning districts and

residential densities supported by the T3 NE policy. The bulk standards associated with RM9-NS—including setbacks and building height—are consistent with the policy. No changes to existing site access or connectivity are proposed with this rezoning request.

Because the proposed rezoning to RM9-NS is consistent with the T3 NE policy and supports a continuation of the higher intensity uses and higher residential densities found on neighboring properties to the northwest, staff recommends approval of the rezoning request.

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
One and Two-Family Residential (210)	0.53	1.88 F	1 U	15	5	1

Maximum Uses in Proposed Zoning District: **RM9-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	0.53	9 D	5 U	26	1	3

Traffic changes between maximum: **RS15 and RM9-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+4	+11	-4	+2

METRO SCHOOL BOARD REPORT

Projected student generation existing RS15 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed RM9-NS district: 1 Elementary 0 Middle 1 High

The proposed RM9-NS zoning district is expected to generate two more students than the existing RS15 zoning district. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. Both Cumberland Elementary School and Haynes Middle School are at capacity. Whites Creek High School is 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.

Mr. Anthony presented the staff recommendation to approve.

Charles Darby, 4219 Ashland City Hwy, spoke in opposition to the application.

Chair Adkins closed the Public Hearing.

Ms. Leslie asked for confirmation on how many houses will be on this lot.

Mr. Anthony responded based on the size of the lot and the maximum of nine units per acre, they could possibly get five.

Ms. Leslie asked if it would require a road.

Mr. Anthony stated based upon the actual development roads would be proposed, but they have not seen a development proposal yet.

Mr. Marshall asked if the Councilmember in that district submitted any type of information in support or objection to this application.

Ms. Milligan stated she does not have any notes from her.

Mr. Marshall said he is familiar with this street and can understand the neighbor's point of view of why he would not want that many properties on those lots. He stated it would be interesting to hear from the Councilmember and those in the community because there are several homes on that street. Mr. Marshall said he would be supportive if it meets the plans that are required.

Ms. Dundon asked if it is unusual that the developer or applicant are not present.

Chair Adkins stated he would feel more comfortable if they heard from the developer and the Councilmember in the district. He felt it was a little odd for the developer to not be present.

Ms. Dundon asked if there were any public comments submitted.

Ms. Milligan responded in the negative.

Mr. Clifton said a reason Councilmembers do not attend is because they are overwhelmed with work or they may not be particularly sold on it all the way but want to hear what the Commission has to say. He added the Councilmember could be for it and figures it is going to be a legislative decision as opposed to some major policy decision involving the city's planning process.

Chair Adkins stated he really would like to hear what the developer has to say, especially when there is someone from the community speaking in opposition.

Mr. Marshall pointed out it would be an oddity in that community if they built a house that allowed five units on one piece of property.

Ms. Dundon stated there was only one person in opposition but is concerned the applicant did not show up and was leaning towards a deferral.

Ms. Leslie said she is familiar with the area and it is changing and was in support of staff recommendation.

Ms. Dundon moved and Mr. Smith seconded the motion to defer 2024Z-065PR-001 to the July 25, 2024, Planning Commission meeting. (7-0)

26a. 2024Z-012TX-001

Staff Reviewer: Emily Lange

A request to amend Chapter 17.37 of the Metropolitan Code of Laws to establish an East Bank subdistrict with development standards and East use area with permitted uses within the Downtown Code. (See associated case #2024Z-067PR-001)

Staff Recommendation: Approve.

TEXT AMENDMENT

A request to amend Title 17 to add the East Bank Subdistrict and East Use Area, as well as amend various standards to the Downtown Code associated with the subdistrict.

Amendment

A request to amend Chapter 17.37 of the Metropolitan Code of Laws to establish an East Bank subdistrict with development standards and East use area with permitted uses within the Downtown Code.

EXISTING POLICIES

T6 Downtown Neighborhood (T6-DN) is intended to maintain and create downtown neighborhoods, with diverse development characteristics, that contain a mix of uses, including high density residential. Foster appropriate transitions from less intense areas of T6 Downtown Neighborhoods (T6-DN) policy areas to the more intense T6 Downtown Core policy area. Neighborhoods have high levels of connectivity and complete street networks with sidewalks, bikeways, and transit.

