



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

August 22, 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:

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

Commissioners Absent:

Greg Adkins, Chair
Leah Dundon
Matt Smith

Staff Present:

Lucy Kempf, Executive Director
Lisa Milligan, Assistant Director of Land Development
Andrea Dorlester, Land Development Manager
Tara Ladd, Legal
Katie Kemezis, Planning Manager
Amelia Gardner, Planner III
Dustin Shane, Planner II
Cory Clark, Planner I
Celina Konigstein, Planner I
Laszlo Marton, Planner I

Lucy Alden Kempf

Secretary and Executive Director, Metro Planning Commission

Metro Planning Department of Nashville and Davidson County
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Notice to Public

Please remember to turn off your cell phones.

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

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

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

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

Writing to the Commission

Comments on any agenda item can be mailed, hand-delivered, 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

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.

Items set for consent or deferral will be listed at the start of the meeting. Meetings are conducted in accordance with the Commission's [Rules and Procedures](#).

Legal Notice

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

 The Planning Department does not discriminate on the basis of race, color, national origin, gender, gender identity, sexual orientation, age, religion, creed or disability in admission to, access to, or operations of its programs, services, or activities. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline or any other employment practices because of non-merit factors shall be prohibited. For ADA inquiries, contact Randi Semrick, ADA Compliance Coordinator, at (615) 880-7230 or e-mail her at randi.semrick@nashville.gov. For Title VI inquiries, contact Human Relations at (615) 880-3370. For all employment-related inquiries, contact Human Resources at (615) 862-6640.

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

Ms. Kempf advised they are having technical and audio issues and at any time during the meeting the audience cannot hear the Commissioners, they will have to cancel the meeting, so she asked everyone to please speak loudly.

The meeting was called to order at 4:06 p.m.

B: ADOPTION OF AGENDA

Ms. Leslie moved, and Mr. Clifton seconded the motion to adopt the agenda. (7-0)

C: APPROVAL OF AUGUST 08, 2024 MINUTES

Mr. Henley moved, and Mr. Marshall seconded the motion to approve the meeting minutes of August 8, 2024. (7-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Styles spoke in favor of Item 4.

Councilmember Vo spoke in favor of Item 13.

Councilmember Huffman spoke in favor of Item 5.

E: ITEMS FOR DEFERRAL / WITHDRAWAL; 1, 2, 6, 7, 8, 10, 11, 12, 19

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

F: CONSENT AGENDA ITEMS: 26, 30

Ms. Gardner advised that Mr. Henley has recused himself from Item 26.

Ms. Leslie moved, and Ms. Allen seconded the motion to approve the Consent Agenda. (7-0), with Mr. Henley recusing himself from Item 26.

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 September 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2016SP-019-007 to the September 12, 2024, Planning Commission meeting. (7-0)

2. 2021SP-057-001

MARINA GROVE

Council District 08 (Deonté Harrell)

Staff Reviewer: Laszlo Marton

A request to rezone from RS10 to SP zoning for property located at Hobson Pike (unnumbered), approximately 460 feet northeast of Hamilton Church Road, (5.94 acres), to permit a mixed-use development, requested by Civil Design Consultants, LLC, applicant; FAM Properties, LLC, owner.

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

The Metropolitan Planning Commission deferred 2021SP-057-001 to the September 26, 2024, Planning Commission meeting. (7-0)

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: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

SP amendment to permit a multi-family residential development.

SP Amendment

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 Avenue North and Van Buren Street, zoned SP (2.99 acres), to permit 395 multi-family residential units.

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 residential uses.

NORTH NASHVILLE COMMUNITY PLAN

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

EXISTING SP

The existing SP zoning of this site, Case 2022SP-013-001, received a recommendation of approval by the Planning Commission at its June 9, 2022 meeting, and was subsequently approved by Metro Council, on September 23, 2022 (BL2022-1339). The existing SP permits a maximum 303 multi-family residential units contained within two buildings. The SP amendment would add additional property currently owned by CSX into the SP boundary into and increase the number of multi-family residential units permitted from 303 units to 395 units.

SITE CONTEXT AND PLAN DETAILS

The site is approximately 3.36 acres and is located at the northeast corner of Van Buren Street and 2nd Avenue North. The site consists of multiple parcels, with most of the parcels being vacant and some warehouse uses. The site also contains small areas of CSX-owned properties that are proposed to be abandoned and absorbed into the SP development. The surrounding parcels are zoned IR, IG and SP. Neighboring uses are a variety of industrial and utility uses. In the broader area, there are also several multi-family residential developments and commercial uses.

The proposed site plan consists of two multi-family residential buildings totaling 395 units, a structured parking garage and improvements to the existing greenway that traverses through the center of the site.

The southern residential structure located at the corner of 2nd Avenue North and Van Buren Street has a proposed maximum height of seven stories and 100 feet. The building will be oriented toward Van Buren Street, 2nd Avenue North, and the greenway to the north. In addition to the residential use, this building will contain a lobby and amenities for the site. This building includes a stepback between levels at five stories and seven stories. Along the greenway, the building proposes residential units oriented towards the greenway, as well as a pedestrian connection. On the east side of the structure, a dog park/run is proposed alongside the greenway.

The northern residential structure on the site would wrap a centrally located parking structure. This building would also have a height of seven stories and 100 feet and would be oriented towards both 2nd Avenue North and the greenway to the south. Along 2nd Avenue North, a similar stepback in height is proposed with five stories transitioning to seven stories. This portion of the building also proposes frontages along the greenway but will be entirely residential with no accompanying lobby.

The parking for the site would be comprised primarily of a parking garage with some on-street parking located along Van Buren Street. The parking garage would be seven stories in height, wrapped by residential uses along 2nd Avenue North and the greenway to the south. Included with the parking garage, is a proposed aerial encroachment over the greenway, in the form of a pedestrian bridge. This bridge will connect the parking garage with the residential building located along Van Buren Street, allowing residents to cross without adding additional foot traffic along the greenway.

The site proposes pedestrian improvements along both Van Buren Street and 2nd Avenue North in the form of 8-foot sidewalks along both frontages. The site also proposes improvements to the greenway, with a 14-foot greenway path.

ANALYSIS

The proposed SP amendment is located within the T4 Urban Mixed Use Neighborhood Policy (T4 MU). The T4 MU policy intends to create urban neighborhoods with high intensity development, increased levels of multi-modal connectivity and an urban design form. The proposed SP amendment exceeds the general height guidance of T4 MU, which allows up to 5 stories, but allows for increases in heights under specific criteria. This includes proximity to other policy areas and the role of transitioning between policies, planned height of surrounding buildings and the impact on adjacent historic structures, contributions that the building makes to the overall fabric of the mixed use neighborhood, relationship of the height of the building to the width of the street and sidewalk, prominence of the intersection, and additional other requirements to be met.

The applicant has provided in detail numerous justifications for this proposal including increasing sidewalk widths, widening the greenway, proximity to developments in the area allowing heights up to 15-stories, general upgrades to the existing site due to the existence of chain link fencing and vacant lots, irregular shaped lot with numerous easements, proximity to transit corridors, and the terminus of two arterial boulevards, 2nd Avenue North and Van Buren Street.

The provided elevations, site improvements, and surrounding area provide this site with unique characteristics that support additional height. Staff notes that the SP amendment does not change the maximum building height, orientation of buildings towards the street and greenway, greenway location or parking structure from the previously approved SP. The changes proposed with the SP amendment are limited to the increase in building footprint due to the additional property included within the SP boundary and an increase in the number of multi-family residential units from 303 units to 395 units. Based on the pedestrian improvements, elevations, high intensity development, and surrounding area, the proposed development would be consistent with the goals of T4 MU.

FIRE MARSHAL RECOMMENDATION

Approve

METRO PARKS RECOMMENDATION

Approve with conditions

- Final site plan to identify the greenway easement on the site plan, as approved by the Park Board.
- Only one pedestrian connection, per building fronting the greenway, shall be permitted to connect to the greenway. No pedestrian connection shall be from units directly.
- Any existing mature trees, in quality health, non-invasive, and not impeding on greenway widening and realignment, lining the greenway shall be preserved at Park Staff's discretion.
- Prior to final site plan approval, a mandatory referral for the aerial encroachment over the greenway must be approved.
- Any access from the development into the greenway easement and/or onto the future greenway trail must be approved by Greenways.
- Property owner shall be responsible for perpetual maintenance of the greenway and easement area.
- Parks staff shall approve initial designs and any material future changes to greenway trail design, landscaping plans, lighting, site furniture, signage, and any fencing in the easement area.

- Greenway trail to be open to the public 365 days/year per Metro Parks approved operating hours, except for times of routine maintenance where temporary closure is required for public safety.
- No obstructions such as site furniture, signage, and lighting are allowed in a Conservation Greenway Easement unless approved by Greenways staff.
- Dumpsters, HVAC units, or like shall not front the greenway or must be screened from greenway view. Property owner shall be responsible for perpetual maintenance of the greenway and easement area.

STORMWATER RECOMMENDATION

Approve with conditions

- Preliminary approval only. Ensure easement issues for Stormwater and Sanitary Sewer are worked out with MWS Staff during final submittal.

WATER SERVICES RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final construction plans shall comply with the design regulations established by NDOT.
- Final design and improvements may vary based on actual field conditions. In general, with a final: Any proposed roadway sections, ramps, sidewalks, curb & gutter, etc. shall be designed and called out per NDOT detail standards.
- Provide frontage improvements per the Major Collector street Plan (MCSP).
- Dedicate ROW to accommodate the MCSP requirements. Dimension ROW pavement widths for clarity.
- Accesses off ROW should meet metro code requirements.
- 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 widening and/or utility work in public ROW. (cont.)
- Call out 'Extents to be coordinated in field with NDOT inspector', on final.
- Prior to final SP, continue to coordinate w/ WeGo (Robert Johnson) on offsite improvements.
- Continue to coordinate w/ NDOT traffic, on additional offsite striping of pedestrian and RR crossings.
- Continue to coordinate w/ NDOT roads on solutions to improve drainage and/or ponding water issues along ROW frontages and/or nearby intersections.
- See 8-15-24 traffic comments/conditions.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Parking for development shall be per metro code.
- Per the review of the submitted TIS, the following improvements were identified.
- The development shall install a RRFB or a raised crosswalk at the greenway crossing on 3rd Ave N. Further coordination with NDOT will be required prior to final SP approval.
- The development shall install a RRFB at the greenway crossing on 2nd Ave N. Further coordination with NDOT will be required prior to final SP approval.
- At Final SP, submit a full signal warrant analysis for the intersection of 3rd Ave & Van Buren. Coordinate with NDOT before submittal.
- At Final SP, submit a survey of the available ROW along the Northwest quadrant at the intersection of 3rd Ave & Van Buren, to extend the sidewalk and close the gap between the Greenway and this intersection.
- Prior to approval of the Final SP, coordinate with NDOT's TDM Coordinator (Meghan.Mathson@nashville.gov) on developing a TDM plan for the future residents and tenants of this development.

