



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

August 08, 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
Jessica Farr, Vice Chair
Asia Allen
Stewart Clifton
Leah Dundon
Edward Henley
Kathy Leslie
Dennie Marshall
Councilmember Jennifer Gamble

Staff Present:

Lucy Kempf, Executive Director
Lisa Milligan, Assistant Director of Land Development
Tara Ladd, Legal
Andrea Dorlester, Land Development Manager
Amelia Gardner, Planner III
Savannah Garland, Planner II
Celina Konigstein, Planner I

Commissioners Absent:

Matt Smith

Lucy Alden Kempf

Secretary and Executive Director, Metro Planning Commission
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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 4:02 p.m.

B: ADOPTION OF AGENDA

Ms. Dundon moved and Mr. Clifton seconded the motion to adopt the agenda. (8-0)

C: APPROVAL OF JULY 25, 2024 MINUTES

Mr. Henley moved and Ms. Allen seconded the motion to approve the meeting minutes of July 25, 2024. (8-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Horton spoke in favor of Item 4.

Chair Adkins stated he has recused himself from Item 4.

Councilmember Kupin spoke in favor of Item 16.

E: ITEMS FOR DEFERRAL / WITHDRAWAL: 1, 2, 3, 5, 6, 8, 10, 11, 13, 15, 17

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 Leslie seconded the motion to approve the Deferred and Withdrawn Items.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

F: CONSENT AGENDA ITEMS: 24, 28

Ms. Gardner stated Chair Adkins is recused from Item 4.

Councilmember Gamble moved and Mr. Clifton 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

- 2016SP-019-007**
SILO BEND SP (AMENDMENT)
Council District 20 (Rollin Horton)
Staff Reviewer: Dustin Shane

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 August 22, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2016SP-019-007 to the August 22, 2024, Planning Commission meeting. (8-0)

2. 2017SP-023-006

BURKITT RIDGE (AMENDMENT)

Council District 31 (John Rutherford)

Staff Reviewer: Laszlo Marton

A request to amend a Specific Plan on property located at 820 Westcott Lane, at the southeast corner of Tasker Drive and Westcott Lane, zoned SP (0.36 acres), to permit a mixed-use development, requested by Smith Gee Studio, applicant; Regent Homes LLC, owner.

Staff Recommendation: Defer indefinitely.

The Metropolitan Planning Commission deferred 2017SP-023-006 indefinitely. (8-0)

3. 2022SP-013-002

2ND & VAN BUREN STREET (AMENDMENT)

Council District 19 (Jacob Kupin)

Staff Reviewer: Matt Schenk

A request to amend a Specific Plan for properties located at 2nd Avenue North (unnumbered), 1st Avenue North (unnumbered), 1500, 1508 2nd Avenue North and 100 Van Buren Street, at the northwest corner of 1st Ave N and Van Buren Street, zoned SP (2.99 acres), to permit 395 multi-family residential units, requested by Holland & Knight LLP, applicant; Byline Property Owner LLC, owner.

Staff Recommendation: Defer to the August 22, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022SP-013-002 to the August 22, 2024, Planning Commission meeting. (8-0)

4. 2024SP-002-001

ROCK HARBOR MARINA

Council District 20 (Rollin Horton)

Staff Reviewer: Laszlo Marton

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: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Rezone to SP to permit a mixed-use development.

Preliminary SP

A request to rezone from Industrial Warehousing/Distribution (IWD) and One and Two-Family Residential (R10) to Specific Plan (SP) zoning for property located at 525 Basswood Avenue and a portion of property located at 517 Basswood Avenue, at the southwest corner of Robertson Avenue and Basswood Avenue (30.2 acres), to permit a mixed-use development.

Existing Zoning

Industrial Warehousing/Distribution (IWD) is intended for a wide range of warehousing, wholesaling, and bulk distribution uses. *IWD zoning applies to approximately 25 acres of the 28.6-acre property located at 525 Basswood Avenue.*

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 zoning applies to approximately 3.6 acres of the 28.6-acre property located at 525 Basswood Avenue and the 1.6-*

acre portion of the property located at 517 Basswood Avenue that is included in the rezoning application. R10 would permit a maximum of 22 lots with 5 duplex lots for a total of 27 units, based on acreage only, and does not account for Metro's Subdivision Regulations. Metro Codes makes the final determination on duplex eligibility.

Proposed Zoning

Specific Plan-Mixed Use (SP-MU) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This SP includes a mix of uses such as a marina, restaurants, multi-family residential, and short-term rental properties.

WEST NASHVILLE COMMUNITY PLAN

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

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 floodway and floodplain covering the majority of the site.

SUPPLEMENTAL POLICY

The site lies within the Rock Harbor Marina (SPA 07-T4-MU-03) supplemental policy area. The supplemental policy was designed specifically for the Rock Harbor Marina site and includes the following guidance:

- Buildings along Robertson Avenue should be oriented toward the site's interior or Basswood Avenue.
- A landscape buffer exceeding the largest Standard D buffer in the Metro Zoning Code should be utilized along the marina's property line along Robertson Avenue. The buffer may include a berm, parking garage, and service access.
- Access to the site should be located in an area that avoids conflicts with industrial truck traffic.

SITE CONTEXT

The subject site consists of 30.2 acres across two parcels located at 525 and 517 Basswood Avenue, at the southwest corner of the intersection of Basswood Avenue and Robertson Avenue. Approximately 25 acres of the 28.6-acre property located at 525 Basswood Avenue is currently zoned IWD, while the remainder of the property is zoned R10. The subject site also includes a 1.6-acre portion of the property located at 517 Basswood Avenue; this property is zoned R10. The property at 525 Basswood Avenue currently contains a dock/marina. The property at 517 Basswood Avenue currently contains a single-family residential unit and parking utilized by the marina; however, the residential unit is not situated on the portion of the property that is included in the SP.

The site currently has approximately 1,090 feet of frontage on Robertson Avenue and 1,180 feet of frontage on Basswood Avenue and has access from both streets. Both Robertson Avenue and Basswood Avenue are classified as local streets, each having approximately 50 feet of existing right-of-way. Sidewalks are not present on either street. There are no public transit routes within a half-mile of the subject site.

Adjacent zoning includes: IWD on the north; One and Two-Family Residential (R8)/Planned Unit Development Overlay District (PUD), R8, and Multi-Family Residential (RM20) on the east; and R10 on the south. Adjacent land uses include: mineral processing on the north; mineral processing, single-family residential, and vacant residential land on the east; and single-family residential on the south. The Cumberland River lies adjacent to the west. The broader area includes a wide range of zoning districts and uses. Industrial uses are most prominent north of the site, while single-family, two-family, and multi-family residential uses are prominent to the east and south.

PLAN DETAILS

The proposed SP would permit a mixed-use development. The SP document includes limited details regarding actual site layout and focuses instead on providing bulk and architectural standards for future development on the site as well as outlining permitted uses for distinct block areas.

Site Standards by Block

The proposed SP would divide the subject site into five blocks. Features and standards for each block are detailed below.

Block 1

Block 1 would consist of approximately 3.72 acres located at the southwestern corner of the intersection of Robertson Avenue and Basswood Avenue. Uses would be limited to those permitted in the MUL-A zoning district in addition to

boat-oriented recreational and commercial uses. The maximum building height would be six stories and the maximum floor area ratio (FAR) is 2.0.

Block 2

Block 2 would consist of approximately 21.14 acres. This block would include the harbor itself, and most structures in Block 2 would be situated on the water. Permitted uses would include those allowed in the MUL-A zoning district along with boat slips, boat storage, and other boat-related recreational and commercial uses. The maximum building height would be three stories and the maximum FAR is 2.0.

Block 3

Block 3 would consist of approximately 1.4 acres located along the Basswood Avenue frontage, south of Robertson Avenue. Uses would be limited to those permitted in the MUL-A zoning district along with boat-oriented recreational and commercial uses. Short term rental properties are prohibited in Block 3. The maximum building height would be three stories and maximum FAR is 1.6.

Block 4

Block 4 would consist of approximately 2.95 acres located along the southern boundary of the subject site. Permitted uses would include those allowed in the MUL-A zoning district along with boat-oriented recreational and commercial uses. Short term rental properties are prohibited in Block 4. The maximum building height shall not exceed 455 feet above base flood elevation and the maximum FAR is 1.0.

Block 5

Block 5 would consist of approximately 0.27 acres located near the southwestern corner of the subject site. Uses would be limited to those permitted in the MUL-A zoning district along with boat-oriented recreational and commercial uses. The maximum building height shall not exceed 455 feet above base flood elevation and the maximum FAR is 1.0.

Short-Term Rental Properties

Due to the recreational nature of the marina, the applicant proposes to allow short term rental properties in Blocks, 1, 2 & 5, which is a permitted use in MUL-A. Short term rentals are limited to 25% of total residential units located on the site. Blocks 3 & 4 prohibit short term rentals.

Design Standards

The SP proposal includes architectural and landscaping standards, including standards related to building materials, signage, and parking. The SP proposes to allow the following building materials: wood; cementitious fiberboard; masonry; exposed concrete; and metal panel. Signage is proposed with a gateway sign to span over Robertson Avenue and for a sign to be located at the entrance to the marina from the Cumberland River. The river entrance sign is noted to allow a maximum of 475 feet. No specifications have been provided related to the sign at Robertson Avenue. Parking is indicated to be per the UZO.

ANALYSIS

Most of the subject site lies within the Conservation (CO) policy area. However, a portion (approximately 2.35 acres) of the site's frontage along both Robertson Avenue and Basswood Avenue lies within the T4 Urban Mixed Use (T4 MU) policy area. The site also lies within the Rock Harbor Marina supplemental policy area. Staff reviewed the proposed SP for consistency with the T4 MU and CO policies and the Rock Harbor Marina supplemental policy.

Consistency with T4 MU Policy

The T4 MU policy supports urban mixed-use neighborhoods. The policy is characterized in part by: high levels of connectivity and complete street networks; moderate to high density residential uses and mixed use, commercial, light industrial, and institutional uses; parking behind or beside buildings and generally accessed by side streets or alleys; and buildings constructed to the back edge of the sidewalk, creating a pedestrian-friendly environment.

The proposed SP includes a mix of land uses including commercial, residential, and transportation-oriented uses. The site has access to two local streets: Robertson Avenue and Basswood Avenue. Much of the area immediately surrounding the subject site is used for industrial purposes; Robertson Avenue supports heavy industrial traffic. There are no sidewalks or public transit stops/service in the immediate area. Parking would be situated internal to the site and accessed via internal drives. Buildings along Basswood Avenue would have a build-to zone of zero to 25 feet.

Consistency with CO Policy

The CO policy is intended to preserve environmentally sensitive land features through protection and remediation. Due to the site's location along the Cumberland River and the inclusion of a harbor, most of the site is covered by floodway and floodplain. The SP application proposes boat-oriented and recreational uses on the water. Any new development in the floodway and/or floodplain will be subject to Metro's stormwater and floodplain development standards.