Civic (CI) is intended to preserve and enhance publicly owned properties that are used for civic purposes so that they can continue to serve public purposes over time, even if the specific public purposes they serve or the manner in which they serve them change. CI policy also provides guidance for rezoning of sites if transferring the property to the private sector is deemed in the best interest of the public.

The *Imagine East Bank* Vision Plan outlines the vision for the East Bank's emergence as a new neighborhood with well-designed public places and coordinated public and private development. The essential building blocks of the plan are to:

1. Advance equity, resiliency, and high quality of life for all Nashvillians through the creation of accessible and affordable places to live, work, and play.
2. Provide a robust multimodal transportation system enabling easy and equal access to and through the East Bank.
3. Re-center the river as a vital community amenity and bolster resiliency through enhanced floodplain and stormwater management.
4. Create vibrant, livable, and authentic neighborhoods that prioritize the everyday needs of Nashvillians.

East Bank Neighborhoods Supplemental Policy (09-T6-DN-EB-01) was updated with the adoption of the *Imagine East Bank* Vision Plan on October 6, 2022, to reflect the vision plan guidance for policy interpretation, zone change requests, and requests for the Capital Improvements Budget.

East Bank Redevelopment District (MDHA-EB) is a zoning overlay district intended to establish harmonious land use patterns and provide sites adequate for stadium and related activities.

BACKGROUND

The *Imagine East Bank* Vision Plan outlines the objectives for the East Bank's emergence as a new neighborhood through coordinated public and private development. The East Bank is intended to create accessible public spaces, provide high-quality housing options accessible at every economic level, expand the network of locally owned businesses throughout the city, and create a robust multimodal transportation network that will improve both local and regional connectivity. Rezoning the properties addressed in *Imagine East Bank* to the DTC, as proposed with the associated case 2024Z-067PR-001, allows for the flexibility and efficiency of land uses to achieve these goals. This rezoning also allows for a holistic and streamlined approach to the review of new developments as they come in for design review and approval over time.

The community character policies governing the proposed subdistrict are Civic (CI) and T6 Downtown Neighborhood (T6-DN). The primary function of CI is to preserve and enhance publicly owned civic properties so that they can continue to serve public purposes over time, even if the specific purpose changes. This takes into account that as Nashville continues to develop over time, locating sites for new public facilities will become more difficult. The secondary intent of CI is to guide rezoning of sites for which it is ultimately determined that conveying the property in question to the private sector is in the best interest of the public.

T6 Downtown Neighborhood (T6-DN) is intended to maintain and create downtown neighborhoods that contain a diverse mix of land uses, including high density residential, as well as high levels of connectivity for all transportation modes. These neighborhoods foster appropriate transitions from less intense areas of T6 Downtown Neighborhoods (T6-DN) policy areas to the more intense T6 Downtown Core policy area.

PROPOSED TEXT AMENDMENT

The proposed text amendment codifies the addition of the East Bank Subdistrict to the Downtown Code. This will establish the development standards and permitted uses of the subdistrict to create the character envisioned by the *Imagine East Bank* Vision Plan. The full, marked-up document can be found at the end of the staff report as Attachment 1.

East Bank Subdistrict

The DTC is comprised of 15 subdistricts, each of which specifically regulates built form based on the policy context with bulk regulations like build-to zone, building height, required step-backs, and other standards. This text amendment proposes a new subdistrict, called East Bank, which establishes bulk standards specific to the district. Other regulations apply to broader regions of the DTC (north, south, east, west, and central), or to the DTC in its entirety. Some proposed key bulk standards specific to the East Bank Subdistrict are:

- Build-to Zone:
 - All Street Frontages: Storefront Frontage - 0'-10'
 - Major Pedestrian Thoroughfare: Storefront Frontage – 5'-20'
- Max Height:
 - Parcels 153, p/o 174 and 022: 40'
 - Parcels 030, p/o 022, p/o 174, 171, 151: 30'
 - P/o parcels 115 and 046: 20'
 - P/o parcels 115 and 046: 4-7'
- Minimum Building Depth: 15' from building façade
- Building Spacing: 75' max, exclusive of streets
- Façade Width:
 - Primary Street: 80% - 90% of lot frontage
 - Secondary Street and Open Space: 70% - 90% of lot frontage

- Tertiary Street and Major Pedestrian Thoroughfare: 60% - 90% of lot frontage

East Use Area

The DTC is a form-based code and utilizes “use areas” to specify what land uses are permitted within certain areas of DTC. The existing four use areas are North, South, West, and Central. *Imagine East Bank* envisions different uses within the area than those that exist today, and this text amendment proposes a fifth use area: East. The East use area permits uses like those permitted in the other four use areas, but uniquely prohibits single and two-family residential, historic bed and breakfasts and home events, short-term rental properties, correctional facilities, cemeteries, animal boarding facilities, auto-oriented uses like automobile sales and service, mobile and self-service storage facilities, and donation drop-off centers, and restricts bar and nightclub uses.

The East use area also includes conditions for some land uses that are specific to DTC, specifically conditions related to bars and restaurants that serve alcohol. These conditions are meant to ensure that entertainment uses, where permitted, are restrained to prioritize high quality of life for all Nashvillians.

Adjustments to General Standards

This text amendment proposes several changes to the DTC General Standards section:

- Street Character:
 - Street Trees: reduces the spacing of street tree planting in the public right-of-way along the length of the lot frontage from 50’ in the rest of the DTC subdistricts to 30’ in the East Bank subdistrict.
 - Future Streets: Future streets within the East Bank subdistrict shall follow the dimensions established by *Imagine East Bank*.
- Parking and Access:
 - Adds the East Bank subdistrict to the list of areas within the DTC that require upper-level habitable liners.
- Open Space:
 - Reduces the spatial definition of plazas in the DTC from 2,500-20,000 square feet in all other subdistricts to 1,000-20,000 square feet in the East Bank subdistrict.

STAFF RECOMMENDATION

Staff recommends approval.

Approve, including update in memo. (7-0-1)

Resolution No. RS2024-117

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-012TX-001 is approved, including update in memo. (7-0-1)

26b. 2024Z-067PR-001

Council District 19 (Jacob Kupin)
Staff Reviewer: Emily Lange

A request to rezone from MUI to DTC zoning for properties located at 501, 600 South 1st Street, 109, 501 South 2nd Street, 115 Woodland Street, 20 Victory Avenue, Victory Avenue (unnumbered) and a portion of 201 Shelby Avenue and 600 South 2nd Avenue, at the northeast and northwest corner of Sylvan Street and South 2nd Street, and within The East Bank Redevelopment District (30 acres), requested by Metro Planning, applicant; Metro Gov’t J Juvenile Court, owner. (See associated case #2024Z-012TX-001)

Staff Recommendation: Approve if the associated text amendment 2024Z-012TX-001 is approved. Disapprove if the associated text amendment is not approved.

APPLICANT REQUEST

Zone change from MUI to DTC.

Zone Change

A request to rezone from Mixed Use Intensive (MUI) to DTC (Downtown Code) zoning for properties located at 501 and 600 South 1st Street, 109 and 501 South 2nd Street, 115 Woodland Street, 20 Victory Avenue, Victory Avenue (unnumbered) and a portion of 201 Shelby Avenue and 600 South 2nd Avenue, at the northeast and northwest corner of Sylvan Street and South 2nd Street, and within the East Bank MDHA Redevelopment District (30 acres).

Existing Zoning

Mixed Use Intensive (MUI) is intended for a high intensity mixture of residential, retail, and office uses.

East Bank Redevelopment District (MDHA-EB) is an overlay district intended to establish harmonious land use patterns and provide sites adequate for stadium and related activities.