METRO HISTORIC STAFF RECOMMENDATION

Approve with conditions

Recommend Phase I archaeological survey

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
Multi- Family Residential (221)	-	-	303 SF	1,650	101	128

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (221)	-	-	395 U	2,151	131	166

Traffic changes between maximum: SP and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+501	+30	+38

METRO SCHOOL BOARD REPORT

Projected student generation existing SP-R district: 11 Elementary 5 Middle 6 High

Projected student generation proposed SP-R district: 14 Elementary 7 Middle 8 High

The proposed SP zoning is expected to generate 7 additional students than the existing SP zoning district. Students would attend Jones Elementary, John Early Middle School, and Pearl-Cohn High School. Jones Elementary School has been identified as under capacity, while both John Early Middle School and Pearl-Cohn High School have been identified as exceedingly under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 395 multi-family residential units. Short term rental property owner-occupied and short term rental property not owner-occupied shall be prohibited.
2. With the final site plan, submit elevations consistent with the architectural standards included with the Preliminary SP.
3. The areas of CSX right-of-way located within the SP boundary shall be deeded into parcels prior to submittal of the final SP.
4. A legal description of the CSX right-of-way shall be required prior to filing the Council Bill.
5. Garage screening details to be reviewed at the final SP application.
6. Should the amended greenway easement fail to receive approval, changes to the plan will be required including but not limited to removal of the proposed aerial encroachment.
7. Parking shall be per the UZO maximums as established in the Zoning Code. Minor adjustments may be allowed with additional analysis by NDOT and Planning with final site plan submittal.
8. Prior to final site plan approval, a mandatory referral for the aerial encroachment over the greenway must be approved.
9. Building elevations fronting the greenway shall provide a minimum of 15% glazing.
10. Add the following note to the corrected set: All mechanical units shall be screened from the right-of-way by landscaping or an enclosure, or a combination of both. Screening details are to be submitted with the final site plan.
11. Comply with all conditions and requirements of Metro reviewing agencies.
12. 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.
13. 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 RM100-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

14. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
15. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
16. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
17. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
18. A final plat may be required prior to permitting.
19. No master permit or HPR shall be recorded on the property prior to final site plan approval.

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

Resolution No. RS2024-192

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-013-002 is Approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 395 multi-family residential units. Short term rental property owner-occupied and short term rental property not owner-occupied shall be prohibited.
2. With the final site plan, submit elevations consistent with the architectural standards included with the Preliminary SP.
3. The areas of CSX right-of-way located within the SP boundary shall be deeded into parcels prior to submittal of the final SP.
4. A legal description of the CSX right-of-way shall be required prior to filing the Council Bill.
5. Garage screening details to be reviewed at the final SP application.
6. Should the amended greenway easement fail to receive approval, changes to the plan will be required including but not limited to removal of the proposed aerial encroachment.
7. Parking shall be per the UZO maximums as established in the Zoning Code. Minor adjustments may be allowed with additional analysis by NDOT and Planning with final site plan submittal.
8. Prior to final site plan approval, a mandatory referral for the aerial encroachment over the greenway must be approved.
9. Building elevations fronting the greenway shall provide a minimum of 15% glazing.
10. Add the following note to the corrected set: All mechanical units shall be screened from the right-of-way by landscaping or an enclosure, or a combination of both. Screening details are to be submitted with the final site plan.
11. Comply with all conditions and requirements of Metro reviewing agencies.
12. 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.
13. 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 RM100-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
14. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
15. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
16. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
17. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
18. A final plat may be required prior to permitting.
19. No master permit or HPR shall be recorded on the property prior to final site plan approval.

4. 2022SP-051-002

12610 BUSINESS PARK SP (AMENDMENT)

Council District 32 (Joy Styles)

Staff Reviewer: Matt Schenk

A request to amend a Specific Plan for properties located at 12610 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), approximately 655 feet east of Hobson Pike, zoned SP (9.38 acres), to permit warehouse and office uses, requested by Metro Councilmember Joy Styles, applicant; Walia, LLC, owner.

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

APPLICANT REQUEST

SP amendment to permit warehouse and office uses.

SP Amendment

A request to amend a Specific Plan for properties located at 12610 and Old Hickory Boulevard (unnumbered), approximately 655 east of Hobson Pike, zoned SP (9.38 acres), to permit warehouse and office uses.

Existing Zoning

Specific Plan-Residential (SP-IND) 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 warehouse and office uses.

ANTIOCH-PRIEST LAKE COMMUNITY PLAN

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

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

EXISTING SP

The existing SP zoning of this site permits a maximum of 92,500 square feet of warehouse and office uses to be contained within the two buildings. The SP amendment is adjusting requirements for access, architectural requirements, and landscaping.

CASE HISTORY

This case was presented at the July 25, 2024, Planning Commission Meeting. At the meeting, the commissioners requested clarification regarding the types of changes proposed, including building materials and if the existing roadway could accommodate the proposed changes in this amendment. The requested information has been incorporated into this report.

SITE CONTEXT AND PLAN DETAILS

The site is approximately 9.38 acres and is located on the northern side of Old Hickory Boulevard, east of Hobson Pike. The site consists of two parcels and is undeveloped. Uses in the surrounding area to the south and east have developed with industrial and non-residential uses, while uses to the north and west are a mixture of single-family residential, nonresidential, and vacant uses. The site is immediately adjacent to the Starwood Town Center SP to the north which is approved for a mixture of residential and non-residential uses. The site includes an area of conservation policy along a stream on the northern portion of the site.

Plan Details

The site plan proposes two, equally sized buildings containing a combined 92,500 square feet of warehouse and office uses, of which 80,500 square feet is allowed for warehouse uses and 12,000 square feet is allowed for office uses. The site is accessed by two private driveways, which do not connect to one another, onto Old Hickory Boulevard, which is classified at this location as a Collector-Avenue in the Major and Collector Street Plan (MCSP). The eastern private driveway, located at the southeastern portion of the site, leads to a surface parking area for the eastern building. The western private driveway, located between both buildings, leads to a surface parking area for

the western building and loading and access areas for both buildings. In the northeastern corner of the site, an access easement for the adjacent property at 3839 Murfreesboro Pike is included.

Along Old Hickory Boulevard, the plan proposes improvements to Old Hickory Boulevard, including a sidewalk to meet the MCSP requirements. Private sidewalks will connect internally between the buildings and the streets. Landscaping is provided throughout the site, including along the periphery and streetscape. Additionally, the site maintains the stream buffer landscaping.

Proposed Changes

Architectural requirements: The SP amendment proposes changes to the building material requirements, glazing requirements and window orientation by removing these requirements that were added in the preliminary SP. Staff has included conditions related to architectural and material standards for the elevations fronting Old Hickory Boulevard.

Internal pedestrian connectivity: The existing preliminary SP includes an internal pathway along the northern and eastern property lines, along a stream buffer area. The SP amendment proposes to remove this pathway. All other pedestrian connections would remain. in the preliminary SP.

Cross access easement: The SP amendment proposes to add a cross access easement located at the southeast corner of the site, allowing for the potential of vehicular access from this site to the north.

Site Access: The SP amendment proposes to remove the following condition from the Council bill: *The access point to the loading/unloading area shall include the design & construction of a raised median with the purpose of restricting the left turn egress of trucks from the site. All truck traffic shall be directed west towards Hobson Pike.*

ANALYSIS

Architectural requirements: The District Industrial policy provides guidelines for building placement, orientation, and height, which the proposed plan has provided. For the architectural conditions, staff proposes to include a condition for the elevations fronting Old Hickory Boulevard.

Internal pedestrian connectivity: The District Industrial policy provides guidance for pedestrian connectivity, emphasizing connections between the buildings and street frontage. The pathway proposed to be removed does not provide pedestrian connectivity from the street to the buildings. Since this pathway was in a wooded area on the site and near a stream buffer, staff finds that removing this pathway is not inconsistent with the policy, as internal pedestrian connections from the building to the street remain in the amended plan.

Cross access easement: The District Industrial policy supports coordinated access between properties for vehicular connectivity.

Site Access: To remove this condition, NDOT has included several conditions of required upgrades to Old Hickory Boulevard.

The proposed SP is located within the District Industrial (D IN) and Conservation (CO) policy areas. The D IN policy is intended to promote industrial activities that serve the overall community. The proposed SP would provide uses consistent with this policy. The CO policy is confined to the northern portion of the property along the stream buffer. The proposed plan maintains this stream buffer and avoids sensitive environmental features, instead focusing development to the front of the site.

FIRE MARSHAL RECOMMENDATION

Approve

NDOT 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.
- All ROW frontages shall adhere to the Major Collector Street Plan (MCSP).
- Dedicate ROW along all frontages to accommodate MCSP requirements. Provide call outs on final site plan for MCSP requirements.
- In general, with a final: Any proposed roadway sections, ramps, sidewalks, curb & gutter, etc. shall be designed and called out per NDOT detail standards.
- 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 work in public ROW. (cont.) Extents to be coordinated in field with NDOT inspector.
- Comply w/ traffic comments and conditions. Coordinate w/ NDOT roads and/or traffic on truck route site ingress/egress.

- Coordinate w/ NDOT roads and/or traffic regarding site ingress/egress design and operation for truck traffic due to constrained pavement width sections, existing pavement conditions, and horizontal road curvature challenges on Old Hickory Boulevard between the site access and Murfreesboro Pike. No truck access will be permitted from the site going toward Murfreesboro Pike until appropriate roadway improvements are constructed in accordance with NDOT road standards necessary to support heavy industrial vehicle loads.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- See Roads comments.

STORMWATER RECOMMENDATION

Approve with conditions

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

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.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 92,500 square feet of warehouse and office uses.
2. The minimum width of all internal sidewalks shall be 5 feet.
3. On the corrected copy, add the following note: The front building façades along Old Hickory Boulevard shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.
4. On the correct copy, add the following note: Buildings facades fronting Old Hickory Boulevard, shall provide a minimum of 1 principal entrance (doorway) and a minimum of 15% glazing. Modifications to this standard may be approved by Planning Staff with final site plan review.
5. On the corrected copy, update the maximum height language: Height shall be measured per the Metro Zoning Ordinance. Maximum height shall be measured to the tallest point of the roof.
6. On the corrected copy, add note to the landscape plan: Landscaping and TDU Requirements shall be provided per the Metro Zoning Ordinance.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the preliminary SP for review and approval.
9. On the corrected copy, update the purpose note to include the permitted uses.
10. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
11. 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 IWD zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
12. The final site plan shall depict any required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within 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.
13. 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.
14. 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.
15. 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.

Vice Chair Farr stated they heard Item 4 at the last meeting and the Public Hearing has been closed.

Ms. Milligan gave an update on Item 4. She stated this Item was deferred to allow for additional work on conditions around NDOT and discussion on materials.

Vice Chair Farr asked if the NDOT improvements would happen at the next phase.

Ms. Milligan responded it is required if truck traffic is directed that way and the improvements would have to happen before it is allowed for truck traffic use.