Consistency with Supplemental Policy

The Rock Harbor Marina supplemental policy was adopted by the Planning Commission at its May 9, 2024, meeting. The supplemental policy applies only to the subject site and establishes guidelines for future development on the site. The supplemental policy is primarily aimed at reducing land use and traffic-related conflicts along the Robertson Avenue frontage. Because the SP application is regulatory in nature, a detailed site plan is not included in the application. Planning staff has included conditions of approval that ensure that the supplemental policy is followed with the final SP submittal.

Staff Recommended Conditions

Given the complexity of the proposal, staff has several recommended conditions that will provide for more certainty at the final site plan stage. Conditions included relate to building materials along Basswood, parking garage screening, parking calculations, architectural standards, and uses. With the staff recommended conditions, the proposed SP is generally consistent with the applicable policies and the context of the site and its surroundings, staff recommends approval with conditions and disapproval without all conditions.

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final construction plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. Any proposed roadway sections, ramps, sidewalks, curb & gutter, etc. should be constructed per NDOT detail standards and specifications.
- All frontages along public ROW should be built to Major Street Collector Plan (MCSP). Any variances proposed to the MCSP requirements, due to the existing constraints, shall be coordinated w/ planning and NDOT for consideration before final submittals.
- Dimension ROW pavement widths for clarity and reference.
- Note: A private hauler will be required for waste/recycle disposal.
- Contact Metro Water services for waste disposal requirement (solidwastereview@nashville.gov).
- Additional 1-1/2' mill and overlay may be required to cover full extents of utility or roadway widening work in the public ROW. Extents to be coordinated in field with NDOT inspector.
- Any non-MUTCD, non-AASHTO approved pavement markings, curb extensions and/or striping that is proposed in the ROW shall be coordinated w/ NDOT, prior to final.
- Any aerial encroachment proposed in ROW will require a mandatory referral. Additional private maintenance agreement contracts may be required for conditions (1.) and (2.) aforementioned.
- Site accesses shall comply with metro code ordinances.
- Comply w/ NDOT traffic conditions on road realignment at intersection of Robertson James/Westboro.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Provide sidewalk (approx. 50 feet) between the property's southern edge to the existing sidewalk to fill the sidewalk gap that will be created - as ROW and coordination with the neighboring property allows.
- Where physical constraints do not exist along the property frontages, local street standard requirements shall be met. All spots along the frontage that poses a physical constraint may have an alternative pedestrian path that is ADA compliant.
- As requested by CM Horton, a traffic device needs to be designed/installed on Robertson Ave to discourage truck traffic but allow for emergency vehicle access and marina traffic. This design shall be finalized prior to the Final SP submittal and shown or called out on those plans.
- All other off-site improvement's designs shall be included in the building permit plan set. Call out improvements to be done on the Final SP submittal.
 - At Robertson Avenue & Basswood Avenue, pedestrian infrastructure shall be incorporated into the design. Provide a crosswalk and ADA compliant curb ramp with detectable warning mats on the southwest and southeast corners of the intersection. Yield to pedestrian signage may be appropriate.
 - Realign Robertson Avenue & James Ave/Westboro Ave to improve safety and visibility. Provide a crosswalk for the north leg. Provide detectable warning mats for the NE and NW corners. Provide an all-way stop control. Install stop (R1-1) signs with All-way (R1-3P) plaques and stop bars for the EB and WB approaches. Install all-way (R1-3P) plaques on existing stop (R1-1) signs on the NB and SB approaches and refresh the stop bars. Install a Stop Ahead (W3-1) sign facing SB traffic on James Ave approx. 135 feet north of Robertson Ave and one facing WB traffic on

Robertson Ave approx. 125 feet east of James Ave. Relocate the existing 35 mph stop sign from the EB approach to the intersection to EB Robertson Ave west of James Ave adjacent to the existing utility pole. All with Phase 1.

- o At Robertson Ave and Annex Ave, Provide a crosswalk for the east leg of the intersection. Provide ADA detectable warning mats on the existing curb ramps for the NE and SE corners. Refurbish the existing stop lines for each approach. All with phase 1.

METRO WATER SERVICES RECOMMENDATION

Approve with conditions

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

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Marina (420)	-	-	122 slips	294	9	26

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	-	-	6,000 SF	643	0	54

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
Marina (420)	-	-	186 slips	448	13	39

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
Strip Retail Plaza (822)	-	-	30,000 SF	1,496	59	13

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
Food Cart Pod (926)	-	-	1 cart	107	10	33

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-family (220)	-	-	300 U	1,998	116	150

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
Small Office Building (712)	-	-	5,000 SF	72	8	11

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	3,184	+197	+166

*Proposed uses included in traffic table based on MMTA evaluated by NDOT

METRO SCHOOL BOARD REPORT

The mix of uses could vary and assumption of impact at this point is premature. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. 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 with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be as follows:
 - Block 1 shall be limited to all uses permitted in MUL-A and the following additional uses: mobile vendor, vehicle sales and service limited (restricted to boats and boating appurtenances), equipment storage, boat dock, water taxi station, liquor sales, nanobrewery, artisan distillery, small outdoor music event.
 - Block 2 shall be limited to all uses permitted in MUL-A and the following additional uses; boat slips, boat storage, vehicle sales and service limited (restricted to boats and boating appurtenances), fuel storage and sales, water taxi station, boat dock, country club, mobile vendor.
 - Block 3 shall be limited to all uses permitted in MUN-A and the following additional uses: mobile vendor, boat storage, vehicle sales and service limited (restricted to boats and boating appurtenances), country club, commercial amusement (outside), nanobrewery. Short term rental property, owner occupied, and not owner occupied, shall be prohibited in Block 3.
 - Block 4 shall be limited to all uses permitted in MUL-A and the following additional uses: boat storage, country club, vehicle sales and service limited (restricted to boats and boating appurtenances), equipment storage, mobile vendor, water taxi station. Short term rental property, owner occupied, and not owner occupied, shall be prohibited in Block 4.
 - Block 5 shall be limited to all uses permitted in MUL-A and the following additional uses: boat storage, equipment storage, mobile vendor, vehicle sales and service limited (restricted to boats and boating appurtenances), water taxi station.
 - The following uses are prohibited in the entire development: alternative financial services, auction house, car wash, donation center (drop off), funeral home, distributive business (wholesale), and warehouse.
 - Short term rental uses are limited to Blocks 1, 2, & 5 and are limited to 25% of the residential units in the entire development.
2. On the corrected set, update all references to permitted and prohibited uses as outlined in the use condition.
3. On the corrected set, update all land use policy references on Sheet 01.
4. A buffer consistent with the Supplemental Policy shall be provided along Robertson Avenue to be reviewed at final site plan.
5. On the corrected set, update Landscape Standards Note # 3 to say: A 20' wide buffer shall be provided along the rear property line of the residential properties fronting Basswood. Existing vegetation shall be preserved to the greatest extent possible and shall be supplemented with a C-3 Landscape Buffer Yard in areas where trees are removed due to damage.
6. On the corrected set, update Note 3 under Block 4 standards on Sheet 01 as follows: Boat Storage to be a minimum of 50' in distance from the shared property line with parcels 090110D90000CO, 090110E90000CO, 090110F90000CO.
7. On the corrected set, updated Note 6 under Architectural Design Standards on Sheet 02 as follows: Glazing on the 1st floor of any façade fronting public streets or open space shall be a minimum of 30% of non-residential and a minimum of 20% for residential uses. Glazing on upper floors of any facades fronting public streets or open space shall be a minimum of 20%.
8. On the corrected set, move Note 8 under Architectural Design Standards on Sheet 02 to the Landscape Standards section of the same sheet.
9. On the corrected set, delete the following notes on Sheet 01: Note 1 under Block 1; Note 4 under Block 3; Note 5 under Block 3.
10. On the corrected set, update Note 1 under General Standards on Sheet 02 as follows: Structured parking or surface parking is permitted at the intersection of Basswood Avenue and Robertson within the build-to-zone.
11. On the corrected set, add the following note under General Standards on Sheet 02: For any surface parking visible along Basswood Avenue, additional landscaping shall be provided to buffer the view of the parking.

12. On the corrected set, add the following note under General Standards on Sheet 02: Structured parking located within the build to zone along Basswood Avenue or oriented toward the marina shall be lined with active uses. If structured parking is utilized, no liner or architectural screening is required for the Robertson Avenue side of the structure; however, any parking structure visible from Basswood Avenue that is not required to be lined with active uses shall include architectural screening.
13. On the corrected set, update Note 2 under General Standards on Sheet 02: For Blocks 4 and 5, overall height to be measured from the base flood elevation (BFE) to the midpoint of the primary roof pitch or top of parapet for a flat roof.
14. On the corrected set, update the maximum height in the bulk standards under Block 4 and Block 5 on Sheet 01: "...above base flood elevation".
15. On the corrected set, add the following note under General Standards on Sheet 02: For buildings in Blocks 1, 2, and 3, story is defined per the Story definition in the Metro Zoning Code. Any covered rooftop amenities will be considered a story.
16. On the corrected set, delete Note 1 under NDOT notes on Sheet 02 and replace with the following: Sidewalks shall be provided along Basswood Avenue with the final cross section to be determined in consultation with NDOT and Planning at final SP.
17. On the corrected set, update Note 3 under General Standards on Sheet 02: Parking shall not exceed the maximum limits of the UZO.
18. On the corrected set, remove Note 5 and Note 6 under General Standards on Sheet 02.
19. Any mandatory referrals required for signage encroachments shall require approval by Metro Council prior to issuance of final site plan.
20. No signage is approved with the preliminary SP plan. Details for the proposed signage located at the entrance of the marina at the Cumberland River shall be provided during final SP review. All other signage shall be reviewed per the fallback zoning at building permit.
21. Comply with all conditions and requirements of Metro reviewing agencies.
22. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application. In addition to the correct copy for this amendment, provide an inclusive copy for the entire SP, reflective of all amendments to date.
23. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
24. No master permit/HPR shall be recorded prior to final SP approval.
25. Final plat may be required prior to permitting.
26. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association
27. 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.
28. 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.
29. 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.
30. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approve with conditions and disapprove without all conditions. (8-0-1)

Resolution No. RS2024-179

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-002-001 is approved with conditions and disapproved without all conditions. (8-0-1)

CONDITIONS

1. Permitted uses shall be as follows:

- Block 1 shall be limited to all uses permitted in MUL-A and the following additional uses: mobile vendor, vehicle sales and service limited (restricted to boats and boating appurtenances), equipment storage, boat dock, water taxi station, liquor sales, nanobrewery, artisan distillery, small outdoor music event.