Proposed Zoning

Downtown Code (DTC) is intended for a broad range of residential and non-residential activities associated with an economically healthy, socially vibrant, and sustainable downtown. The DTC district seeks the efficient use of land capitalizing on a high level of services, reduced automobile dependence with enhanced usage of mass transit, and the creation of a vibrant and safe pedestrian streetscape.

DOWNTOWN NASHVILLE COMMUNITY PLAN

T6 Downtown Neighborhood (T6-DN) is intended to maintain and create downtown neighborhoods, with diverse development characteristics, that contain a mix of uses, including high density residential. This policy serves to foster appropriate transitions from less intense areas of T6 Downtown Neighborhoods (T6-DN) policy areas to the more intense T6 Downtown Core policy area. Neighborhoods with this policy have high levels of connectivity and complete street networks with sidewalks, bikeways, and transit.

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

The *Imagine East Bank* Vision Plan outlines the vision for the East Bank's emergence as a new neighborhood with well-designed public places and coordinated public and private development. The essential building blocks of the plan are to:

5. Advance equity, resiliency, and high quality of life for all Nashvillians through the creation of accessible and affordable places to live, work, and play.
6. Provide a robust multimodal transportation system enabling easy and equal access to and through the East Bank.
7. Re-center the river as a vital community amenity and bolster resiliency through enhanced floodplain and stormwater management.
8. Create vibrant, livable, and authentic neighborhoods that prioritize the everyday needs of Nashvillians.

The East Bank Supplemental Policy (09-T6-DN-EB-01) was updated with the adoption of the *Imagine East Bank* Vision Plan on October 6, 2022, to reflect the vision plan guidance for policy interpretation, zone change requests, and requests for the Capital Improvements Budget.

SITE AND CONTEXT

The 30-acre site is located at 501 and 600 South 1st Street, 109 and 501 South 2nd Street, 115 Woodland Street, 20 Victory Avenue, Victory Avenue (unnumbered) and a portion of 201 Shelby Avenue and 600 South 2nd Avenue. The Major and Collector Street Plan (MCSP) has designated streets adjacent to the subject parcels as follows:

- James Robertson Parkway, adjacent to Parcel 30 (115 Woodland Street) to the north is classified as an arterial.
- Woodland Street, adjacent to the south of Parcel 30 (115 Woodland Street) and north of Parcel 22 (109 S 2nd Street) is designated as an arterial.
- Korean Veterans Boulevard, adjacent to Parcels 174 (201 Shelby Avenue), 051 (501 S 1st Street), and 046 (600 S 1st Street) to the south and Parcel 153 (501 S 2nd Street) to the north is designated as an arterial.
- The planned East Bank Boulevard, adjacent to Parcels 171 (Victory Avenue (unnumbered)) and 051 (501 S 1st Street) to the west and 046 (600 S 1st Street) and 115 (20 Victory Avenue) to the east is designated as an arterial.
- South 2nd Street, adjacent to Parcels 171 (Victory Avenue (unnumbered)) and 051 (501 S 1st Street) to the east and Parcel 153 (501 S 2nd Street) to the west is designated as a collector avenue.

Parcel(s) 030 (115 Woodland Street), 22 (109 S 2nd Street), 153 (501 S 2nd Street), 051 (501 S 1st Street), 046 (600 S 1st Street), 115 (20 Victory Avenue), portions of 174 (201 Shelby Avenue), and 010 (600 S 2nd Street) are all currently used for vehicular surface parking. Parcel 171 (Victory Avenue (unnumbered)) is currently vacant industrial land. The surrounding land uses include recreational, industrial, and commercial uses.

ANALYSIS

The policy on this site is predominantly Civic (CI), with a small portion of Downtown Neighborhood (T6-DN) policy. Civic Policy is applied to the majority of the Metro-owned property on the East Bank. It is intended to preserve and enhance existing publicly owned properties so that they have the flexibility to serve public purposes over time. Civic buildings are prominently located within CI districts and serve as a focal point in the streetscape, including entrances oriented to the street and open space in front of or framing the street with the building. Wide pedestrian walkways and plazas and an enhanced streetscape are emphasized, as these sites are to be accessible by all modes of transportation.