Mr. Henley moved, and Councilmember Gamble seconded the motion to approve with conditions and disapprove without all conditions. (7-0)

Resolution No. RS2024-193

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-051-002 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 92,500 square feet of warehouse and office uses.
2. The minimum width of all internal sidewalks shall be 5 feet.
3. On the corrected copy, add the following note: The front building façades along Old Hickory Boulevard shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.
4. On the correct copy, add the following note: Buildings facades fronting Old Hickory Boulevard, shall provide a minimum of 1 principal entrance (doorway) and a minimum of 15% glazing. Modifications to this standard may be approved by Planning Staff with final site plan review.
5. On the corrected copy, update the maximum height language: Height shall be measured per the Metro Zoning Ordinance. Maximum height shall be measured to the tallest point of the roof.
6. On the corrected copy, add note to the landscape plan: Landscaping and TDU Requirements shall be provided per the Metro Zoning Ordinance.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the preliminary SP for review and approval.
9. On the corrected copy, update the purpose note to include the permitted uses.
10. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
11. 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 IWD zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
12. The final site plan shall depict any required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within 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.
13. 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.
14. 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.
15. 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-011-001

605 STEWARTS FERRY PIKE

Council District 14 (Jordan Huffman)

Staff Reviewer: Laszlo Marton

A request to rezone from R10 and RM9 to SP zoning for properties located at 605 Stewarts Ferry Pike and Stewarts Ferry Pike (unnumbered), at the northwest corner of Stewarts Ferry Pike and Lauer Drive (22.31 acres), to permit a mixed use development, requested by Barge Design Solutions, applicant; Connection United Methodist Church, Inc., owner.

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

APPLICANT REQUEST

SP to permit a mixed-use development.

Preliminary SP

A request to rezone from One and Two-Family Residential (R10) and Multi-Family Residential (RM9) to Specific Plan (SP) zoning for properties located at 605 Stewarts Ferry Pike and Stewarts Ferry Pike (unnumbered), at the northwest corner of Stewarts Ferry Pike and Lauer Drive (22.31 acres), to permit a mixed-use development.

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 82 lots with 20 duplex lots for a total of 102 units. This does not account for compliance with the Subdivision Regulations.*

Multi-Family Residential (RM9) is intended for single-family, duplex, and multi-family dwellings at a density of nine dwelling units per acre. *Based on acreage alone, RM9 would permit a maximum of 30 units.*

Proposed Zoning

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

DONELSON – HERMITAGE – OLD HICKORY 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.

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

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

SITE CONTEXT

The subject site consists of 22.31 acres across two parcels located at 605 Stewarts Ferry Pike and Stewarts Ferry Pike (unnumbered), at the northwest corner of Stewarts Ferry Pike and Lauer Drive. Approximately 19 acres of the site is currently zoned One and Two-Family Residential (R10), while the remaining 3.3 acres is zoned Multi-Family Residential (RM9). The property at 605 Stewarts Ferry Pike has a single building used as a religious institution while the property at the rear of the site is heavily wooded and contains portions of McCrory Creek and its associated stream buffers.

The subject site has approximately 375 feet of frontage on Stewarts Ferry Pike and 300 feet of frontage on Lauer Drive. The site currently has access from both streets. Stewarts Ferry Pike is classified as an Arterial Boulevard in the Major and Collector Street Plan (MCSP) while Lauer Drive is a local street. Sidewalks are not present along the frontages of either street.

Adjacent zoning includes: Commercial Limited (CL)/Planned Unit Development (PUD) to the west; RM9/PUD to the north and east; SP to the south. Adjacent land uses include: Shopping Center (Retail), Single-Family Residential, Multi-Family Residential, Medical Office, and Automobile Convenience.

PLAN DETAILS

The proposed SP permits a mixed-use development through a regulatory plan. The SP divides the site into two zones and an area of conservation. Zone 1 is approximately 8.31 acres located along the frontage of the site. Uses are

limited to 10,000 SF of uses permitted in the MUL zoning district and a hotel with 150 rooms. The maximum building height is 4 stories in 60 feet or 5 stories in 75 feet, within an designated area that is 100 feet from the eastern property line. Zone 2 is located at the rear of the site and consists of approximately 14 acres. Uses in Zone 2 are limited to a maximum of 280 multi-family residential units. The maximum building height in Zone 2 is 4 stories and 60 feet. Short term rental properties, owner occupied, and non-owner occupied, are prohibited throughout the development.

A conservation area of approximately 4.75 acres is shown on the west side of the plan, encompassing McCrory Creek and its associated buffers as well as areas of steep slopes. The conservation area is designed for open space and amenities, and a proposed greenway segment and easement dedication is located in this area, adjacent to the creek. The SP includes standards relating to the orientation of buildings to the future greenway on the site, landscape buffers, building/pedestrian entrance orientation, and internal pedestrian connectivity.

ANALYSIS

The site is split by several polices including portions of T3 Suburban Community Center (T3 CC), T3 Suburban Neighborhood Evolving (T3 NE), and Conservation (CO) policy areas. The T3 CC policy supports the creation and enhancement of suburban community centers that serve suburban communities generally within a 10-to-20-minute drive. The SP permits all uses of MUL along the site's frontage, allowing for commercial, residential, and office development opportunities at a scale supported by the policy. The SP proposes taller building heights than would typically be found in this policy area, however the proposed plan includes provisions for additional open space, and setbacks from lower-intensity policy areas. The standards for increased landscape buffers and setbacks will allow for a transition in heights, as the site borders a lower policy area to the north and east with existing buildings that are 2/3 stories. The T3 NE policy is intended to create and enhance suburban residential neighborhoods with more housing choices. The boundaries of Zone 2 align with the limits of the T3 NE policy area. The proposed RM20 standards are on the higher end of intensity that the policy supports, however the policy is in favor of placing taller buildings in locations adjacent to centers and corridors. The SP addresses the CO Policy on the site and proposes to locate development away from McCrory Creek and its associated stream buffers. A future greenway segment and associated connections to open space and buildings within the development will be reviewed at final site plan. Overall, the plan meets the varied goals of the T3 CC, T3 NE, and CO policy areas as well as goals of NashvilleNext to provide a mixture of housing choices near corridors and centers.

FIRE MARSHAL RECOMMENDATION

Approve

GREENWAYS RECOMMENDATION

Approve

HISTORIC RECOMMENDATION

- Recommend a Phase I archaeological survey.

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

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

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- The site access on Stewarts Ferry Pike is to be designed as a Right In Right Out with bike lane and pedestrian facilities included. The dedicated right turn lane at this access has been identified in the MMTA to not affect the traffic flow for the site, so there should not be an added right turn lane here.

- At the intersection of Stewarts Ferry Pike and Lauer Road, install a southbound right-turn lane with full storage back to Driveway 2 along Lauer Drive; update signal timings to accommodate increased southbound traffic demand; install a southbound right-turn overlap with the existing eastbound left-turn phase. Pedestrian infrastructure (ADA ramps, detectable warning mats, push buttons, signal heads, and crosswalk) shall be provided for the north leg of the intersection (across Lauer).
- MCSP is to be met along all property frontages. Sidewalk along the property frontage on Stewarts Ferry Pike shall connect with the existing sidewalk to the west.
- Parking shall meet metro code requirements.

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: **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)	19.03	4.35 D	102 U	1,059	77	103

*Based on two-family lot

Maximum Uses in Existing Zoning District: **RM9**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	3.28	9 D	30 U	162	11	14

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

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)	4.155	1.0 F	180 U	979	61	78

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	2.078	1.0 F	90,517 SF	3,417	85	345

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	2.078	1.0 F	90,517 SF	10,154	900	884

Maximum Uses in Proposed Zoning District: **SP – RM20**

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)	14	20 D	280 U	1,524	93	119

Traffic changes between maximum: **R10/RM-9 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+14,853	+1,051	+121

METRO SCHOOL BOARD REPORT

Projected student generation existing R10 & RM9 districts: 12 Elementary 5 Middle 8 High

Projected student generation proposed SP district: 31 Elementary 13 Middle 17 High

The proposed SP zoning district is anticipated to generate 36 more students than what would be generated under the current R10 and RM9 zoning districts. Students would attend Hickman Elementary School, Donelson Middle School, and McGavock High School. Hickman Elementary School and McGavock High School are identified as at capacity. Donelson Middle 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

- Permitted uses in Zone 1 shall be limited to a maximum 10,000 square feet of uses permitted by MUL and a hotel with a maximum of 150 rooms. Permitted uses in Zone 2 shall be permitted to a maximum of 280 multi-family residential units. Short Term Rental Property (STRP), owner occupied and not owner-occupied, shall be prohibited from the entire development.
- On the corrected copy, the permitted uses line in the table on page 6 shall be limited to the uses as outline in the use condition.
- On the corrected copy, update Zone 1 side and rear setbacks to be 5 feet.
- The maximum height in Zone 2 shall be limited to 4 stories in 60 feet and the maximum height in Zone 1 shall be limited to 5 stories in 75 feet. The 5 story in 75 feet height maximum is limited to the designated area shown on the preliminary plan and contingent upon the building being set back 100 feet from the eastern property.
- On the corrected copy, replace the following text under Note 1 on Page 6, "Overall Building Height in feet shall not exceed 75 feet" with "Overall Building Height shall not exceed the heights as identified in the table above".
- On the corrected copy, replace the language in Note 5 on Page 6 with the language in Note 6d on Page 7.
- On the corrected copy, update the Zone 1 and Zone 2 boundaries to be outside of the Conservation Area on page 6.
- With the final site plan, a continuous internal sidewalk providing connections from building entrances to sidewalks along private street and to public rights-of-way shall be provided. Internal sidewalk connectivity shall be reviewed with the final site plan.
- With the final site plan, the MCSP requirement shall be met along the Stewarts Ferry Pike frontage for right-of-way dedication and associated streetscape improvements. The final site plan shall also show the required 25' half right-of-way dedication and associated streetscape improvements for Lauer Drive.
- Comply with all conditions and requirements of Metro Reviewing Agencies.
- A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with the final site plan application.
- 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 zoning district in Zone 1 and the RM20 zoning district in Zone 2 as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
- The final site plan shall depict any required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within 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.
- 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.

15. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Property Owners' Association.
16. No master permit/HPR shall be recorded prior to final SP approval.
17. Final plat may be required prior to permitting.
18. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
19. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any of any building permits.

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

Resolution No. RS2024-194

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-011-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses in Zone 1 shall be limited to a maximum 10,000 square feet of uses permitted by MUL and a hotel with a maximum of 150 rooms. Permitted uses in Zone 2 shall be permitted to a maximum of 280 multi-family residential units. Short Term Rental Property (STRP), owner occupied and not owner-occupied, shall be prohibited from the entire development.
2. On the corrected copy, the permitted uses line in the table on page 6 shall be limited to the uses as outline in the use condition.
3. On the corrected copy, update Zone 1 side and rear setbacks to be 5 feet.
4. The maximum height in Zone 2 shall be limited to 4 stories in 60 feet and the maximum height in Zone 1 shall be limited to 5 stories in 75 feet. The 5 story in 75 feet height maximum is limited to the designated area shown on the preliminary plan and contingent upon the building being set back 100 feet from the eastern property.
5. On the corrected copy, replace the following text under Note 1 on Page 6, "Overall Building Height in feet shall not exceed 75 feet" with "Overall Building Height shall not exceed the heights as identified in the table above".
6. On the corrected copy, replace the language in Note 5 on Page 6 with the language in Note 6d on Page 7.
7. On the corrected copy, update the Zone 1 and Zone 2 boundaries to be outside of the Conservation Area on page 6.
8. With the final site plan, a continuous internal sidewalk providing connections from building entrances to sidewalks along private street and to public rights-of-way shall be provided. Internal sidewalk connectivity shall be reviewed with the final site plan.
9. With the final site plan, the MCSP requirement shall be met along the Stewarts Ferry Pike frontage for right-of-way dedication and associated streetscape improvements. The final site plan shall also show the required 25' half right-of-way dedication and associated streetscape improvements for Lauer Drive.
10. Comply with all conditions and requirements of Metro Reviewing Agencies.
11. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with the final site plan application.
12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL zoning district in Zone 1 and the RM20 zoning district in Zone 2 as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
13. The final site plan shall depict any 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.
14. 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.
15. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Property Owners' Association.
16. No master permit/HPR shall be recorded prior to final SP approval.
17. Final plat may be required prior to permitting.
18. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
19. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any of any building permits.