- Block 2 shall be limited to all uses permitted in MUL-A and the following additional uses; boat slips, boat storage, vehicle sales and service limited (restricted to boats and boating appurtenances), fuel storage and sales, water taxi station, boat dock, country club, mobile vendor.
 - Block 3 shall be limited to all uses permitted in MUN-A and the following additional uses: mobile vendor, boat storage, vehicle sales and service limited (restricted to boats and boating appurtenances), country club, commercial amusement (outside), nanobrewery. Short term rental property, owner occupied, and not owner occupied, shall be prohibited in Block 3.
 - Block 4 shall be limited to all uses permitted in MUL-A and the following additional uses: boat storage, country club, vehicle sales and service limited (restricted to boats and boating appurtenances), equipment storage, mobile vendor, water taxi station. Short term rental property, owner occupied, and not owner occupied, shall be prohibited in Block 4.
 - Block 5 shall be limited to all uses permitted in MUL-A and the following additional uses: boat storage, equipment storage, mobile vendor, vehicle sales and service limited (restricted to boats and boating appurtenances), water taxi station.
 - The following uses are prohibited in the entire development: alternative financial services, auction house, car wash, donation center (drop off), funeral home, distributive business (wholesale), and warehouse.
 - Short term rental uses are limited to Blocks 1, 2, & 5 and are limited to 25% of the residential units in the entire development.
2. On the corrected set, update all references to permitted and prohibited uses as outlined in the use condition.
 3. On the corrected set, update all land use policy references on Sheet 01.
 4. A buffer consistent with the Supplemental Policy shall be provided along Robertson Avenue to be reviewed at final site plan.
 5. On the corrected set, update Landscape Standards Note # 3 to say: A 20' wide buffer shall be provided along the rear property line of the residential properties fronting Basswood. Existing vegetation shall be preserved to the greatest extent possible and shall be supplemented with a C-3 Landscape Buffer Yard in areas where trees are removed due to damage.
 6. On the corrected set, update Note 3 under Block 4 standards on Sheet 01 as follows: Boat Storage to be a minimum of 50' in distance from the shared property line with parcels 090110D90000CO, 090110E90000CO, 090110F90000CO.
 7. On the corrected set, updated Note 6 under Architectural Design Standards on Sheet 02 as follows: Glazing on the 1st floor of any façade fronting public streets or open space shall be a minimum of 30% of non-residential and a minimum of 20% for residential uses. Glazing on upper floors of any facades fronting public streets or open space shall be a minimum of 20%.
 8. On the corrected set, move Note 8 under Architectural Design Standards on Sheet 02 to the Landscape Standards section of the same sheet.
 9. On the corrected set, delete the following notes on Sheet 01: Note 1 under Block 1; Note 4 under Block 3; Note 5 under Block 3.
 10. On the corrected set, update Note 1 under General Standards on Sheet 02 as follows: Structured parking or surface parking is permitted at the intersection of Basswood Avenue and Robertson within the build-to-zone.
 11. On the corrected set, add the following note under General Standards on Sheet 02: For any surface parking visible along Basswood Avenue, additional landscaping shall be provided to buffer the view of the parking.
 12. On the corrected set, add the following note under General Standards on Sheet 02: Structured parking located within the build to zone along Basswood Avenue or oriented toward the marina shall be lined with active uses. If structured parking is utilized, no liner or architectural screening is required for the Robertson Avenue side of the structure; however, any parking structure visible from Basswood Avenue that is not required to be lined with active uses shall include architectural screening.
 13. On the corrected set, update Note 2 under General Standards on Sheet 02: For Blocks 4 and 5, overall height to be measured from the base flood elevation (BFE) to the midpoint of the primary roof pitch or top of parapet for a flat roof.
 14. On the corrected set, update the maximum height in the bulk standards under Block 4 and Block 5 on Sheet 01: "...above base flood elevation".
 15. On the corrected set, add the following note under General Standards on Sheet 02: For buildings in Blocks 1, 2, and 3, story is defined per the Story definition in the Metro Zoning Code. Any covered rooftop amenities will be considered a story.
 16. On the corrected set, delete Note 1 under NDOT notes on Sheet 02 and replace with the following: Sidewalks shall be provided along Basswood Avenue with the final cross section to be determined in consultation with NDOT and Planning at final SP.
 17. On the corrected set, update Note 3 under General Standards on Sheet 02: Parking shall not exceed the maximum limits of the UZO.
 18. On the corrected set, remove Note 5 and Note 6 under General Standards on Sheet 02.
 19. Any mandatory referrals required for signage encroachments shall require approval by Metro Council prior to issuance of final site plan.
 20. No signage is approved with the preliminary SP plan. Details for the proposed signage located at the entrance of the marina at the Cumberland River shall be provided during final SP review. All other signage shall be reviewed per the fallback zoning at building permit.
 21. Comply with all conditions and requirements of Metro reviewing agencies.

22. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application. In addition to the correct copy for this amendment, provide an inclusive copy for the entire SP, reflective of all amendments to date.
23. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
24. No master permit/HPR shall be recorded prior to final SP approval.
25. Final plat may be required prior to permitting.
26. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association
27. 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.
28. 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.
29. 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.
30. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

5. 2024SP-015-001

TALBOT'S CORNER

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Dustin Shane

A request to rezone from CS, IWD, SP and RS5 to SP zoning for various properties along Dickerson Pike and W. Trinity Lane, at the southwest corner of W. Trinity Lane and Dickerson Pike (61.41 acres), partially within the Dickerson Pike Sign Overlay District to permit a mixed-use development, requested by Barge Design Solutions, applicant; various owners.

Staff Recommendation: Defer to the August 22, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-015-001 to the August 22, 2024, Planning Commission meeting. (8-0)

6. 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 August 22, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-016-001 to the August 22, 2024, Planning Commission meeting. (8-0)

7. 2024NL-002-001

815 NELLA DR

Council District 03 (Jennifer Gamble)

Staff Reviewer: Savannah Garland

A request to apply a Neighborhood Landmark Overlay District on property located at 815 Nella Drive, approximately 486 feet west of Green Acres Drive, zoned RS20 (0.61 acres), and located within a Historic Landmark Overlay District, to permit all uses of RS20, cultural center, short term rental property-not owner occupied, and multi-media production uses, requested by Natalie Hannigan, applicant; Natalie & Andrew Hannigan, owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Apply a Neighborhood Landmark Overlay District.

Neighborhood Landmark Overlay District

A request to apply a Neighborhood Landmark Overlay District on property located at 815 Nella Drive, approximately 486 feet west of Green Acres Drive, zoned Single-Family Residential (RS20) (0.61 acres), and located within a Historic Landmark Overlay District, to permit all uses of RS20, cultural center, short term rental property-not owner occupied, and multi-media production uses.

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 one single-family lot.*

Historic Landmark Overlay District (HLOD) is defined as a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance whose demolition or destruction would constitute an irreplaceable loss to the quality of character of Nashville and Davidson County.

Proposed Overlay

Neighborhood Landmark Overlay District (NLOD) is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood or community.

PARKWOOD – UNION HILL 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.

Proposed NL START

2024NL-002-001

815 Nella Drive Patsy Cline's Dream Home

All proposed uses are below with square footage and hours. No uses will overlap, if the museum is open, other uses are not. This will help confine traffic and keep the groups small.

Short Term Rental:

2,770 sq ft

Operating hours - 7 days a week

Ten person max accommodation and I will screen the folks who come. The home has 4 full bedrooms and three full bathrooms, it has a couple different living room type areas, and has two kitchens.

Museum:

2,770 sq ft

Operating hours - 1 day a month (probably a Tuesday) 10-6 Not 100% certain on the exact cadence, but leaning towards once a month, on a Tuesday. Myself or my husband will be in the home for the duration, it will include the inside of the home, minus the garage.

Studio:

500 sq ft

Operating hours - 7 days a week, 10-8 Proposed creation for Fall 2025, we are working with a professional sound engineer to ensure that the space is sound-proof and the setup is nice and professional.

Proposed NL END

CASE HISTORY

This case was deferred at the July 25, 2024, Planning Commission meeting after a public hearing was held due to a desire by the Commission for additional clarification on the proposed uses and for consideration of additional conditions. The commissioners wanted to ensure that conditions were included that prohibit multiple uses operating concurrently and that limited operating hours. Staff has included additional conditions below.

There were two community meetings held prior to the July 25, 2024, meeting where there was no opposition stated at the meetings. The public hearing remains open.

SITE AND CONTEXT

The site is located along Nella Drive, west of Green Acres Drive. The site is one parcel, approximately 0.61 acres, with an existing single-story residential structure. The surrounding land use is primarily residential and the surrounding zoning is R20 with RS20 to the north of the subject site. The property is located within the Pleasant Hill Neighborhood and within a Historic Landmark Overlay District. The subject site was approved for a Historic Landmark Overlay by Metro Council in 2023 due to its significance as Patsy Cline's 1961 ranch house "dream home." Patsy moved to Nashville in 1959 and in 1960 she became a member of the Grand Ole Opry. In 1973 the Country music icon became the first female solo artist inducted into the Country Music Hall of Fame.

The purpose and intent of the Neighborhood Landmark District (NL) is to preserve and protect features that are important to maintain and enhance neighborhood character by allowing for adaptive reuse of the existing structure. In 2018, Metro Council approved BL2018-1317, an amendment to the Zoning Code that consolidated the NL District process into a single application process, where establishment of the NL District and approval of the development plan are considered concurrently. This request is for establishment of the Neighborhood Landmark District Overlay on the property and approval of the development plan outlining the proposed reuse of the existing structure. The purpose of the existing Historic Landmark Overlay District on the property is to preserve and protect the historical/architectural value of buildings, structures, or areas of significant importance. The proposed Neighborhood Landmark Overlay District (NLOD) establishes uses that are not permitted in the base zoning district to allow for the preservation and re-use of unique structures.

PLAN DETAILS

The Neighborhood Landmark Overlay proposes new land uses for the property, included within the existing 2,770 square foot structure on the property. Uses proposed on the development plan include short-term rental property (not-owner occupied), museum (which is classified as a Cultural Center by the Metro Zoning Code), and a multi-media production studio. There will be one permit for the short-term rental unit with four bedrooms, and information provided by the applicant states that when the house is not being rented out it will be a cultural center to tour with limited hours established. The proposed multi-media production studio will be available for use by individuals who book studio time, separate from the STRP and museum uses. The production studio is proposed to be on the underground side of the garage area and information provided by the applicant states that they are working with a sound engineer to incorporate sound mitigation improvements to absorb sound, and that the studio hours will conclude at 8 pm so as not to impact the surrounding residential units. No signage is proposed or permitted except for the existing historic landmark sign in the front yard that denotes the house is Patsy Cline's Dream Home. No exterior modifications to the structure or the site are proposed. There is currently space for approximately eight cars on the property without impacting street parking, as indicated on a parking exhibit provided with this request. No additional parking is proposed. The lot fronts Nella Drive and vehicular access will continue to be from Nella Drive.

ANALYSIS

Neighborhood Landmark districts are intended to preserve and protect neighborhood features that are considered critical components of the neighborhood context by permitting additional uses, beyond uses permitted by the underlying zoning district, provided that the Planning Commission determines that they are "compatible with, and sensitive to, abutting properties and the overall neighborhood fabric and appropriate to preserve and maintain the district."