Rezoning of this site also aligns with T6-DN policy, which intends to create diverse downtown neighborhoods with high density residential and mixed-use development. The policy calls for neighborhoods to have high levels of

connectivity and complete street networks with sidewalks, bikeways, and transit. Rezoning to DTC will align with this policy by creating more opportunity for a diversity of land uses, housing choices, particularly high-density residential, and better connectivity through the East Bank, to nearby lower-density residential neighborhoods, as well as to the downtown core subdistricts. Today the East Bank is the only area with T6 policy and within the Downtown Community Plan that is not zoned DTC.

A critical early implementation recommendation from *Imagine East Bank* was to craft and adopt a design-based zoning tool that reflects the vision plan and its preliminary guidance, beginning with the Central Waterfront and the Metro-owned property. The proposed DTC East Bank Subdistrict, proposed through the associated case 2024Z-012TX-001, has been crafted to enable the building of an outstanding neighborhood for Nashvillians and maximizing the community benefit for diverse and attainable housing, municipal infrastructure needs, and sustainability. This rezoning reflects and codifies many of the land use requirements in the Master Development Agreement with the Fallon Company recently adopted by Council.

A draft of the DTC has been posted publicly online for 30 days. On June 10th, Councilmembers Kupin and Capp, and staff from Planning and the Mayor's Office, will hold a public informational session on the DTC at 6pm at Cross Point Church. Councilmembers Kupin, Capp, and Parker have also scheduled an additional informational session on July 9th in advance of the Council public hearing for this case.

Rezoning to the DTC allows for a holistic and streamlined approach to the review of new developments as they come in for design review and approval over time.

TRAFFIC IMPACTS

The mix of uses could vary and assumption of impact at this point is premature.

As a Form Based Code, DTC regulates on bulk standards and does not include specific density maximums and does not require parking.

METRO SCHOOL BOARD REPORT

Given the mix of uses, the number of students could vary and assumption of impact at this point is premature.

Students would attend Ida B. Wells Elementary School, Jere Baxter Middle School, and Maplewood High School. Ida B. Wells Elementary School is exceedingly under capacity and Jere Baxter Middle School and Maplewood High School are at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval if associated text amendment 2024Z-012TX-001 is approved. Disapprove if the associated text amendment is not approved.

Approve. (7-0-1)

Resolution No. RS2024-116

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-067PR-001 is approved (7-0-1)

H: OTHER BUSINESS

27. Election of Officers

- **Chair - Mr. Henley moved and Ms. Dundon seconded the motion to nominate Mr. Adkins as Chair. (7-0)**
- **Vice Chair– Chair Adkins moved and Mr. Clifton seconded the motion to nominate Ms. Farr as Vice Chair. (7-0)**
- **Historic Zoning Commission– Mr. Clifton moved and Mr. Marshall seconded the motion to nominate Mr. Smith as Historic Zoning Commission. (7-0)**

Representatives

- **Parks Board Representative– Mr. Smith moved and Mr. Clifton seconded the motion to nominate Mr. Henley as Parks Board Representative. (7-0)**
- **Executive Committee Representative– Mr. Marshall moved and Ms. Leslie seconded the motion to nominate Mr. Henley as Executive Committee Representative. (7-0)**

Resolution No. RS2024-117

"BE IT RESOLVED by The Metropolitan Planning Commission that the election of officers is approved. (7-0)

28. New Employment Contract for Hazel Hastwell, Abel Del Pino, and Burgin Dossett and Contract Amendments for Donald Anthony and Deborah Sullivan.
29. Memo for DTC DRC Member Appointments.
30. Historic Zoning Commission Report
31. Board of Parks and Recreation Report
32. Executive Committee Report
33. Accept the Director's Report and Approve Administrative Items

Resolution No. RS2024-118

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

34. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

June 27, 2024

MPC Meeting

4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

July 25, 2024

MPC Meeting

4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

August 8, 2024

MPC Meeting

4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

J: ADJOURNMENT

The meeting adjourned at 6:20 p.m.