6. 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 September 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-015-001 to the September 12, 2024, Planning Commission meeting. (7-0)

7. 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 September 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-016-001 to the September 12, 2024, Planning Commission meeting. (7-0)

8. 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 September 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-030-001 to the September 12, 2024, Planning Commission meeting. (7-0)

9. 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: Approve with conditions including a variance from Section 4-2.4, Section 4-2.5.a.1.a, Section 4-2.5.a.1.b, and Section 4-2.5.a.1.c. of the Metro Subdivision Regulations.

APPLICANT REQUEST

Request for final plat approval to shift lot lines.

Final Plat

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 Agricultural/Residential (AR2a) (7.96 acres).

SITE DATA AND CONTEXT

Location: The site is located on the north side of Clay Lick Road, northwest of its intersection with Lickton Pike.

Street type: The site has frontage onto Clay Lick Road, which is classified as a collector street in the Major and Collector Street Plan (MCSP).

Approximate Acreage: 7.96 acres or 346,868 square feet.

Parcel/Site History: This site is comprised of two parcels. The parcels were created by deed in 1948 (Parcel 020) and 1968 (Parcel 019).

Zoning History: This site has been zoned AR2a since 1974.

Existing land use and configuration: The site is developed with one single-family use on Parcel 020 (proposed Lot 2). The existing residential structure, located near the front of the parcel, will be retained, as well as several accessory structures.

Surrounding land use and zoning:

North: Agricultural/Residential (AR2a)

South: Agricultural/Residential (AR2a)

East: Agricultural/Residential (AR2a)

West: Agricultural/Residential (AR2a)

Zoning: Agricultural/Residential (AR2a)

Min. lot size: 2 acres

Max. height: 3 stories

Min. street setback for properties on Clay Lick Road: 40'

Min. rear setback for all properties: 20'

Min. side setback for all properties: 20'

Maximum Building Coverage: 0.20

PROPOSAL DETAILS

Number of lots: 2

Lot sizes: Lots are approximately 148,123 square feet (3.40 acres) (Lot 1) and 189,509 square feet (4.35 acres) (Lot 2).

Access: Both lots have frontage along Clay Lick Road. Because Clay Lick Road is a collector, an easement for shared access is shown.

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

There are several subdivision options in the Rural Subdivision Regulations. This proposal utilizes the Countryside Character Design Open Alternative option as described in Section 4-2.5.a.1 of the subdivision regulations.

4-2. Development Standards

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

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

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

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

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

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

4-2.4 Building Placement. In subdivisions without new streets or joint access easements, any subdivision application shall note proposed building envelopes. Building envelopes shall not be within areas listed in Section 4-2.1(a) through Section 4-2.1(j).

Lot 2 contains an existing structure that has been identified to be retained on the plat. Lot 1 is undeveloped, and a proposed building envelope has been identified on the plat. The entire site is encumbered by sensitive features, including problem soils and steep slopes. To minimize disturbance to sensitive features on this lot, the building envelope on Lot 1 has been identified outside of the steep slopes, though it is within the problem soils. A variance is needed and will be discussed below.

4-2.5 Rural Character Design

a. Countryside Character Option. This option may be used for any rural character subdivision. It is intended to maintain a natural, open rural character by minimizing the visual intrusion of development along primary roadways through the use of setbacks, building placement, existing vegetation and natural topographic features that obscure the view of development from the street.

- 1. Open Alternative – Street frontage without existing vegetative or topographical screening. For purposes of this section, “surrounding parcels” is defined as the five R, RS, AR2a, or AG parcels oriented to the same block face on either side of the parcel proposed for subdivision, or to the end of the same blockface, whichever is less. If there are no surrounding parcels, the screened alternative shall be used. Lots 1 and 2 are located along an existing street and were reviewed against (a) through (d) below.*

a. Building Setback along existing public streets.

Does not comply. The building setbacks are required to be varied, and a minimum setback line is required to be platted when the average setback of abutting parcels is more than the minimum required street setback established by the zoning. The average front setback of the abutting parcels is approximately 757 feet, larger than the 40-foot setback required by the Zoning Code. The existing building setback on Lot 2, where the current structure is identified to remain, is approximately 135 feet. Lot 1, which is currently undeveloped, does not identify a proposed building setback furthermore, the setback required by Sec 4-2.5(a) is greater than the existing property's total lot depth. A variance is needed and will be discussed below.

b. Lot Depth along existing public streets.

Does not comply. The minimum depth for lots along existing public streets shall be the building setback required by Sec 4-2.5(a) plus 300 feet. This provision requires a 1,057-foot lot depth. As proposed, the depth of Lot 1 is approximately 455 feet, and the depth of Lot 2 is approximately 616 feet. Neither lot meets the 1,057-foot minimum lot depth. A variance is needed and will be discussed below.

c. Lot size along existing public streets.

Does not comply. A compatibility analysis was conducted per this requirement based on the surrounding parcels. Minimum lot size is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than the smallest of the surrounding parcels, whichever is greater. The outcome of the analysis is that the minimum lot size required for Lots 1 and 2 is approximately 4.96 acres or 216,035 square feet. The area of Lot 1 is proposed to be 3.40 acres, or 148,123 square feet, and the area of Lot 2 is proposed to be 4.35 acres, or 189,509 square feet. Neither lot meets the 4.96-acre minimum lot size. A variance is needed and will be discussed below.

d. Lot frontage abutting existing public streets.

Complies. A compatibility analysis was conducted per this requirement. The outcome of the analysis is that the minimum lot frontage along Brick Church Pike required for Lots 1 and 2 is 177.96 feet. The frontage of Lot 1 is proposed to be approximately 445 feet, and the frontage of Lot 2 is proposed to be approximately 396 feet. Both lots meet the minimum lot frontage length of 177.96 feet.

e. Street lights.

Not Applicable for this case.

- f. *Conservation Development option.*
Not Applicable for this case.

Subdivision Variances or Exceptions Requested: Yes. This request requires a variance from Section 4-2.4 (building placement), Section 4-2.5.a.1.a (minimum building setback), Section 4-2.5.a.1.b (minimum lot depth), and Section 4-2.5.a.1.c. (minimum lot size) pertaining to Lots 1 and 2.

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

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

Variance Analysis

Variance Request – Building Placement

Section 4-2.4 requires in subdivisions without new streets or joint access easements that proposed building envelopes be noted. Building envelopes must not be within areas listed in Section 4-2.1(a) through Section 4-2.1(j), which at this site, include areas over 10,000 square feet of contiguous slopes over 15 percent and problem soils. Due to the existing site conditions, it would not be possible to identify the building envelope outside of all of the conservation areas present at this site (steep slopes and problem soils), as the only potential building envelope location outside of the problem soils is encumbered by steep slopes. Although the building envelope is located within areas of problem soils, the plat is proposing a larger configuration for Lot 1 and the increased area allows the building envelope to be located in an area that is outside of the steep slopes. By increasing the size of Lot 1 there will be more space to develop outside of the steep slopes which would help to mitigate impacts to sensitive features. Staff would also note that both existing properties are legal lots. The proposed plat is simply making Lot 1 larger, providing more opportunity to develop outside of the sensitive areas. Staff finds that the variance from the proposed building placement location does not conflict with the intent of the Rural Subdivision Regulations and meets all the requirements for the Commission to grant the variance.

Variance Request – Minimum Building Setback

Section 4-2.5.a.1.a requires a minimum building setback to be platted when the minimum required street setback is less than the average of the street setbacks of the two parcels abutting either side of the lot proposed to be subdivided. As proposed, the lots themselves are shallower than the required contextual setback of 757 feet, making it impossible for the property, even as it exists now, to meet the required setback. The existing home on the proposed Lot 2 is set back 135 feet from the street, which is a similar setback to what exists for other homes along this block of Clay Lick Road. Future development on Lot 1 would be limited to the proposed building envelope, which results in a street setback greater than the existing setback on Lot 2.

Because the existing lots do not meet the minimum building setback requirement currently and this application only shifts the existing property line between it and the other proposed lot, this request will not change the character of the neighborhood, even if the resulting lots cannot feature the minimum required building setbacks as required by this section. Staff finds that the variance from the minimum setback requirement does not conflict with the intent of the Rural Subdivision Regulations and meets all the requirements for the Commission to grant the variance.

Variance Request – Minimum Lot Depth

Section 4-2.5.a.1.b requires the minimum lot depth along existing public streets be the building setback required by Sec 4-2.5(a) plus 300 feet. In this case, the minimum required lot depth is approximately 1,057 feet. As proposed, the depth of Lot 1 is approximately 455 feet, and the depth of Lot 2 is approximately 616 feet. Neither lot meets the 1,057-foot minimum lot depth. However, the existing depth of the site is not changing as a result of the proposed lot line shift, and current depth is reflective of the surrounding rural development pattern. Given these factors, Staff finds that the variance from the minimum lot depth requirement does not conflict with the intent of the Rural Subdivision Regulations and meets all the requirements for the Commission to grant the variance.

Variance Request – Minimum Lot Size

Section 4-2.5.a.1.c. requires the minimum lot size along existing public streets be equal to or greater than 70% of the average size of surrounding parcels or equal to or greater than the smallest, whichever is greater. In this case, the minimum required lot size is approximately 4.96 acres. As proposed, the size of Lot 1 is approximately 3.40 acres, and the size of Lot 2 is approximately 4.35 acres. Because the existing smaller parcel does not meet the minimum lot size requirement currently, and this application merely shifts the property line between it and the other proposed lot, this request will not change the character of the neighborhood, even if the resulting lots fall short of the minimum required lot size. In addition, the larger context features a diversity of lot sizes, with lots as small as 0.46 and 1.12 acres found along Clay Lick Road to the north. Staff finds that the proposed lot sizes do not conflict with the intent of the Rural Subdivision Regulations and meet all the requirements for the Commission to grant the variance.

Variance Request – Minimum Building Setback

Section 4-2.5.a.1.a requires a minimum building setback to be platted when the minimum required street setback is less than the average of the street setbacks of the two parcels abutting either side of the lot proposed to be subdivided. As proposed, the lots themselves are shallower than the required contextual setback of 757 feet, making it impossible for the property, even as it exists now, to meet the required setback. The existing home on the proposed Lot 2 is set back 135 feet from the street, which is a similar setback to what exists for other homes along this block of Clay Lick Road. Future development on Lot 1 would be limited to the proposed building envelope, which results in a street setback greater than the existing setback on Lot 2.

Because the existing lots do not meet the minimum building setback requirement currently and this application only shifts the existing property line between it and the other proposed lot, this request will not change the character of the neighborhood, even if the resulting lots cannot feature the minimum required building setbacks as required by this section. Staff finds that the variance from the minimum setback requirement does not conflict with the intent of the Rural Subdivision Regulations and meets all the requirements for the Commission to grant the variance.