Applications to establish a NL district follow similar procedures as a rezoning application because the creation of an overlay district is considered an amendment to the Official Zoning Map. A requirement of creating a Neighborhood Landmark District is that a Development Plan be submitted with drawings, written text, and any information necessary to demonstrate how the proposal will protect the character of the district and neighborhood, and to ensure compatibility with surrounding uses. Therefore, this request is for establishment of the Neighborhood Landmark District and approval of the development plan outlining the proposed reuse of the feature.

Staff finds that the proposed uses are sensitive to surrounding properties considering the use will occupy an existing structure. The proposed uses are also low in intensity and not anticipated to generate heavy traffic. The role of the Planning Commission for this application is to consider the criteria to establish a Neighborhood Landmark District and make a recommendation to the Metro Council.

Section 17.40.160.H. of the Metro Zoning Code provides findings for approval for the Planning Commission to consider in the review of a Neighborhood Landmark District. These include:

- a. The feature is a critical component of the neighborhood context and structure
- b. The retention of the feature is necessary to preserve and enhance the character of the neighborhood
- c. That adaptive reuse, as described in the development plan, will facilitate protection and preservation of the identified feature
- d. That the proposed use(s) in the development plan is compatible with and sensitive to abutting properties and the overall neighborhood fabric and appropriate to preserve and maintain the district.

Staff finds that the proposed development plan meets all the above criteria. The proposal does not include any exterior changes to the structure, including no expansion of the footprint. The proposed uses are contained to the existing structure. The retention of the feature is necessary to preserve the neighborhood character and the proposed reuse of the building will facilitate its preservation. The retention of this structure will help preserve and enhance the character of the neighborhood. The Neighborhood Landmark permits additional uses beyond the limited uses of the existing base zoning as to provide for the opportunity to preserve and enhance the existing structure. The proposed uses are compatible with and sensitive to abutting properties and the overall neighborhood fabric. The Neighborhood Landmark is intended to be applied in unique circumstances, and not intended to serve as an impetus for more commercial development in the area. There are conditions in place for subject site to help alleviate some of the neighbor's concerns and this site will also abide by the STRP regulations and noise ordinance. Staff recommends approval of the Neighborhood Landmark District.

HISTORIC ZONING COMMISSION RECOMMENDATION

- Staff has no comment as the proposal does not include any new construction or demolition. Historic review is limited to exterior changes and does not include review of building usage.
- No exception taken.

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

METRO WATER SERVICES RECOMMENDATION

Approve

- 2024NL-002-001, 815 Nella Drive WS has no objection or exception regarding the NL with respect to the existing sanitary sewer. Water is provided by the Madison Suburban Utility District.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Permitted uses are limited to uses of RS20, short term rental property (not-owner occupied), cultural center, and multi-media production.
2. Short term-rental property use shall be limited to one unit within the existing structure.
3. This approval does not include any changes to the exterior of the structure. If any changes are proposed, it may require a new development plan.
4. No signage is permitted with the exception of the existing Historic Landmark Sign currently on the property.
5. Any changes to the NL District and/or its associated development plan are subject to the provisions of Section 17.40.160.
6. No concurrent uses shall be permitted. (for example: if rented as a short term rental, neither the museum or multi-media production may be used during the rental term).
7. The permitted museum and production studio uses shall close hours of operation at 8pm.
8. Parking for all uses is limited to the driveway. No street parking is permitted.

Vice Chair Farr joined the meeting.

Ms. Garland presented the staff recommendation to approve with conditions.

Natalie Hanigan, 815 Nella Drive, spoke in favor of the application.

Susan Ghorbani, 411 Alta Loma Road, spoke in favor of the application.

Judy McKenzie, 818 Nella Drive, spoke in opposition to the application.

Hal Balthrop, 810 Nella Drive, spoke in opposition to the application.

Natalie Hanigan spoke in rebuttal.

Councilmember Gamble stated Nella Drive is narrow and the parking pads on the property would address the concerns of street parking and felt it is important to have the no street parking condition. She said the conditions address a lot of the concerns. Ms. Gamble thought it would be important to have a professional company manage the property. She asked the applicant why she is not hiring a management company.

Natalie Hanigan stated she used a management company for her long term rental property and they let it go 'to crap'. She said she wanted to be hands-on and wanted to be able to see things and check in. Ms. Hanigan stressed that she will hire professionals to do services, such as gardening.

Chair Adkins closed the Public Hearing.

Councilmember Gamble asked if the no signage condition includes no parking signs.

Ms. Milligan advised no parking signage is installed by NDOT and is different than private signage.

Vice Chair Farr stated she is still struggling with the non-owner occupied short term rental because ten people could be disruptive and a challenge for the neighborhood character. She said that condition six indicates that no concurrent uses will be permitted and clarified that meant when the house is rented, then the museum is closed and the music studio will not be used.

Ms. Milligan responded in the affirmative.

Vice Chair Farr thought that condition would be hard to manage. She said she supports this but is still concerned about the short term rental piece.

Mr. Clifton stated he puts high value on Historic preservation and there is nothing to protect the property now. He said he is supportive at this time.

Ms. Leslie asked if busses would be allowed to park in the parking lot.

Ms. Garland responded that busses would park in the parking lot or the long driveway.

Ms. Leslie asked if there is room for a bus and eight people to park on the parking pads.

Ms. Garland showed the presentation slide which indicated the location of the parking areas.

Ms. Leslie asked if there are limits to how many busses could get in the parking area.

Ms. Milligan advised there are occupancy limits per the fire code.

Ms. Kempf added the driveway is private property and would be managed by the fire code and fire marshal and the private home would be managed by any standards that the fire marshal would have. The street is public right-of-way and NDOT would manage parking requirements on a street.

Mr. Marshall asked about the support in the community for this project.

Councilmember Gamble explained there were two community meetings held prior to the first hearing and at the first meeting it was requested for commercial zoning, which sparked a lot of concerns. The applicant changed the application from commercial zoning to neighborhood landmark overlay and there was not opposition expressed at the second meeting. Councilmember Gamble further explained she has been in contact with the neighbors through emails and phone calls and they expressed concerns about the parking. At the last public hearing, the Commission decided they needed to look at adding conditions to address the neighbors' concerns. Councilmember Gamble said there have been no community meetings since the last public hearing, but she has been in direct contact with the immediate neighbors since then.

Mr. Marshall said the historic value of the property would add to the benefit of the community and felt the applicant should look into a management type situation. He stated he is in support of approving with the added conditions.

Ms. Dundon asked about the differences between an historic landmark overlay and a neighborhood landmark overlay.

Ms. Milligan explained an historic overlay is primarily to protect the structure from inappropriate changes. Neighborhood landmark is another tool that can be utilized by properties that are important to the broader community to allow for adaptive reuses of uses that would not be otherwise permitted.

Ms. Dundon said she is in support and is not convinced that hiring a management company is the best idea as some of them can do a poor job. She likes that the applicant wants to remain hands-on.

Vice Chair Farr asked if the neighborhood landmark overlay transfers if the property is sold.

Ms. Milligan stated it is the zoning for the property and would stay on the property. The short term rental use would still be permitted but the actual permit does not transfer. The new owner would need to obtain their own short term rental permit.

Councilmember Gamble said she is comfortable moving forward and will continue to work with the neighbors to address their concerns before final approval at the Council level.

Mr. Clifton moved and Mr. Marshall seconded the motion to approve with conditions. (9-0)

Resolution No. RS2024-180

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024NL-002-001 is approved with conditions.(9-0)

CONDITIONS

1. Permitted uses are limited to uses of RS20, short term rental property (not-owner occupied), cultural center, and multi-media production.
2. Short term-rental property use shall be limited to one unit within the existing structure.
3. This approval does not include any changes to the exterior of the structure. If any changes are proposed, it may require a new development plan.
4. No signage is permitted with the exception of the existing Historic Landmark Sign currently on the property.
5. Any changes to the NL District and/or its associated development plan are subject to the provisions of Section 17.40.160.
6. No concurrent uses shall be permitted. (for example: if rented as a short term rental, neither the museum or multi-media production may be used during the rental term).
7. The permitted museum and production studio uses shall close hours of operation at 8pm.
8. Parking for all uses is limited to the driveway. No street parking is permitted.

8. 2024S-025-001

MADISON STATION

Council District 09 (Tonya Hancock)

Staff Reviewer: Laszlo Marton

A request for concept plan approval to create ten lots on property located at 721 Madison Square, approximately 135 feet south of Neelys Bend Road, zoned MUG-A (31.72 acres), and located within a Corridor Design Overlay District, requested by BCA Civil, applicant; 721 Madison Square LLC, owner.

Staff Recommendation: Defer to the August 22, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024S-025-001 to the August 22, 2024, Planning Commission meeting. (8-0)

9. 2024S-065-001

DABBS AND ELLIOTT'S SUBDIVISION

Council District 11 (Jeff Eslick)

Staff Reviewer: Celina Konigstein

A request for final plat approval to create two lots on property located at 3001 Lakeshore Drive, at the southeastern corner of Lakeshore Drive and 30th Street, zoned RS5 (0.61 acres), requested by Clint Elliott Survey, applicant; John & Marie Pratt, owners.

Staff Recommendation: Approve with conditions, including an exception Section 3-5.2.d.2 for lot area.

APPLICANT REQUEST

Request for final plat approval to create two lots.

Final Plat

A request for final plat approval to create two lots on property located at 3001 Lakeshore Drive, at the southeastern corner of Lakeshore Drive and 30th Street, zoned Single-Family Residential (RS5) (0.61 acres).

SITE DATA AND CONTEXT

Location: The site consists of one parcel located on the northern side of Lakeshore Drive.

Street Type: The site has frontage on both Lakeshore Drive and 30th Street which are classified as local streets.

Approximate Acreage: 0.61 acres or approximately 26,650 square feet.

Parcel/Site History: This parcel was originally platted in 1926 as several lots that were a part of Dabbs and Elliott's subdivision Blocks 19 and 26 (Book 547, Page 127). In 2020, there was a plat recorded which voided and vacated the portion at this site and additional property to the north and created two lots (Instrument Number 20200127-0009818). The subject plat proposes to subdivide the southern lot into two lots.

Zoning History: The site has been zoned RS5 since 2011.

Existing land use and configuration: The property at 3001 Lakeshore Drive has one house and an accessory building behind the house.

Surrounding Land Use and Zoning:

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

Zoning: Single-Family Residential (RS5)

Min. lot size: 5,000 square feet

Max. building coverage: 0.5

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 0.35 acres, or 15,190 square feet and proposed Lot 2 is approximately 0.238 acres or 10,369 square feet.

Access: Lot 1 is a corner lot and currently takes access from 30th Street. Lot 2 takes access from 30th Street.

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

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 greater than 5,000 square feet and have frontage on a public street, either Lakeshore Drive or 30th 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. 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.