Variance Request – Minimum Lot Depth

Section 4-2.5.a.1.b requires the minimum lot depth along existing public streets be the building setback required by Sec 4-2.5(a) plus 300 feet. In this case, the minimum required lot depth is approximately 1,057 feet. As proposed, the depth of Lot 1 is approximately 455 feet, and the depth of Lot 2 is approximately 616 feet. Neither lot meets the 1,057-foot minimum lot depth. However, the existing depth of the site is not changing as a result of the proposed lot line shift, and current depth is reflective of the surrounding rural development pattern. Given these factors, Staff finds that the variance from the minimum lot depth requirement does not conflict with the intent of the Rural Subdivision Regulations and meets all the requirements for the Commission to grant the variance.

Variance Request – Minimum Lot Size

Section 4-2.5.a.1.c. requires the minimum lot size along existing public streets be equal to or greater than 70% of the average size of surrounding parcels or equal to or greater than the smallest, whichever is greater. In this case, the minimum required lot size is approximately 4.96 acres. As proposed, the size of Lot 1 is approximately 3.40 acres, and the size of Lot 2 is approximately 4.35 acres. Because the existing smaller parcel does not meet the minimum lot size requirement currently, and this application merely shifts the property line between it and the other proposed lot, this request will not change the character of the neighborhood, even if the resulting lots fall short of the minimum required lot size. In addition, the larger context features a diversity of lot sizes, with lots as small as 0.46 and 1.12 acres found along Clay Lick Road to the north. Staff finds that the proposed lot sizes do not conflict with the intent of the Rural Subdivision Regulations and meet all the requirements for the Commission to grant the variance.

PLANNING STAFF COMMENTS

With the variances from Sections 4-2.4 and 4-2.5, the proposed subdivision meets the standards of the Metro Subdivision Regulations and Zoning Code.

POLICY CONSIDERATIONS

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

NashvilleNext includes a Community Character Manual (CCM) which established character areas for each property within Metro Nashville. The community character policy applied to the entirety of this property is T2 RCS (Rural Countryside). The goal of the T2 RCS Policy is to maintain the rural character as a permanent choice for living and not as a holding or transitional zone for future urban or suburban development. Appropriate land uses in the T2 RM policy include maintenance of the land in its natural state, small scale agricultural and related accessory and support uses, residential, institutional, and rural subdivisions. Staff finds that the Rural Subdivision regulations meet the intent of the T2 RCS policy to provide rural residential lots as a permanent choice of living.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT ROADS RECOMMENDATION

Approve

- NET Plat dated 7-1-2024.

NASHVILLE DOT TRAFFIC AND PARKING

Approve

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- Water Capacity Fees for new Lots must be paid before issuance of building permits. Sewer is provided to this site by a Septic System. Please follow up with regard to the septic system approval with Metro Health Department, Scott Fellwock or his designee at 615-340-5605.

METRO HEALTH DEPARTMENT RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions including a variance from Section 4-2.4, Section 4-2.5.a.1.a, Section 4-2.5.a.1.b, and Section 4-2.5.a.1.c of the Metro Subdivision Regulations.

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, change the "shared joint access easement" to "shared access easement."
4. On the corrected copy, add a platted front setback line at the front of the building envelope for Lot 1.
5. The mylar shall be approved and signed by the Metro Health Department prior to recording.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2023S-116-001, including variances from Section 4-2.4, Section 4-2.5.a.1.a, Section 4-2.5.a.1.b, and Section 4-2.5.a.1.c of the Metro Subdivision Regulations, based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions including a variance from Section 4-2.4, Section 4-2.5.a.1.a, Section 4-2.5.a.1.b, and Section 4-2.5.a.1.c. of the Metro Subdivision Regulations. (7-0)

Resolution No. RS2024-195

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023S-116-001 is approved with conditions. (7-0)

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, change the "shared joint access easement" to "shared access easement."
4. On the corrected copy, add a platted front setback line at the front of the building envelope for Lot 1.
5. The mylar shall be approved and signed by the Metro Health Department prior to recording.

10. 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 September 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024S-025-001 to the September 12, 2024, Planning Commission meeting. (7-0)

11. 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 September 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024S-083-001 to the September 12, 2024, Planning Commission meeting. (7-0)

12. 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 create two lots 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 September 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024S-084-001 to the September 12, 2024, Planning Commission meeting. (7-0)

13. 2024CP-010-001

**GREEN HILLS-MIDTOWN COMMUNITY PLAN AMENDMENT
EDGEHILL NEIGHBORHOOD PLAN**

Council District 17 (Terry Vo)
Staff Reviewer: Cory Clark

A request to amend the Green Hills-Midtown Community Plan by adopting the Edgehill Neighborhood Plan as a Supplemental Policy and amending various community character policies for properties located in the Edgehill Neighborhood study area (560 acres), requested by Metro Planning Department, applicant; various owners.

Staff Recommendation: Approve.

**APPLICANT REQUEST
Approve the Edgehill Neighborhood Plan.**

Major Plan Amendment

A request to amend the Green Hills-Midtown Community Plan by adopting the Edgehill Neighborhood Plan as a Supplemental Policy and amending various community character policies for properties located in the Edgehill Neighborhood study area, approximately 560 acres.

GREEN HILLS-MIDTOWN COMMUNITY PLAN BACKGROUND

The Edgehill Neighborhood Plan study area covers approximately 560 acres bounded by Interstate 40 (I-40) on the north, Wedgewood Avenue on the south, Interstate 65 (I-65) on the east, and the blocks facing Villa Place on the west. The study area is south of the Gulch, north of Belmont University, east of Music Row, and west of the Wedgewood-Houston neighborhood and Fort Negley Park.

The Edgehill neighborhood is a community of approximately 5,100 residents spread across 2,300 households living in various housing types such as single-family homes, duplexes, townhomes, and multi-family apartment buildings. The neighborhood includes a number of public facilities including schools, such as Carter-Lawrence Elementary School and Rose Park Middle School, to the Edgehill Library and a series of parks – Rose Park, Reservoir Park, Tony Rose Park, Dallas Neil Park, Flora Wilson Park, and the neighborhood’s William Edmondson Homesite Park and Garden.

Edgehill traces its roots back to the mid-1800s, when many formerly enslaved African Americans migrated from rural Tennessee and other southern states and settled into the area near Fort Negley. Against the background of redlining and other forms of restrictions, Edgehill became a desirable neighborhood for African American professionals to call home by the mid-1900s. This influx of new and notable residents helped promote the growth of African American owned businesses, from bakeries to barbershops, along 12th Avenue South, South Street, and other parts of Edgehill. In the 1950s, the federal policy of urban renewal led directly to the construction of Interstate 40 and Interstate 65, development of public housing, and the widening of 12th Avenue South. These projects led to the demolition of commercial and residential areas, leaving residents with limited to no choices for grocers, restaurants, and other retail services and forced thousands of residents to relocate. The urban renewal projects significantly disturbed the physical, cultural, and economic conditions of Edgehill.

Over the following decades, Edgehill continued to be impacted by development. In 2000, the neighborhood included approximately 2,000 housing units. By 2020, this number had grown to more than 3,000 housing units with approximately 3,200 additional housing units approved but not yet constructed as part of various recent rezonings in the neighborhood. Moreover, the Metropolitan and Development Housing Agency’s (MDHA) Envision Edgehill Apartments Transformation Plan (2019) calls for 1,400-1,500 units on MDHA’s Edgehill Apartments properties (approximately 42 acres) – with one-for-one replacement of the 380 existing federally subsidized units. Horizontal property regimes (HPRs) have also played a role in remaking the Edgehill neighborhood, often replacing single family homes and resulting in the rise of short-term rentals particularly in the area adjacent to the Gulch.

Development has generated significant demographic shifts including a decrease in the African American population, higher household income levels, and more individuals with higher education attainment. For example, between 2000 and 2020, the African American share of Edgehill’s population decreased from 79% to 46%, while the white population share increased from 17% to 45%. Consequently, many Edgehill residents have expressed concerns that the historical legacy of the neighborhood is in jeopardy of being lost.

In response to community concerns, the Metro Planning Department organized a neighborhood planning process that started in February 2023. Over the course of nine months, the planning process, working with community residents and stakeholders, documented neighborhood history, reviewed existing conditions and trends, developed a vision, principles and strategies, and identified policy and capital improvements resulting in the Edgehill Neighborhood Plan.

COMMUNITY PARTICIPATION

A key component of the neighborhood planning process was community engagement. Engagement opportunities included community workshops, focus groups, online engagement activities, and community events. From the beginning, community members called for a neighborhood plan with actionable strategies for maintaining the historical integrity of Edgehill and addressing the current issues affecting it.

Neighborhood Plan Timeline and Milestones:

- February 2023 – Neighborhood plan workshop #1 at Easley Community Center– kickoff meeting and listening session.
- February – March 2023 – Online survey (community needs).
- April 2023 – Neighborhood plan workshop #2 at Easley Community Center – market study results, community needs, and initial ideas for neighborhood character areas.
- April 2023 – Nonprofit leaders focus group at Salama Urban Ministries.
- April 2023 – Neighborhood youth focus group at Easley Community Center.
- April – May 2023 – Online survey (draft character areas).
- August 2023 – Neighborhood plan workshop #3 at Midtown Police Precinct – draft plan recommendations.
- October 2023 – William Edmondson Arts Festival tabling.

- October 2023 – Edgehill School Community Conversation tabling.
- November 2023 to February 2024 – Development of Draft Neighborhood Plan document.
- July 9 to August 8, 2024: Draft Neighborhood Plan posted online for public comments with three in-person engagement opportunities.
 - July 9, 2024 – District 17 community meeting at Rose Park Middle School.
 - July 24, 2024 – Office hours for drop-in, one-on-one conversations at Easley Community Center.
 - July 31, 2024 – Community meeting at Midtown Police Precinct.
- August 12, 2024 – Revised Draft Neighborhood Plan posted online.

ANALYSIS

The neighborhood planning process was divided into four phases:

- Phase One (Winter 2023) – Listening and Existing Conditions
 - Community Meeting #1
 - Neighborhood tours and field visits
 - Metro department meetings
- Phase Two (Spring 2023) – Design Options
 - Community Meeting #2
 - Focus group meetings
 - Neighborhood history
 - Existing conditions and trends analysis
 - Related plans and studies
- Phase Three (Spring/Summer 2023) – Design Refinement
 - Vision, principles and strategies
- Community character policy and design guidelines (building types, massing and density)
- Parks and open space network
- Mobility network
- Urban design
 - Metro department meetings
- Phase Four (Summer/Fall 2023) – Plan Drafting
 - Community Meeting #3
 - Metro department meetings
 - Draft Plan
- Community character policy and design guidelines
- Capital recommendations
- Parks and open space
- Mobility

NashvilleNext – Growth and Preservation Concept Map

The Growth and Preservation Concept Map adopted with NashvilleNext reflects Nashvillians’ expectations for future growth. It identifies a green network, anchor parks, tiered centers, neighborhoods, transition or infill areas, special use districts (e.g., the airport), and priority transit and multimodal corridors. Within the study area, the Concept Map designates the Edgehill community as “Neighborhood” bordered on all sides by “Transition & Infill.” Reservoir Park is designated as part of the “Green Network” and, notably, 8th Avenue South and Edgehill Avenue are designated as “High Capacity Transit Corridors,” immediate need and long-term need, respectively.

Green Hills-Midtown Community Plan – Community Character Policies

Nashville-Davidson County is divided into 14 Community Plan areas that document history and context along with community specific issues, strategies, and visions for how different places in the community should change over time. Within the Green Hills-Midtown Community Plan, the Edgehill neighborhood currently consists of the following community character policies.