Both lots exceed the minimum square footage requirement of the zoning district. Lot 1 is 15,190 square feet and Lot 2 is 10,369 square feet.

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.

Both lots have frontage on a public street, Lot 1 has frontage on both 30th Street and Lakeshore Drive while Lot 2 has frontage on 30th Street.

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

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

d. The proposed lots are consistent with the community character of the 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.

Proposed Lot 1 meets the minimum frontage requirement of 70 feet with a proposed frontage of 100.01 feet along Lakeshore Drive. Proposed Lot 2 meets the minimum frontage requirement of 68.6 feet with a proposed frontage of 108.7 feet along 30th Street.

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.*

Due to the site including a corner lot, the two RS-zoned parcels to the east of the proposed Lot 1 were used in evaluating compatibility as those lots share the same orientation along Lakeshore Drive. Proposed Lot 1 is 15,190 square feet and does not meet the minimum lot area requirement of 0.63 acres or 27,442 square feet. For proposed Lot 2, compatibility was evaluated with the existing lot to the north. The proposed Lot 2, 10,369 square feet, does not meet the compatibility requirements of the required minimum lot area of 0.24 acres or 10,454 square feet.

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

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

4. *Orientation of the proposed lots shall be consistent with the surrounding parcels.*

For a corner lot, both block faces shall be evaluated.

Proposed Lot 1 is oriented toward Lakeshore Drive, consistent with the existing development pattern. There is an existing structure on Lot 1 which is identified as to remain on the plat. The proposed Lot 2 is oriented toward 30th Street consistent with the existing lot to the north.

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).*

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. This request requires an exception from 3-5.2.d.2 pertaining to lot area for the proposed Lot 1 and Lot 2.

In looking at the development pattern of the area, the subject parcel is located at a corner with the frontage spanning two streets, Lakeshore Drive and 30th Street. The proposed division of the lot into two lots results in a form compatible with lots along both streets with regard to frontage and orientation. The existing structure on Lot 1 is identified to remain, keeping the existing building setback pattern along Lakeshore Drive. Additionally, proposed Lot 2 and the existing lot to the north more closely mirrors the smaller lots on the western side of 30th street.

3-5.3 Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Maintenance, except where a Special Policy and/or a Designated Historic District exists.

Not applicable to this case.

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

Not applicable to this case.

3-5.5 Infill Subdivision Frontage

For infill lots with a street frontage of less than 50 feet in width and where no improved alley exists, these lots shall be accessed via a shared drive. The Planning Commission may grant an exception if existing conditions prevent alley access or shared drive access.

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

Dedication along 30th Street is required up to the remaining structure which is indicated to be retained. Beyond that, reservation is required to reach the full half of standard right-of-way width.

Dedication along Lakeshore Drive is also provided to reach the 25' half of standard right-of-way width required on a 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

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

3-15 Public Water Facilities

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

3-16 Sewerage Facilities

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

3-17 Underground Utilities

There are no new utilities proposed.

PLANNING STAFF COMMENTS

With the exception for minimum lot area, the proposed lots meet the standards of the Metro Subdivision Regulations and Metro Zoning Code. The plat proposes two lots be created out of one larger 0.61-acre or 26,650 square foot parcel.

Staff recommends approval with conditions based on a finding that the proposal can provide for harmonious development.

POLICY CONSIDERATIONS

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

NashvilleNext includes a Community Character Manual (CCM) which established character areas for each property within Metro Nashville. The community character policy applied to this property is T3 Suburban Neighborhood Maintenance. The intent of T3 NM policy is to maintain the general character of 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. The proposed subdivision maintains the residential land use, meets the minimum standards of the zoning district, and has frontage along existing local streets.

If the Commission can find that the proposed final plat is meeting the intent of the T3 NM policy, the Commission could place greater weight to this portion of the adopted General Plan (Nashville Next), and the Commission may approve the subdivision with the requested exceptions.

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

- Prior to issuance of building permits the RSSP agreement & submittal of Public and/or private Sanitary Sewer construction plans must be submitted and approved for new lot. Water & Sanitary Sewer Capacity Fees for new Lot must be paid before issuance of building permits.

STAFF RECOMMENDATION

Approve with conditions, including an exception to 3-5.2.d.2 for lot area.

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.
3. On the corrected copy of the plat, update note 3 "Property is currently zoned RS5 and is within the Airport Impact Overlay."
4. On the corrected copy, dimension the existing ROW, ROW dedication, and reserved ROW.
5. On the corrected copy, label the centerline of Lakeshore Drive and 30th Street.
6. On the corrected copy, add the following note: "Access to Lot 1 shall be limited to 30th Street."
7. On the corrected copy, update the right-of-way label along 30th Street to say "R.O.W. Varies."

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2024S-065-001 with conditions including an exception to 3-5.2.d.2 for lot area based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions, including an exception to Section 3-5.2.d.2 for lot area. (9-0)

Resolution No. RS2024-181

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-065-001 is approved with conditions, including an exception to Section 3-5.2.d.2 for lot area.(9-0)

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.
3. On the corrected copy of the plat, update note 3 "Property is currently zoned RS5 and is within the Airport Impact Overlay."
4. On the corrected copy, dimension the existing ROW, ROW dedication, and reserved ROW.
5. On the corrected copy, label the centerline of Lakeshore Drive and 30th Street.
6. On the corrected copy, add the following note: "Access to Lot 1 shall be limited to 30th Street."
7. On the corrected copy, update the right-of-way label along 30th Street to say "R.O.W. Varies."

10. 2024S-083-001

HARPETH OVERLOOK

Council District 35 (Jason Spain)

Staff Reviewer: Laszlo Marton

A request for concept plan approval to create 35 lots on properties located at 7934, 7946 and 7968 McCrory Lane, approximately 85 feet north of Beautiful Valley Drive, zoned AR2A and RS10 (27.93 acres), requested by JW Land Surveying, applicant; William & Shawna Travis ET UX, owners.

Staff Recommendation: Defer to the August 22, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024S-083-001 to the August 22, 2024, Planning Commission meeting. (8-0)

11. 2024S-084-001

FINAL PLAT OF THE STEINBACK PROPERTY

Council District 03 (Jennifer Gamble)

Staff Reviewer: Dustin Shane

A request for final plat approval to shift lot lines on properties located at 4329 Brick Church Pike and Brick Church Pike (unnumbered), at the southeast corner of Jackson Road and Brick Church Pike, zoned R20 (45.17 acres), requested by Stivers Land Surveying, applicant; Eric Steinback, owner.

Staff Recommendation: Defer to the August 22, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024S-084-001 to the August 22, 2024, Planning Commission meeting. (8-0)

12. 2024Z-065PR-001

Council District 01 (Joy Kimbrough)

Staff Reviewer: Savannah Garland

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.

Ms. Garland presented the staff recommendation to approve. Ms. Garland explained this Item was heard at the June 13, 2024 meeting and the public hearing was held and closed. The Commission expressed a desire to hear from the applicant. She said if the Commission wants to hear from the applicant or members of the public, the public hearing will need to be reopened.

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. The -NS designation prohibits Short-Term Rental Property – Owner Occupied and Short-Term Rental Property - Not Owner Occupied uses from the district.*

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.

Chair Adkins asked if there was any objection to reopening the public hearing. (No objection) Chair Adkins stated they will reopen the public hearing.

Josh McDonald, 3818 Hydes Ferry Road, spoke in favor of the application.

Chair Adkins closed the Public Hearing.

Ms. Leslie asked for the square footage of the house.

Ms. Milligan stated that because this is a straight zoning, they do not have a site plan they are reviewing. She said all of the bulk standards would need to meet the requirements of the zoning district.

Ms. Leslie appreciated the developer not wanting to do a lot of attached housing and felt this would be a benefit the neighborhood.

Ms. Leslie moved and Ms. Allen seconded the motion to approve. (9-0)

Resolution No. RS2024-182

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-065PR-001 is approved. (9-0)

13. 2024Z-074PR-001

Council District 31 (John Rutherford)

Staff Reviewer: Celina Konigstein

A request to rezone from AR2a to RS10 zoning for part of property located at 935 Barnes Road, at the southwest corner of Barnes Road and Old Hickory Boulevard (approximately 13 acres), requested by Chad & Stephanie Uram, applicant and owner.

Staff Recommendation: Defer to the September 26, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024Z-074PR-001 to the September 26, 2024, Planning Commission meeting. (8-0)

14. 2024Z-081PR-001

Council District 34 (Sandy Ewing)
Staff Reviewer: Celina Konigstein

A request to rezone from R40 to RS20 zoning for property located at 2221 Old Hickory Boulevard, approximately 396 feet east of Middleton Park Lane (7.93 acres), requested by Alliance Engineering and Consulting LLC, applicant; Carissa & Timothy Pereira, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from R40 to RS20.

Zone Change

A request to rezone from One and Two Family Residential (R40) to Single-Family Residential (RS20) zoning for property located at 2221 Old Hickory Boulevard, approximately 396 feet east of Middleton Park Lane (7.93 acres).

Existing Zoning

One and Two Family Residential (R40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25 percent duplex lots. *Based on acreage alone, R40 would permit a maximum of eight lots with two duplex lots for a total of 10 units. Duplex eligibility would be reviewed by Metro Codes. This does not account for compliance with the Metro Subdivision Regulations.*

Proposed 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. *Based on acreage alone, RS20 would permit a maximum of 17 single-family lots. This does not account for compliance with the Metro Subdivision Regulations.*

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. CO policy on this site likely addresses the stream and surrounding area along the southern property line.

SITE AND CONTEXT

The rezoning application is for a 7.93-acre parcel located along the southern side of Old Hickory Boulevard in the Green Hills area. The property has been zoned R40 since 1974 and a single-family home is located on the property. The property is adjacent to R40 zoning to the east and west. Forest Hills, a Satellite City, is located on the north of Old Hickory Boulevard. The subdivision immediately to the west is within a Planned Unit Development Overlay District (PUD) and has lot areas varying between approximately 12,000 square feet and 44,000 square feet. The surrounding land uses are single-family residential and vacant land.

ANALYSIS

The subject site is within a T3 NM policy area which focuses on maintaining the general character of developed suburban neighborhoods. The Residential PUD to the west has lots ranging in size, between approximately 12,000 square feet to 44,000 square feet. The majority of the lots are under 20,000 square feet which is below the lot size of the underlying zoning district, R40. The proposed RS20 zoning district proposed on this site would require any future lots as a part of a subdivision to be a minimum of 20,000 square feet. Any future subdivision may trigger additional requirements such as the utilization of the Conservation Subdivision Regulations where the natural features on the

site could be preserved and lot sizes reduced proportionally. A future subdivision utilizing the RS20 zoning district would continue the development pattern of smaller lot sizes in the area and still support the policy guidance to maintain the general character of the existing suburban neighborhoods.

Based on acreage alone, the proposed RS20 could yield up to a maximum of 17 lots, not accounting for infrastructure that may be included in a future proposed subdivision. A rezoning to RS20 on this site aligns with the T3 NM policy and would allow for continuing the surrounding development pattern of smaller lots developed with single-family uses. For these reasons, staff recommends approval.

FIRE RECOMMENDATION

Approve

Maximum Uses in Existing Zoning District: **R40**

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)	7.93	1.00 F	10 U	125	12	11

*Based on two-family lots

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
Single-Family Residential (210)	7.93	1.76 F	17 U	204	17	19

Traffic changes between maximum: **R40 and RS20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+7	+79	+5	+8

METRO SCHOOL BOARD REPORT

Projected student generation existing R40 district: 1 Elementary 0 Middle 0 High

Projected student generation proposed RS20 district: 1 Elementary 0 Middle 0 High

The proposed RS20 zoning district is not anticipated to generate any additional students than the existing R40 zoning district. Students would attend Percy Priest Elementary School, John Trotwood Moore Middle, and Hillsboro High School. All three schools have been identified as being at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Ms. Konigstein presented the staff recommendation to approve.

William Purser, Alliance Engineering and Consulting, 480 Duke Drive, spoke in favor of the application.

Tim Pereira, 2221 Old Hickory Blvd, spoke in favor of the application.

Brett Wright stated he is there on behalf of Al and Heather Looney, 75 Chatham Court. He spoke in favor of the application.

Carissa Pereira, 2221 Old Hickory Blvd, spoke in favor of the application.

Tracy Johnson, 2211 Old Hickory Blvd, spoke in opposition to the application.

Jason Holleman, 4210 Park Avenue, stated he was there on behalf of the immediate property owners. He spoke in opposition to the application.

Renee Isaacs, 2217 Old Hickory Blvd, spoke in opposition to the application.

Shawn Henry stated he represents the Isaacs. He spoke in opposition to the application.
William Purser spoke in rebuttal.

Chair Adkins closed the Public Hearing.

Mr. Henley said it would be helpful to hear about what they are seeing now verses what the next step may look like.

Ms. Konigstein explained it was currently under review as a rezoning. A subdivision had previously been filed but was put on hold to process the rezoning. She further explained when the subdivision takes place in the future, they would have to meet all the subdivision regulations, and because there is a conservation policy on the site, there might be potential for conservation subdivision regulations to be met, as well.

Mr. Henley asked with that subdivision application already being in place, and this being on pause, would this be diverted if that changed.

Ms. Milligan advised a subdivision plat has been submitted but they have not been reviewing it because the zoning is being processed; however, it is likely the subdivision, as filed, would need changes because it may trigger the conservation subdivision development standards. She said those standards have different allowances for lot sizes, how lots are created and what areas need to be set aside to be preserved.

Mr. Henley said he may be more inclined to agree with the presentation from the applicant but felt this is an area that may need to have its own type of activity study done.

Vice Chair Farr asked to see the zoning map and asked if the entire area is zoned R40, except for the lot they are looking at.

Ms. Milligan stated that the lot they are looking at is zoned R40, as well. She said everything in this area is all zoned the same, that of which is within their jurisdiction.

Vice Chair Farr said the owner stated they want eight units, but looking at this originally, it could go up to a total 17 single family lots. She stated this property is for sale and it gives her pause because they do not know if eight is the maximum number of units.

Ms. Kempf advised they are not looking at a subdivision and they cannot hold anyone to representations on what that subdivision would be at this point, and to look at this as a policy prospective, as they are not in a position to limit what they do on this application.

Vice Chair Farr said she did not know if a specific plan might be an alternative for this lot, but not going down the path of rezoning one lot.

Councilmember Gamble stated she shared Vice Chair Farr's concerns. She asked if the subdivision to the west was created under the R40 zoning and has it always been R40 for that area.

Ms. Milligan responded it is R40, but it is also within a Planned Unit Development.

Councilmember Gamble asked if there was any discussion about a specific plan and how did the staff come to the approval of just rezoning this one property.

Ms. Milligan explained the application was filed as a rezoning to R20 and that is what they reviewed. Based on the land use policy being neighborhood maintenance and the existing pattern and given the size of the lots immediately to the west, staff felt as though it did meet the intent of the neighborhood maintenance policy with the RS zoning.

Ms. Kempf added they respond to an application in front of them. She said they always prefer a more comprehensive look, and there are some instances where they will suggest that a rezoning may be premature until such time as an adjacent property is under contract, which pushes a property owner to rethink the development.

Councilmember Gamble asked because of the flood way and because this parcel is adjacent to a PUD, would those be things that might prohibit continuation of any rezoning for the R40 moving to the east.

Ms. Milligan advised this is one of the bigger properties being almost eight acres, and larger properties that are rezoning to districts that have smaller lots have more flexibility to create a workable subdivision. She said as you move east, the lots get more constrained from environmental and size aspects. Ms. Milligan stated they review each request on the merits of that request in the context of that property.

Ms. Allen asked if the zoning allows for eight lots.

Ms. Milligan explained the numbers they provide is a mathematical exercise. They are careful to say that is not taking into consideration streets or storm water areas or whatever may be required, and it is fair to say those numbers are higher because it is a straight math exercise.

Mr. Clifton said he is not ready to vote and suggested a deferral.

Chair Adkins agreed with Mr. Clifton and said he is torn.

Vice Chair Farr asked if a specific plan is something to consider.

Ms. Kempf advised a specific plan would give certainty about the layout for this particular parcel. It would not solve the question of whether a more unified development plan that included some other parcels and whether that could accomplish a better traffic management pattern on Old Hickory Boulevard. She said they can say they want more specific information about this and want information about whether there is an option to acquire more land.

Chair Adkins said the property is up for sale and if they do a straight rezoning, they are not guaranteed eight houses or the look of the houses. He thought certainty is an important thing.

Ms. Milligan gave the Commissioners procedural information on deferring this Item.

Ms. Dundon stated she is not clear what is being asked with a deferral.

Ms. Kempf said she is interpreting a deferral to give more specific details, such as a plan layout, architectural standards, and other things that give a specific unit count, and advised that can only be accomplished with a specific plan. Also, they can ask the developer to come with a larger development plan that included other properties. Ms. Kempf stressed that is not something they can compel but that is a conversation they will have during the deferral period.

Ms. Dundon asked if the property is sold, does the application go away when the applicant no longer owns the property.

Ms. Milligan answered the owner of the property has to be the applicant.

Ms. Dundon asked if the idea of the SP is that it would avoid the problem on piecemealing one lot at a time.

Ms. Kempf responded the SP would give greater clarity on what is proposed for this specific property. She said another step she will take is ask if there was any discussion with adjacent property about buying land.

Vice Chair Farr moved and Ms. Dundon seconded the motion to defer to the September 12, 2024, Planning Commission meeting for additional evaluation. (9-0)

15. 2024SP-030-001

1202 MCGAVOCK PIKE & 1201 KELLER AVE

Council District 07 (Emily Benedict)

Staff Reviewer: Celina Konigstein

A request to rezone from R6 and R8 to SP zoning for properties located at 1201 Keller Avenue and 1202 A, B, and C McGavock Pike, approximately 130 feet east of Bronte Avenue, (0.86 acres), to permit eight multi-family residential units, requested by Fulmer Lucas, applicant; Ali Shahosseini and O.I.C. 1202 McGavock Pike Townhomes, owners.

Staff Recommendation: Defer to the August 22, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-030-001 to the August 22, 2024, Planning Commission meeting. (8-0)

16. 2024HP-001-001

ELLISTON PLACE

Council District 19 (Jacob Kupin)
Staff Reviewer: Savannah Garland

A request to apply a Historic Preservation Overlay District for properties located at 2115, 2205 and 2205 B Elliston Place, approximately 285 feet west of 21st Ave. North, zoned CS (0.52 acres), requested by Holland and Knight, applicant; Ridgefield Properties and OIC Rock Block Condominium, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Apply a Historic Preservation Overlay District.

Historic Preservation Overlay

A request to apply a Historic Preservation Overlay District for properties located at 2115, 2205 and 2205 B Elliston Place, approximately 285 feet west of 21st Ave. North, zoned Commercial Service (CS) (0.52 acres).

Existing Zoning (to remain)

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

Proposed Overlay

Historic Preservation Overlay Districts (HP) are geographical areas which possess a significant concentration, linkage or continuity of sites, buildings, structures, or objects which are united by past events or aesthetically by plan or physical development.

GREEN HILLS - MIDTOWN COMMUNITY PLAN

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

Supplemental Policy Area: 10-MT-T5-MU-03 applies to properties in three areas: surrounding West End Avenue between I-400 and 31st Avenue North, properties in Elliston Place/State Street area; and properties in the Grand Avenue/18th Avenue South area.

REQUEST DETAILS

The Metro Historic Zoning Commission (MHZC) considered this application at its July 17, 2024, meeting. The following is a brief excerpt of information provided in the published MHZC report.

17.36.120 Historic districts defined.

A Historic Preservation and Neighborhood Conservation Districts. These districts are defined as geographical areas which possess a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development, and that meet one or more of the following criteria:

1. The district is associated with an event that has made a significant contribution to local, state or national history; or
2. It includes structures associated with the lives of persons significant in local, state or national history; or
3. It contains structures or groups of structures that embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

The Elliston Place Rock Block is important for its exceptional local significance in representing "music city's" rock scene, from the opening of One Stop Records at 2201 Elliston Place to the 2019 closing of "Nashville's legendary dive-bar" the Gold Rush at 2205 Elliston Place. An iconic feature of Music City, the Rock Block along with other areas such as Jefferson Street, established Nashville as more than the capital of just country music. Elliston Place became a place where musicians of all genres could develop their sound, their brand and their fans.

The district is associated with the music industry that has long been an important and vital part of Nashville's identity. It represents the city's contribution to all genres of music but specifically to the rock and alternative music industry from performance to supporting industries such as food, fashion, and retail, that no other district in Nashville can fully embody. For that reason, it meets criteria 1 of section 17.36.120(A) by making a significant contribution to local history.

METRO HISTORIC ZONING COMMISSION RECOMMENDATION

The Metro Historic Zoning Commission (MHZC) recommended approval of the Historic Preservation Overlay District at the July 17, 2024, MHZC meeting.

STAFF RECOMMENDATION

The proposed Historic Preservation Overlay District is intended to preserve the historic structure and site through the implementation of development guidelines by the Metro Historic Zoning Commission and staff. The applicable policies encourage the protection and preservation of historic structures and sites in the policy areas. Staff recommends approval of the Historic Preservation Overlay District.

Approve. (9-0)

Resolution No. RS2024-183

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024HP-001-001 is approved. (9-0)

17. 2023S-116-001

FRAZIER SUBDIVISION

Council District 01 (Joy Kimbrough)

Staff Reviewer: Dustin Shane

A request for final plat approval to shift lot lines on properties located at 2280 Clay Lick Road and Clay Lick Road (unnumbered), approximately 1,920 feet northwest of Lickton Pike, zoned AR2A (7.96 acres), requested by Jesse Walker Engineering, applicant; James & Lisa Frazier, owners.