- Open Space (OS) and Conservation (CO) – applied to sensitive natural features and park land and facilities for recreational activities, including Rose Park, Reservoir Park, Tony Rose Park, Dallas Neil Park, and Flora Wilson Park.
- Civic (CI) – applied to Metro-owned property such as Carter-Lawrence Elementary School, Rose Park Middle School, and the Edgehill Public Library.
- Urban Neighborhood Maintenance (T4 NM) and Urban Neighborhood Evolving (T4 NE) – applied to most of the neighborhood, including T4 NE applied to Edgehill Apartments.
- Urban Neighborhood Center (T4 NC) – applied to small areas near the intersections of Edgehill Avenue and Villa Place and at Edgehill Avenue and 12th Avenue South.
- Urban Mixed Use Corridor (T4 CM) – applied primarily along 8th Avenue South and at the intersections of South Street and 12th Avenue South and Wedgewood Avenue and 12th Avenue South.
- Urban Mixed Use Neighborhood (T4 MU) – applied to properties at the north end of the neighborhood and to properties east of 8th Avenue South adjacent to I-65.

Edgehill Neighborhood Plan – Vision

Reflecting community values around history, affordability, and accessibility, the Edgehill Neighborhood Plan establishes a vision centered on three guiding principles:

- Retain, Preserve, and Return – Edgehill should remain a place for long-time residents, preserve the character of the neighborhood, and expand housing options.
- Inclusive, Smart Growth – Edgehill should be an affordable and accessible neighborhood, including a variety of housing options with access to public amenities and commercial needs such as a grocery store. Future growth should focus on the 8th Avenue South and 12th Avenue South corridors and minimize impacts on lower scaled portions of Edgehill.
- Reconnect and Elevate – Public spaces throughout and adjacent to Edgehill should be celebrated and enhanced, including reconnecting the neighborhood to Ft. Negley Park.

Edgehill Neighborhood Plan – Base Policy Changes

The Edgehill Neighborhood Plan updates the study area’s Community Character Policies in the follow manner:

- Updates the community character policies applied to MDHA’s Edgehill Apartments, from T4 NE to T4 MU, supporting implementation of the Envision Edgehill Apartments Transformation Plan, especially mixed-use development.
- Extends T4 CM along the entire length of 12th Avenue South and on the north side of South Street, building on the existing T4 CM on 8th Avenue South and supporting a greater mix of uses and housing options.
- Updates Civic to Open Space to reflect the existing playground and community garden on the north portion of the former Murrell School site.

Edgehill Neighborhood Plan – Detailed Guidance

The Edgehill Neighborhood Plan supplements the character policies with design guidance, and proposes further evaluation of a series of potential capital improvements. Key plan recommendations include:

- Adds policies for seven new character areas in the neighborhood, supporting a variety of building types and heights in conjunction with any future design-based zoning.
- Proposes developing a master plan with public and private sector partners for the Murrell School/Library/Police/Park/Garden block between 12th Avenue South and 14th Avenue South.
- Proposes undertaking a feasibility study of the planned “Edgehill Loop,” a signature network of trails and bicycle/pedestrian sidepaths linking Rose Park, Reservoir Park, Ft. Negley Park, and the Murrell School/William Edmondson Homesite Memorial and Community Park and Gardens.
- Proposes developing a streetscape plan for 8th Avenue South, including a safety study at the high crash intersection of Wedgewood Avenue and 8th Avenue South

STAFF RECOMMENDATION

Staff recommends approval of amending the Green Hills-Midtown Community Plan by adopting the Edgehill Neighborhood Plan as a Supplemental Policy and amending the community character policies as follows:

- MDHA’s Edgehill Apartments from T4 NE to T4 MU.
- Extends T4 CM along the entire length of 12th Avenue South and on the north side of South Street
- North portion of former Murrell School site from Civic to Open Space

Note: The Edgehill Neighborhood Plan can be found on the Metro Nashville Planning Department website.

Ms. Kempf advised Mr. Henley has recused himself from this Item and will stay and listen but will not be deliberating or voting. She also advised this Community Plan is an update to NashvilleNext and requires six affirmative votes from the Planning Commission.

Mr. Clark and Ms. Kemezis presented the staff recommendation to approve.

Mark Schlicher, 5161 Whitaker Drive, spoke in favor of the application.

Brenda Morrow, no address given, stated she is the President of the Edgehill Apartment Resident Association. She spoke in favor of the application.

Dan Gochberg, 916 Villa Place, spoke in opposition to the application.

Vice Chair closed the Public Hearing.

Ms. Milligan explained a rezoning application would be a separate process that takes place. The Community Character Manual and these supplemental policies are guidance for the Commission when they consider zone change applications. She further explained it is not a rezoning but rather setting up land use policies for the area. Once or if an application is filed for a rezoning, it would then go through the rezoning process.

Councilmember Gamble asked what the policy change is going from and to.

Ms. Kemezis stated it is urban neighborhood evolving and they are updating to urban mixed-use neighborhood, and along the corridor, urban mixed-use corridor, and keeping the T4 neighborhood evolving along the edges.

Mr. Clifton stated this is the way they normally do it in a community plan process, and it does not bind them in the future. He said he was skeptical at first because of watching some of the changes and displacements there but is now convinced it is the opposite.

Ms. Allen asked how the policy addresses the history, culture and safety and demographic changes relating to the African American community.

Ms. Kemezis explained how the plan addresses the history, bringing the public and public stakeholders together, public improvements in the neighborhood and connecting to Fort Negley.

Ms. Leslie said there is an elevation of twelve stories and then it goes to three and four stories. She asked if there is a graduation of stories in between or can it jump from three to twelve stories.

Ms. Kemezis responded the twelve stories is only for mixed use development at key gateway locations and also includes corridor planning principles.

Vice Chair Farr stated to have minimal opposition says a lot about the community outreach and engagement that went on to developing this plan.

Councilmember Gamble moved and Mr. Marshall seconded the motion to approve. (6-0-1) Mr. Henley recused himself.

Mr. Clifton left the meeting.

Resolution No. RS2024-196

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024CP-010-001 is approved. (6-0-1)

14. 2024SP-008-001

BURKITT GLEN SP

Council District 31 (John Rutherford)

Staff Reviewer: Celina Konigstein

A request to rezone from AR2A to SP zoning for properties located at 7102 Burkitt Road and 7216 Old Burkitt Road, at the northeast corner of Old Burkitt Road and Burkitt Road (14.90 acres), to permit 288 multi-family residential units, requested by Dale & Associates, applicant; Martin Luther Clifton ET UX, owner.

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

APPLICANT REQUEST

Preliminary SP to permit 288 multi-family residential units.

Preliminary SP

A request to rezone from Agricultural/Residential (AR2a) to Specific Plan (SP) zoning for properties located at 7102 Burkitt Road and 7216 Old Burkitt Road, at the northeast corner of Old Burkitt Road and Burkitt Road (14.90 acres), to permit 288 multi-family residential units.

Existing Zoning

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *Based on acreage alone, AR2a would permit a maximum of seven lots with one duplex lot for a total of eight units. This does not account for compliance with the Subdivision Regulations.*

Proposed Zoning

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

SOUTHEAST COMMUNITY PLAN

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

The approximately 14.9-acre site is located at the northeast corner of the intersection of Old Burkitt Road and Burkitt Road. Burkitt Road is classified as an arterial boulevard in the Major and Collector Street Plan (MCSP). Surrounding zoning districts include SP and AR2a. The site immediately to the east (2022SP-021-001) recently received a recommendation of approval by the Metro Planning Commission, for a maximum of 119 multi-family units with a public road network. To the southwest of the site across Old Burkitt Road, there is an approved SP (2015SP-098-001) permitting automobile convenience and restaurant uses. Nearby uses include commercial, single family residential and community or institutional.

PLAN DETAILS

The application proposes 288 multi-family residential units within five residential buildings. The maximum height of all buildings is four stories in 60 feet with the building closest to Old Burkitt Road being the only building identified at the full four stories. The remainder of the buildings are split four stories on the lower elevation and three on the higher elevation, running with the grade as it rises away from the streets. The plan proposes an internal drive network with all units being accessed from the two access points limited to Old Burkitt Road. The internal drives wrap around the buildings and are lined with surface parking. The northernmost section of the site includes an east-west dedication of ROW to align with the to the east-west road in the adjacent SP.

The plan also includes amenities including a private walking path, open spaces, a clubhouse, and a swimming pool, as labeled on the plan. The northern portion of the plan includes an area with existing vegetation and natural features that is intended to remain undisturbed to the greatest extent possible, preserving existing grades and vegetation. This area wraps around the eastern portion of the property and down to the Burkitt Road frontage where there is existing vegetation. A proposed walking path is located on the northern portion of this area. Staff has included a condition that this walking trail be comprised of permeable material and for the design to work with the existing grade to prevent additional disturbance in this area.

Architectural standards are included demonstrating the units will have an appropriate form for the policy and will be sensitive to the surrounding context. The two buildings closest to Burkitt Road have additional architectural standards to ensure that the building endcaps have visually appealing facades fronting the public rights-of-way. The plans include conceptual massing and architectural drawings demonstrating the approximate design of the development.

ANALYSIS

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

The plan is consistent with the intent of the policy to provide a mixture of housing types within the area with the introduction of stacked flats on this site. With the proposal, both vehicular and pedestrian connectivity are improved where infrastructure is insufficient. The plan is currently showing an eight-foot sidewalk and right-of-way dedication to meet the Major and Collector Street Plan (MCSP) requirements along the Burkitt Road frontage. Old Burkitt Road, a local road, includes dedication to meet standard half of ROW for local streets of 25 feet, which would include a five-foot wide sidewalk and four-foot wide planting strip. Staff has added conditions that these improvements be identified more clearly on a corrected copy.

Staff finds the proposal to be consistent with the T3 NE policy and therefore recommends approval.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

WEGO 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.

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 SP plans. Submittal of an availability study is required before the final site plan can be reviewed. Once this study has been submitted, the applicant will need to address any outstanding issues brought forth by the results of this study. A minimum of 30% of W&S Capacity must be reserved before issuance of building permits.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. All ROW frontages shall adhere to the Major Collector Street Plan (MCSP). Dedicate ROW along all frontages to accommodate MCSP requirements. Provide call outs on final site plan for MCSP requirements. In general, with a final: Any proposed roadway sections, ramps, sidewalks, curb & gutter, etc. shall be designed and called outed per NDOT detail standards.
- 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 work in public ROW. (cont.) Extents to be coordinated in field with NDOT inspector.
- Comply w/ traffic comments and conditions.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- On the final SP plans, show the MCSP requirements along property frontages. Pavement markings also need to be shown (crosswalks, stop bars, striping, etc.) Provide ADA ramps, detectable warning mats, and crosswalks at the site driveway and at the intersection of Old Burkitt Road and Burkitt Road (north leg) where currently missing.
- Provide an ADA compliant sidewalk connection to fill the gap that will be created by this development on Old Burkitt Road northwest of the site. This sidewalk does not need to meet MCSP requirements and can be directly behind the curb, within the available ROW. Coordinate with NDOT on this as needed and show on the Final SP site plan.