Staff Recommendation: Defer to the August 22, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2023S-116-001 to the August 22, 2024, Planning Commission meeting. (8-0)

18. 2024S-113-001

WOODBERRY PARK

Council District 15 (Jeff Gregg)

Staff Reviewer: Laszlo Marton

A request for final plat approval to create one lot on property located at Seneca Drive (unnumbered), approximately 225 feet north of Emery Drive, zoned R10 (0.46 acres), requested by Daniels & Associates, Inc., applicant; Reese L. Smith III ET AL, owners.

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

APPLICANT REQUEST

Request for final plat approval to create one lot.

Final Plat

A request for final plat approval to create one lot on property located at Seneca Drive (unnumbered), approximately 225 feet north of Emery Drive, zoned One and Two-Family Residential (R10) (0.46 acres).

SITE DATA AND CONTEXT

Location: The site consists of one parcel located mid-block on Seneca Drive, approximately 200 feet north of Emery Drive.

Street Type: The site has frontage on Seneca Drive which is a local street.

Approximate Acreage: 0.46 acres or approximately 20,000 square feet.

Parcel/Site History: The property was created by deed in 1974.

Zoning History: The property has been zoned One and Two-Family Residential (R10) since 1974.

Existing land use and configuration: The property is currently vacant.

Surrounding Land Use and Zoning:

- North: Single-Family Residential/Single-Family Residential (RS10)
- South: One and Two-Family Residential/R10
- East: Mortuary/Cemetery/Commercial Limited (CL)
- West: Single-Family Residential/R10

Zoning: One and Two-Family Residential (R10)

Min. lot size: 10,000 square feet

Max. building coverage: 0.40

Min. rear setback: 20'

Min. side setback: 5'

Max. height: 3 stories

Min. street setback: Contextual or 20' along a local street, per Zoning Code

PROPOSAL DETAILS

Number of lots: 1

Lot sizes: Proposed Lot 1 is approximately 0.46 acres.

Access: Proposed Lot 1 will be accessed by Seneca Drive.

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 is a stream buffer that follows along the site's frontage, wraps the corner of Emery Drive and terminates at Donelson Pike. The plat shows this area as being within a 20' Public Utility Drainage Easement.

3-4 Lot Requirements

The proposed lot complies 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 R10 zoning at the time of building permit. The proposed Lot 1 has frontage on Seneca Drive which is a 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. 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. Proposed Lot 1 meets 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. Proposed Lot 1 fronts on Seneca 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 R10 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 84 feet of frontage. The Seneca Drive block face at this location is formed by Lorna Drive to the north and Emery Drive to the south. The adjacent parcel to the north is addressed to Lorna Drive while the adjacent parcel to the south is addressed to Emery Drive. The proposed lot does 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 approximately 20,000 square feet, 0.46 acres. The proposed lot does 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 or the 20' setback required for local streets, 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 Lot 1 is oriented to Seneca Drive. There are no other lots between Lorna Drive and Emery Drive which orient to Seneca Drive. More information is provided in the Variance/Exceptions Analysis section below.

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).

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. The following section discusses each of these exceptions.

VariANCES/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 request requires exceptions from Section 3-5.2 pertaining to lot frontage, lot size, and setbacks.

While this block has no surrounding parcels per the definition in the Subdivision Regulations, there are other parcels along Lorna Drive and Emery Drive that can be used in the consideration of a larger area to evaluate general compatibility.

Lot Frontage

When scoping a larger area to analyze lot frontage, staff used the 5 contiguous parcels along the southern side of Lorna Drive and the 5 contiguous parcels along the northern side of Emery Drive, that are nearest to the intersection with Seneca Drive. Parcels along the south side of Lorna Drive have lot frontages that range from 60 to 130 feet. Parcels along the north side of Emery Drive have lot frontage ranging from 80 to 110. The proposed frontage of Lot 1 is approximately 80 feet which is within the range of frontages for nearby lots with existing homes.

Lot Size

When scoping a larger area to analyze lot size, staff used the same parcels along the southern side of Lorna Drive and the northern side Emery Drive. Lots along Lorna Drive have lot sizes that range from 0.3 to 0.54 acres. Lots along Emery Drive have lot sizes that range from 0.32 and 0.55 acres. Proposed Lot 1 has a lot size of 0.46 acres (approx. 20,000 SF) which meets the minimum lot size for the zoning district (10,000 SF) and is within the range of lot sizes for nearby lots with existing homes.

Street Setbacks

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.

Lot Orientation

As there are no other lots which orient to Seneca Drive between Emery Drive and Lorna Drive, staff analyzed the orientation of lots along Seneca Drive one block north. The lots between Lorna Drive and Woodberry Road that orient to Seneca Drive have comparable frontages to the proposed Lot 1, therefore the overall pattern and orientation are in keeping with the larger area. Additionally, proposed Lot 1 lies just north of an R10-zoned parcel that has one unit oriented to Seneca Drive and another that orients to Emery Drive. While the lot orientation may be different between these two parcels, a future home on proposed Lot 1 would orient similar to the existing home addressed to 331 B Seneca Drive.

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 as Seneca Drive is currently built to the minimum 50' 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, update note 1, "The purpose of this plat is to create one lot."
2. On the corrected copy, remove note 13.
3. On the corrected copy, update note 14, "The property is zoned R10 and is within the Airport Impact Overlay."
4. Mylar shall be printed in black ink.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2024S-113-001 with conditions including exceptions to 3-5.2 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions, including exceptions to Section 3-5.2. (9-0)

Resolution No. RS2024-184

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-113-001 is approved with conditions, including exceptions to Section 3-5.2.(9-0)

CONDITIONS

1. On the corrected copy, update note 1, "The purpose of this plat is to create one lot."
2. On the corrected copy, remove note 13.
3. On the corrected copy, update note 14, "The property is zoned R10 and is within the Airport Impact Overlay."
4. Mylar shall be printed in black ink.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. 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.

19. 2024Z-068PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Matt Schenk

A request to rezone from R10 to R8 zoning for property located at 2152 Summit Avenue, approximately 165 feet southwest of Cliff Drive (0.42 acres), requested by Superior Capital LLC, applicant; James Wharton, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from R10 to R8

Zone Change

A request to rezone from One and Two-Family Residential (R10) to One and Two-Family Residential (R8) zoning for property located at 2152 Summit Avenue, approximately 165 feet southwest of Cliff Drive (0.42 acres).

Existing Zoning

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

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. *Based on acreage alone, R8 would permit a maximum of two duplex lots for a total of four units. Metro Codes provides final determinations on duplex eligibility. Application of Metro’s Subdivision Regulations may result in fewer units on this site.*

BORDEAUX-WHITES CREEK-HAYNES TRINITY PLAN

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

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal 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, approximately 0.42-acre parcel, located at 2152 Summitt Avenue, approximately 165 southwest of Cliff Drive. The parcel has been zoned One and Two-Family Residential (R10) since 1974 and currently contains a single-story single-family residential dwelling. The surrounding parcels are zoned R10 and SP, which allows for multi-family residential uses. Land uses of the surrounding parcels include single-family residential, two-family residential and vacant property. The subject parcel has frontage along Summitt Avenue, which is a local street.

The site is located within a T3 Suburban Neighborhood Evolving Policy (T3 NE) and Conservation (CO) policy. The T3 NE policy is intended to support a broader mix of housing types to provide for housing choice. The Conservation (CO) policy is limited to an area of slopes on the far southeast corner of the lot. Based on the approximate acreage of the site, the proposed R8 zoning could allow up to two duplex lots for a total of four units. The adjacent SP zoned property to the north permits multi-family residential use at a density of seven units per acre. The proposed zoning would allow for a slight increase from the existing R10 zoning but is comparable to the density the adjacent SP permits. Additionally, in the broader area along Summitt Avenue, several nearby properties are zoned R8. For these reasons, staff recommends approval of the rezoning.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.42	4.76 F	2 U	28	7	2

*Based on two-family lots

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)	0.42	9.52 F	4 U	54	8	5

*Based on two-family lots

Traffic changes between maximum: **R10 and R8**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 2	+26	+1	+3

METRO SCHOOL BOARD REPORT

Projected student generation existing R10 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 beyond the existing R10 zoning. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. Cumberland Elementary School and Haynes Middle School are identified as at capacity, while Whites Creek High School is identified as exceedingly under capacity. This information is based on the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (9-0)

Resolution No. RS2024-185

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-068PR-001 is approved. (9-0)

20. 2024Z-083PR-001

Council District 17 (Terry Vo)

Staff Reviewer: Matt Schenk

A request to rezone from IR to MUG-A-NS zoning for property located at 1300 Fort Negley Boulevard, at the southeast corner of Fort Negley Court and Fort Negley Boulevard (1.87 acres), requested by Smith Gee Studio, applicant; James Campbell Family Limited Partnership, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from IR to MUG-A-NS

Zone Change

A request to rezone from Industrial Restrictive (IR) to Mixed Use General-Alternative-No Short Term Rentals (MUG-A-NS) zoning for property located at 1300 Fort Negley Boulevard, at the southeast corner of Fort Negley Court and Fort Negley Boulevard (1.87 acres).

Existing Zoning

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

Proposed Zoning

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

SOUTH NASHVILLE PLAN

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

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.

SUPPLEMENTAL POLICY

The site is located within the Wedgewood-Houston Chestnut Hill (WHCH) Small Area Plan, specifically the SPA 11-WHCH-5a and SPA 11-WHCH-5b supplemental policy areas. The WHCH Plan describes this area, which is called Industrial West Wedgewood-Houston, as containing a mix of commercial and light industrial uses with a higher density mix of uses appropriate for the area.

ANALYSIS

The application consists of one, approximately 1.87-acre parcel, located at 1300 Fort Negley Boulevard, at the corner of Fort Negley Boulevard and Fort Negley Court, and directly west of an existing CSX rail line. The parcel has been zoned Industrial Restrictive (IR) since 1974 and is currently used for commercial office uses. The neighboring parcel to the east is zoned Mixed Use General Alternative (MUG-A), while surrounding properties to the south are zoned Industrial Restrictive (IR) and parcels to the north and west are zoned Industrial Warehouse District (IWD). Land uses of the surrounding parcels include a mix of industrial, community, institutional, parking, and vacant uses. The subject parcel has frontage along three sides, including Fort Negley Boulevard, Fort Negley Court, and Hamilton Avenue.

The site is located within the Urban Mixed Use Neighborhood (T4 MU) policy which intends to maintain the general character of the existing urban residential neighborhood. T4 MU policy intends to create urban, mixed use neighborhoods with a diverse mix of moderate- to high-density residential, commercial, office, and light industrial uses. The policy envisions high levels of connectivity and complete street networks with sidewalks, bikeways, and existing or planned transit. The Conservation (CO) policy on the site is limited to an area of steep slopes in the southeast corner of the site. The site is located in a larger area of T4 MU policy in close proximity to I-65 and the CSX rail line, where additional intensity may be supported. The site is also located within the WHCH Small Area Plan which identifies this area as appropriate for a higher density mix of uses.