Maximum Uses in Existing Zoning District: **AR2A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	14.90	0.5 D	8 U	102	11	9

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	14.90	-	288 U	1,568	96	123

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1,466	+85	+114

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2a district: 2 Elementary 1 Middle 1 High

Projected student generation proposed SP district: 36 Elementary 15 Middle 20 High

The proposed SP zoning is expected to generate 67 more students than the existing AR2a zoning district. Students would attend Henry C. Maxwell Elementary, Thurgood Marshall Middle School, and Cane Ridge High School. Both Henry C. Maxwell Elementary has been identified as at capacity while Thurgood Marshall Middle School is identified as having additional capacity. Cane Ridge High School has been identified as being over capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 288 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not owner occupied, shall be prohibited.
2. On the corrected copy, include the number of parking spaces shown on the plan.
3. On the corrected copy, remove the trees shown within the dedicated ROW to the north of the site.
4. On the corrected copy, the plan shall be updated to clearly show full road improvements. Along Burkitt Road, the plan shall meet the MCSP requirements, including the 8-foot-wide sidewalk as shown and a 6-foot-wide planting strip. Old Burkitt Road shall include a 5-foot-wide sidewalk and 4-foot-wide planting strip per local street standards.
5. On the corrected copy, the proposed right-of-way dedication along Burkitt Road shall be measured from centerline of the existing right-of-way to the proposed property line.
6. On the corrected copy, update note 4 under NDOT Requirements below the Sheet Schedule on the Coversheet to revise the sidewalk width to be 5 feet, as required on local roads.
7. On the corrected copy, update the development summary to reflect 4 stories in 60' to match the notes. Correct the height measurement standard per note 4 under Specific Plan Notes.
8. On the corrected copy, update note 23 under Specific Plan notes to state RM20-A.
9. With the final site plan, applicant shall coordinate with NDOT and Planning on timing of public road extension construction.
10. With the final site plan, a continuous internal sidewalk network shall be provided to provide pedestrian connections to buildings, amenity areas, and public sidewalks to the extent feasible.
11. With the final site plan, elevations consistent with the elevations shown in the preliminary SP shall be provided.
12. With the final site plan, the location and screening details of all dumpsters and mechanical equipment to be provided and reviewed by Staff.
13. With the final site plan, details regarding the limits of disturbance in the area designated by "Special Note" to be reviewed by staff. The proposed path through shall limit disturbance and tree removal and be comprised of pervious material with details provided at the final site plan.
14. Stories shall be defined as per Metro Code. No covered rooftop amenities are permitted.
15. No master permit/HPR shall be recorded prior to final SP approval.
16. Final plat may be required prior to permitting.
17. 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.
18. 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.
19. 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.
20. Comply with all conditions and requirements of Metro reviewing agencies.
21. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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.
23. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be

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

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

Resolution No. RS2024-197

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-008-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 288 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not owner occupied, shall be prohibited.
2. On the corrected copy, include the number of parking spaces shown on the plan.
3. On the corrected copy, remove the trees shown within the dedicated ROW to the north of the site.
4. On the corrected copy, the plan shall be updated to clearly show full road improvements. Along Burkitt Road, the plan shall meet the MCSP requirements, including the 8-foot-wide sidewalk as shown and a 6-foot-wide planting strip. Old Burkitt Road shall include a 5-foot-wide sidewalk and 4-foot-wide planting strip per local street standards.
5. On the corrected copy, the proposed right-of-way dedication along Burkitt Road shall be measured from centerline of the existing right-of-way to the proposed property line.
6. On the corrected copy, update note 4 under NDOT Requirements below the Sheet Schedule on the Coversheet to revise the sidewalk width to be 5 feet, as required on local roads.
7. On the corrected copy, update the development summary to reflect 4 stories in 60' to match the notes. Correct the height measurement standard per note 4 under Specific Plan Notes.
8. On the corrected copy, update note 23 under Specific Plan notes to state RM20-A.
9. With the final site plan, applicant shall coordinate with NDOT and Planning on timing of public road extension construction.
10. With the final site plan, a continuous internal sidewalk network shall be provided to provide pedestrian connections to buildings, amenity areas, and public sidewalks to the extent feasible.
11. With the final site plan, elevations consistent with the elevations shown in the preliminary SP shall be provided.
12. With the final site plan, the location and screening details of all dumpsters and mechanical equipment to be provided and reviewed by Staff.
13. With the final site plan, details regarding the limits of disturbance in the area designated by "Special Note" to be reviewed by staff. The proposed path through shall limit disturbance and tree removal and be comprised of pervious material with details provided at the final site plan.
14. Stories shall be defined as per Metro Code. No covered rooftop amenities are permitted.
15. No master permit/HPR shall be recorded prior to final SP approval.
16. Final plat may be required prior to permitting.
17. 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.
18. 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.
19. 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.
20. Comply with all conditions and requirements of Metro reviewing agencies.
21. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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.
23. 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.

15. 2024SP-031-001

865 WEST TRINITY LANE

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Laszlo Marton

A request to rezone from RS7.5 to SP zoning for properties located at 847 and 865 West Trinity Lane, approximately 102 feet west of Horizon Drive, (9.86 acres), to permit 250 multi-family residential units, requested by Smith Gee Studio, applicant; Abernathy Family Trust & ET AL, owner.

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

APPLICANT REQUEST

Rezoning from RS7.5 to SP to permit a multi-family residential development.

Preliminary SP

A request to rezone from Single-Family Residential (RS7.5) to Specific Plan (SP) zoning for properties located at 847 and 865 West Trinity Lane, approximately 102 feet west of Horizon Drive, to permit 250 multi-family residential units (9.86 acres).

Existing Zoning

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *Based on acreage, RS7.5 would permit a maximum of 48 single-family lots. This does not account for compliance with the Subdivision Regulations.*

Proposed Zoning

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

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

T4 Urban Residential Corridor (T4 RC) is intended to maintain, enhance, and create urban residential corridors. T4 RC areas are located along prominent arterial-boulevard or collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive, and comfortable access and travel for all users. T4 RC areas provide high access management and are served by moderately connected street networks, sidewalks, and existing or planned mass transit.

Haynes Trinity Supplemental Policy

The site is within the Haynes Trinity Supplemental Policy area, which was approved and adopted by the Planning Commission on January 11, 2018. The mobility plan component of the Haynes Trinity Planning Study calls for a more connected street system to provide a strong and cohesive block structure.

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

SITE CONTEXT

The subject site consists of two parcels totaling 9.86 acres, located along the north side of West Trinity Lane. The properties have been zoned RS7.5 since 1998 and have been developed with two warehouse structures. An existing cell tower is to remain on the subject property. Adjacent zoning includes Single Family Residential (RS20) to the north, Specific Plan (SP) to the east and west, and One and Two Family Residential (R8) to the south. Adjacent land uses include single-family residential, religious institution, and multi-family residential. The site is currently accessed from West Trinity Lane, which is classified as an Arterial Boulevard in the Major and Collector Street Plan (MCSP), and the combined frontages of the properties are approximately 800 feet.

There are two Specific Plans which border the site along its eastern and western boundaries. The SP to the east (2018SP-084-001) received final site plan approval for 111 multi-family units in 2022. The preliminary SP to the west (2019SP-072-001) was approved by Metro Council in 2020 for 427 multi-family residential units. A final site plan has yet to be approved for this site. These adjacent SPs established a public road network as called for in the Haynes Trinity Supplemental Policy Area.

PLAN DETAILS

The proposed SP would permit a multi-family residential development with a maximum of 250 multi-family residential units. Units are to be distributed across six buildings, three which front West Trinity Lane, and three which orient

internally and frame the associated drive aisles, parking, and open space. The plan proposes split level buildings to work with the topography on the site. The maximum building height of the structures is four stories in 60 feet. In the center of the site, a clubhouse, pool, and playground are shown to be within a larger central green space. The plan proposes to extend Hillside Cottage Lane from the SP to the east (2018SP-084-001) through the northeast corner of the site, providing opportunities for future connectivity to the northwest. The plan includes an internal sidewalk network which will connect the development to the existing Hillside Cottage Lane and to West Trinity Lane.

ANALYSIS

The site is within the T4 Urban Residential Corridor (T4 RC) and Conservation (CO) policy areas. The T4 RC policy is intended to maintain, enhance, and create urban residential corridors. T4 RC areas are located along prominent arterial-boulevard or collector-avenue corridors and are served by multiple modes of transportation, provide high access management, and are served by moderately connected street networks, sidewalks, and existing or planned mass transit. The proposed SP would permit 250 multi-family residential units at a density of approximately 25 units an acre which is within a density that is supported by the T4 RC policy and is of a similar density as the SPs that border the site to the east and west. The SP aligns with the policy's goals of highly connected street networks by providing a segment of the planned east-west collector as well as providing an internal sidewalk network and streetscape improvements along West Trinity Lane. The plan meets several of the building form and site design guidelines of the T4 RC policy by providing moderate lot coverage and shallow setbacks, orienting buildings to the corridor, and providing open space as an amenity to the development. The CO policy on the site is in place due to an existing stream that runs north/south through the property. The plan meets the goals of the CO policy as it does not propose any changes to the existing stream encapsulation.

Overall, the plan meets the varied goals of the T4 RC and CO policy areas, the Supplemental Policy, as well as goals of NashvilleNext to provide a mixture of housing choices near corridors and centers.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

WEGO RECOMMENDATION

Approve with conditions

- Development must provide a pair of bus stops on West Trinity Lane and pedestrian links to them as shown on drawings dated 7.31.24
- The eastbound bus stop must be as close to the in-lane shelter-style bus stop shown in the latest edition of the WeGo Transit Design Guidelines as can be accommodated within the existing Right of Way; the design may have constrained width and may exclude appurtenances other than the bus stop sign. The eastbound bus stop must include a passenger waiting area min. 45ft x min. 5ft x 6in thick concrete behind tangent curb and flush with that curb and with adjacent sidewalk.
- Both bus stop locations and the crosswalk location(s) shown on this SP are conceptual. Preferably, both bus stops will be located as shown, such that a crosswalk over Trinity Lane is approx. 10ft behind buses stopped at the stops.
- Development must liaise and reach agreement with WeGo Robert.Johnson@Nashville.org about the detailed design and location of all WeGo conditions prior to later SP submissions, again prior to building permit issue, and again prior to issue of construction drawings.

STORMWATER RECOMMENDATION

Approve with conditions

- Preliminary approval only. Final submittal shall meet all requirements in Stormwater Management Manual. Existing stream encapsulation not to be modified without variance requests.

NASHVILLE DOT RECOMMENDATION

Approve with Conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions.
- All ROW frontages shall adhere to the Major Collector Street Plan (MCSP). Dedicate ROW along all frontages to accommodate MCSP requirements. Provide call outs on final site plan for MCSP requirements. In general, with a final: Any proposed roadway sections, ramps, sidewalks, curb & gutter, etc. shall be designed and called out per NDOT detail standards.
- For earth retaining walls off public ROW, NDOT will require a stamped wall design by a licensed structural/geotechnical engineer. (cont.) NDOT would prefer cast-in-place, reinforced, concrete retaining walls at locations in proximity to public roads and/or sidewalks.
- There shall be no vertical obstructions in new public sidewalks and removal, or relocation, of utilities will be required to accommodate new public sidewalks.