The WHCH Small Area plan indicates that MUG-A-NS would be an appropriate zoning district for this site MUG-A-NS zoning would support the Small Area Plan’s intent to create a higher density mix of uses than the existing IR zoning. Additional intensity is appropriate at this site, given its unique location between the CSX rail line and Interstate 65, as opposed to east of the rail line where the development pattern includes less intense land uses located further from the corridors. The adjacent property to the east was also rezoned to MUG-A in 2019. The proposed Alternative (-A) and NS standards would ensure that future development on the site has an urban form, and would prohibit short term rentals, owner-occupied and non-owner occupied, from the district which is appropriate given the development pattern to the east. Additionally, neither the T4 MU policy nor the WHCH Small Area Plan support the existing IR zoning district, which allows for uses that are inconsistent with the goals of the policy.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	1.87	0.6 F	48,874 SF	123	8	10

Maximum Uses in Proposed Zoning District: **MUG-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)	0.935	3.0 F	122 U	663	42	54

Maximum Uses in Proposed Zoning District: **MUG-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)	0.467	3.0 F	61,027 SF	2,304	58	233

Maximum Uses in Proposed Zoning District: **MUG-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)	0.467	3.0 F	61,027 SF	6,864	607	597

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+9,708	+699	+874

METRO SCHOOL BOARD REPORT

Given the mix of uses permitted by the MUG-A-NS zoning district, the number of residential units ultimately built on this site may vary and an assumption as to the impact at this point is premature. Students would attend Fall-Hamilton Elementary School, Cameron College Preparatory Middle School, and Glenclyff High School. Fall-Hamilton Elementary School and Cameron College Preparatory Middle School are identified as under capacity while Glenclyff High School is identified as over capacity. This information is based on the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (9-0)

Resolution No. RS2024-186

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-083PR-001 is approved. (9-0)

21. 2024Z-084PR-001

Council District 30 (Sandra Sepulveda)

Staff Reviewer: Savannah Garland

A request to rezone from OR20 to MUL-A-NS zoning for property located at 360 Wallace Road, approximately 800 feet east of Nolensville Pike (1.26 acres), requested by Ramla Mohamed, applicant; Seminole Boosters, Inc., owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from OR20 to MUL-A-NS.

Zone Change

A request to rezone from Office/Residential (OR20) to Mixed-Use Limited-Alternative-No STRP (MUL-A-NS) zoning for property located at 360 Wallace Road, approximately 800 feet east of Nolensville Pike (1.26 acres).

Existing Zoning

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *OR20 would permit a maximum of 25 units.*

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.*

SOUTHEAST COMMUNITY PLAN

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

ANALYSIS

The application consists of one parcel (Map 147, Parcel 013) totaling 1.26 acres, located along the north side of Wallace Road, and 800 feet from Nolensville Pike. The property has been zoned Office/Residential (OR20) since 1998 and contains a single structure. The application proposes to rezone the property from OR20 to MUL-A-NS. The surrounding land uses include office, medical, multi-family residential, and commercial. The surrounding zoning includes Mixed-Use Limited (MUL), Multi-Family Residential (RM15 and RM20), MUL-A-NS, Office General (OG), and a PUD overlay across the street from the subject site. This parcel has frontage along Wallace Road, which is classified as a Collector-Avenue by the Major and Collector Street Plan (MCSP).

The property is located within the Urban Community Center (T4 CC) policy. These policy areas encourage their development or redevelopment as intense mixed-use areas that provide a mix of uses and services to meet the needs of the larger surrounding urban area. T4 CC areas are suitable for creating services to meet the needs of surrounding neighborhoods. The T4 CC policy is consistent with commercial, mixed use, and institutional land uses, with residential land uses in mixed use buildings. The site is located about 800 feet from Nolensville Pike with highly connected street networks and sidewalk access. It is also within walking distance to Wentworth-Caldwell Park. The proposed Alternative (-A) standard would ensure that future development on the site has an urban form, consistent with the policy guidance. The -NS designation would prohibit STRPs from the district, which is appropriate given the surrounding multi-family residential development. The T4 CC policy supports high access management, served by highly connected street networks, sidewalks, and mass transit. The existing sidewalk network provides enhanced connectivity, aligning with the policy goals. Staff recommends approval as the proposed MUL-A-NS district fits the context of the area and aligns with the goals of T4 CC policy.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	0.63	20 D	13 U	69	4	6

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.63	0.8	21,954 SF	244	48	27

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)	0.63	1.0 F	27 U	145	9	13

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)	0.315	1.0 F	13,721 SF	518	13	52

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)	0.315	1.0 F	13,721 SF	1,539	136	166

Traffic changes between maximum: **OR 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
-	-	-	-	+1,889	+106	+562

METRO SCHOOL BOARD REPORT

The proposed MUL-A-NS zoning district includes a mix of uses which could vary and assumption of impact at this point is premature. Students would attend Norman Binkley Elementary School, Croft Middle School, and John Overton High School. John Overton High School is identified as at over capacity, Norman Binkley Elementary is identified at capacity, and Croft Middle School is 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. (9-0)

Resolution No. RS2024-187

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-084PR-001 is approved. (9-0)

22. 2024Z-085PR-001

Council District 02 (Kyonzté Toombs)
Staff Reviewer: Savannah Garland

A request to rezone from RS5 to R6-A zoning for property located at 1228 Bessie Avenue, approximately 150 feet south of Weakley Avenue (0.12 acres), requested by C & H Properties, LLC, applicant and owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential-Alternative (R6-A) zoning for property located at 1228 Bessie Avenue, approximately 150 feet south of Weakley Avenue (0.12 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.*

BORDEAUX-WHITES CREEK–HAYNES TRINITY COMMUNITY PLAN

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

ANALYSIS

The application consists of one parcel (Map 071-10, Parcel 139) totaling 0.12 acres, located along the west side of Bessie Avenue. The property has been zoned Single-Family Residential (RS5) since 1998 and is currently vacant. The application proposes to rezone the property from RS5 to R6-A. The surrounding land uses are primarily vacant and single-family. The subject parcel has frontage along Bessie Avenue, which is a local street. An unimproved alley right-of-way runs behind the subject site.

The property is located within the Urban Neighborhood Maintenance (T4 NM) policy. The T4 NM policy focuses on preserving the existing residential character, while accommodating new growth that fits within the character. The pattern of development on the street is not well established and there are several vacant lots in the vicinity, and so the site is a good candidate for appropriately scaled residential uses with slightly higher intensity. The T4 NM policy supports areas of land that is vacant and could redevelop with a broader mix of housing types. The proposed Alternative (-A) standards would ensure that future development on the site has an urban form, consistent with the policy guidance. Additionally, directly behind this site, property on the west side of the unbuilt alley was rezoned from RS5 to R6-A in 2023. The proposed R6-A district increases density modestly and aligns with goals of T4 NM policy.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.12	8.33 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)	0.12	16.66 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 Alex Green Elementary School, Haynes Middle School, and Whites Creek High School. Alex Green Elementary is identified as exceedingly over capacity. Haynes Middle School is identified as at capacity and Whites Creek High School is identified as exceedingly under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (9-0)

Resolution No. RS2024-188

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-085PR-001 is approved. (9-0)

23. 2024Z-086PR-001

Council District 01 (Joy Kimbrough)

Staff Reviewer: Laszlo Marton

A request to rezone from SP to R10 zoning for properties located at River Drive (unnumbered), approximately 165 feet northeast of River Court (0.61 acres), requested by C & H Properties, LLC, applicant and owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from SP to R10.

Zone Change

A request to rezone from Specific Plan (SP) to One and Two-Family Residential (R10) zoning for properties located at River Drive (unnumbered), approximately 165 feet northeast of River Court (0.61 acres).

Existing 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.

Proposed Zoning

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *Based on acreage alone, R10 would permit a maximum of two duplex lots for a total of four units. Metro Codes provides final determination on duplex eligibility.*

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

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

ANALYSIS

The application consists of two parcels (Map 081-01, Parcel 091, 944) totaling 0.61 acres, located along the east side of River Drive. The property has been zoned Specific Plan (SP) since 2022 and is currently vacant. The SP limits the property to uses of R10 and includes a minimum front façade width requirement, a height maximum of three stories and 45 feet, and a minimum side yard setback of 8 feet. Surrounding properties are zoned SP, RS10, and R10 while the land uses of the surrounding properties are primarily single-family residential and two-family residential.

The application proposes to rezone the property from SP to R10. The property is located within the T3 Suburban Neighborhood Evolving (T3 NE) policy area which intends to create and enhance suburban residential neighborhoods. The T3 NE policy supports a broader mix of housing types with higher densities to provide for housing choice. Based on acreage alone, the proposed R10 zoning could allow up to two duplex lots for a total of four units, which allows for the same density as the existing SP. The property is within a 5-minute walk to a bus stop served by WeGo Route 77 at the intersection of County Hospital Road and Hydes Ferry Road. The policy supports allowing for higher density residential uses in relation to mobility corridors and centers. Staff will also note that several properties in the neighborhood, along Manchester Avenue, Ashton Avenue and Elizabeth Road, have been rezoned to R10 within the last two years.

The Planning Commission recommended approval of R10 zoning on these properties in 2022. The Councilmember converted the item to an SP at the council level. Staff supported R10 previously and finds that R10 is appropriate for the policy and recommends approval.

FIRE RECOMMENDATION

Approve

Maximum Uses in Existing Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.61	-	4 U	54	8	5

Maximum Uses in Proposed Zoning District: R10

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.61	8.70 D	4 U	54	8	5

*Based on two-family lot

Traffic changes between maximum: SP and R10

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

METRO SCHOOL BOARD REPORT

Projected student generation existing SP district: 1 Elementary 0 Middle 0 High

Projected student generation proposed R10 district: 1 Elementary 0 Middle 0 High

The proposed R10 zoning is not expected to generate any additional students than the existing SP zoning. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. Cumberland Elementary and Haynes Middle School are identified as at capacity, while Whites Creek High School is identified as exceedingly under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (9-0)

Resolution No. RS2024-189

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-086PR-001 is approved. (9-0)

H: OTHER BUSINESS

24. New employee contract for Celecita Patterson

Resolution No. RS2024-190

"BE IT RESOLVED by The Metropolitan Planning Commission that the New Employment Contract for Celecita Patterson is approved. (9-0)

25. Historic Zoning Commission Report
26. Board of Parks and Recreation Report
27. Executive Committee Report
28. Accept the Director's Report and Approve Administrative Items

Resolution No. RS2024-191

"BE IT RESOLVED by The Metropolitan Planning Commission that the director's report is approved. (9-0)

29. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

August 22, 2024

MPC Meeting

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

September 12, 2024

MPC Meeting

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

September 26, 2024

MPC Meeting

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

J: ADJOURNMENT

The meeting adjourned at 5:55 p.m.