- 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 any utility and/or road widening work in the public ROW. (cont.) Extents to be coordinated in field with NDOT inspector.
- Comply w/ traffic comments and conditions. Continue to coordinate w/ metro planning and NDOT, regarding offsite grading easements required for East-West future collector road extension. In regards to the proposed ROW abandonment along the Western property line, a mandatory referral will be required for ROW abandonment.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- At Final SP the applicant shall coordinate with NDOT to better align the proposed access point with the existing Born Again Church access point across the street.
- NDOT is amendable to a reduced parking ratio of 1.5 spaces per unit. If any changes to the proposed density occur, the submitted parking study may need to be revised.
- Per review of the submitted MMTA the following improvements were identified;
 - The applicant shall comply with the MCSP along all development frontages to improve the pedestrian level of traffic stress.
 - The applicant shall coordinate with WeGo on providing bus stop improvements within the vicinity of the development. The exact location of the stop(s) shall be determined with NDOT and WeGo prior to Final SP approval.
 - An enhanced pedestrian crossing (with a refuge island) shall be provided on W Trinity linking the bus two future EB & WB bus stops. Given the affordable housing component of this SP the 864 W Trinity development further coordination will be required with NDOT and Planning to use CHIP funds to complete this improvement. Further design details will be determined with NDOT prior to Final SP approval.
 - The applicant will be required to coordinate with NDOT's Traffic Demand Management coordinator to develop a TDM plan for the future residents of this development. Further coordination with Meghan Mathson (Meghan.Mathson@nashville.gov) will be required.
- Comply with NDOT Roads Conditions.
- The applicant's final construction drawings shall comply with the design regulations established by the Nashville Department of Transportation, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

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: **RS7.5**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	9.86	-	48 U	529	39	51

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	-	-	250 U	1,361	84	107

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+832	+45	+56

METRO SCHOOL BOARD REPORT

Projected student generation existing RS7.5 district: 6 Elementary 3 Middle 4 High

Projected student generation proposed SP district: 67 Elementary 23 Middle 27 High

The proposed SP zoning district is anticipated to generate 104 additional students than what would be generated under the current RS7.5 zoning district. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. Cumberland Elementary School and Haynes Middle High School are identified as at capacity. Whites Creek Middle 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 limited to a maximum of 250 multi-family residential units. Short Term Rental Property (STRP) owner occupied and not owner-occupied shall be prohibited.
2. On the corrected copy, remove the current language from the Permitted Uses in the Bulk Standards Table on Sheet 8 and replace with: 250 multi-family residential units.
3. On the corrected copy, remove the following language from note 9 under Landscape Standards on Sheet 8, "No landscape buffer requirements of Title 17.24 shall apply."
4. On the corrected copy, remove the current language from note 10 under Landscape Standards on Sheet 8 and replace with, "A B-5 landscape buffer shall be provided along the side and rear property lines. Where retaining walls are required in the landscape buffer to mitigate grade, additional ground plantings shall be provided and reviewed by staff with the landscaping plan included with the final site plan."
5. In order for street trees to be counted towards TDU requirements, they must meet the requirements of 17.28.065.C.7.
6. The first final site plan and first final plat shall include the portion of the public roadway as shown on the plans as the extension of Hillside Cottage Lane.
7. Prior to the approval of the final site plan, a mandatory referral may be required to abandon the right-of-way between parcels 07007006400 and 07007006300 in order for a portion of the right-of-way to be included in the development boundaries. If the right-of-way abandonment can be accomplished with a final plat, the abandonment can occur with a final plat and not be required with the final site plan.
8. With the final site plan, vehicular access to the cell tower to be finalized. Access may not be allowed to Horizon Drive without adjacent property coordination.
9. With the final site plan, information on the design and materials of the proposed retaining walls shall be provided to staff for review and approval.
10. Building facades fronting W. Trinity Lane shall provide a minimum of one principal entrance (doorway). At time of final site plan review, staff shall evaluate the feasibility of providing pedestrian entrances and may consider modifications due to topography.
11. Comply with all conditions and requirements of Metro Reviewing Agencies.
12. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with the final site plan application.
13. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RM20-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
14. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
15. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
16. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Property Owners' Association.
17. No master permit/HPR shall be recorded prior to final SP approval.
18. Final plat may be required prior to permitting.
19. 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.
20. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any of any building permits.

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

Resolution No. RS2024-198

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-031-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 250 multi-family residential units. Short Term Rental Property (STRP) owner occupied and not owner-occupied shall be prohibited.
2. On the corrected copy, remove the current language from the Permitted Uses in the Bulk Standards Table on Sheet 8 and replace with: 250 multi-family residential units.
3. On the corrected copy, remove the following language from note 9 under Landscape Standards on Sheet 8, "No landscape buffer requirements of Title 17.24 shall apply."
4. On the corrected copy, remove the current language from note 10 under Landscape Standards on Sheet 8 and replace with, "A B-5 landscape buffer shall be provided along the side and rear property lines. Where retaining walls are required in the landscape buffer to mitigate grade, additional ground plantings shall be provided and reviewed by staff with the landscaping plan included with the final site plan."
5. In order for street trees to be counted towards TDU requirements, they must meet the requirements of 17.28.065.C.7.
6. The first final site plan and first final plat shall include the portion of the public roadway as shown on the plans as the extension of Hillside Cottage Lane.
7. Prior to the approval of the final site plan, a mandatory referral may be required to abandon the right-of-way between parcels 07007006400 and 07007006300 in order for a portion of the right-of-way to be included in the development boundaries. If the right-of-way abandonment can be accomplished with a final plat, the abandonment can occur with a final plat and not be required with the final site plan.
8. With the final site plan, vehicular access to the cell tower to be finalized. Access may not be allowed to Horizon Drive without adjacent property coordination.
9. With the final site plan, information on the design and materials of the proposed retaining walls shall be provided to staff for review and approval.
10. Building facades fronting W. Trinity Lane shall provide a minimum of one principal entrance (doorway). At time of final site plan review, staff shall evaluate the feasibility of providing pedestrian entrances and may consider modifications due to topography.
11. Comply with all conditions and requirements of Metro Reviewing Agencies.
12. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with the final site plan application.
13. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RM20-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
14. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
15. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
16. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Property Owners' Association.
17. No master permit/HPR shall be recorded prior to final SP approval.
18. Final plat may be required prior to permitting.
19. 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.
20. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any of any building permits.

16. 2018S-188-004

PARKS AT CANE RIDGE PHASE 1C

Council District 33 (Antoinette Lee)
Staff Reviewer: Dustin Shane

A request for final plat approval to create 38 residential cluster lots for a portion of properties located at Cane Ridge Road (unnumbered), at the current terminus of Legacy Drive, zoned RS10 (11.20 acres), requested by Kimley-Horn, applicant; Meritage Homes of Tennessee, Inc., owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Final plat to create 38 residential cluster lots.

Final Plat

A request for final plat approval to create 38 residential cluster lots on properties located at Marchwood Boulevard (unnumbered), Kiley Court (unnumbered), Legacy Drive (unnumbered), and a portion of properties located at Cane Ridge Road (unnumbered), approximately 810 feet west of Cane Ridge Road, zoned Single-Family Residential (RS10) (11.20 acres).

CASE HISTORY

On January 24, 2019, the Metro Planning Commission approved a subdivision concept plan for this site (the Parks at Cane Ridge). The overall subdivision is approved for 269 single-family cluster lots. Various off-site improvements and contributions were conditions of approval by NDOT and are required at various points along the development timeline. This plat is for Phase 1C, part of the associated final development plan for Phase 1, 2018S-188-002, which was approved on October 7, 2022. The plat includes 38 single-family cluster lots, one open space parcel, two new public roads, and the extensions of two existing public roads.

SITE DATA AND CONTEXT

Location: The site is located approximately 810 feet west of Cane Ridge Road along the recently platted Marchwood Boulevard.

Approximate Acreage: 11.20

PROPOSAL DETAILS

Number of lots: 38

Subdivision Variances or Exceptions Requested: None.

UPDATED FINAL PLAT RULES AND PROCEDURES

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

Approval by the MPC is now required because the subject plat contains more than 25 lots, requiring consideration by the MPC per amended TCA Sections 13-3-402 and 13-4-302 under Public Chapter 994.

APPLICABLE SUBDIVISION REGULATIONS

Staff determined that this plat is consistent with the approved concept plan, the approved final development plan, and the Subdivision Regulations.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

HISTORIC ZONING RECOMMENDATION

Approve

- Briley Cemetery on subject property, but not located within this phase of the development.

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Plat for the Parks at Cane Ridge Phase 1B to be recorded prior to this plat.

TRAFFIC AND PARKING RECOMMENDATION

Approve

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- Attached is a copy of the latest revised subdivision (uploaded by Planning on April 10, 2024) on which we have noted our comments and recommend approval. Approval is contingent on construction and completion of MWS Project #'s 23SL0270 and 23WL0102. A bond amount of \$260,000.00 is assigned to 23SL0270, and an amount of \$200,000.00 is assigned to 23WL0102.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

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

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2018S-188-004 with conditions based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances, and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions. (7-0)

Resolution No. RS2024-199

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018S-188-004 is approved with conditions. (7-0)

CONDITIONS

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

17. 2024S-122-001

THORNTON GROVE PUD PHASE 4B

Council District 03 (Jennifer Gamble)

Staff Reviewer: Jason Swaggart

A request for final plat approval to create 30 lots, open space and dedicate right-of-way on property located at 3500 Brick Church Pike, west of the terminus of Hillenglade Drive, zoned RM9 and RS10 (75.69 acres), and located within a Planned Unit Development Overlay District, requested by JTA Land Surveying, applicant; Thornton Grove Green, LLC owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Request for final plat approval to create 30 lots.

Final Plat

A request for final plat approval to create 30 lots, open space and dedicate right-of-way on property located at 3500 Brick Church Pike, west of the terminus of Hillenglade Drive, zoned Multi-Family Residential (RM9) and Single-Family Residential (RS10) and located within a Planned Unit Development Overlay District (PUD) (79.86 acres).

CASE HISTORY

The site is located in the Thornton Grove PUD subdivision, which was approved by Metro Council in 2008. A final site plan (2006P-013-008) for this phase 4B was approved in 2023. The approved final site plan includes 30 single-family lots.

SITE DATA AND CONTEXT

Location: The site borders I-24. It has frontage along Thornton Grove Boulevard, which is in Phase 4A, Thornton Grove PUD subdivision.

Approximate Acreage: 79.86 acres or approximately 3,267,000 square feet.

PROPOSAL DETAILS

Number of lots: 30

Subdivision Variances or Exceptions Requested: None.

UPDATED FINAL PLAT RULES AND PROCEDURES

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

The subject site received preliminary plan approval in 2008 and final site plan approval in 2023. Because the plat creates more than 25 lots, consideration by the MPC is required per amended TCA Sections 13-3-402 and 13-4-302 under Public Chapter 994.

APPLICABLE SUBDIVISION REGULATIONS

Staff previously determined that all requirements of the Subdivision Regulations applicable to this site were met during review of the recently approved final site plan. As proposed, the plat is consistent with the approved final site plan meeting all Subdivision Regulation requirements.

COMMENTS FROM OTHER REVIEWING AGENCIES

METRO HISTORIC ZONING

Approve with conditions

- The Redding Family Cemetery will not be impacted by the proposed construction activities. The client will establish a 50-foot boundary around the site and will not conduct any construction activities within this foot protection radius.

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Bond will be required for public infrastructure prior to recording plat.
- Plat is not to be recorded until new roads have been constructed to binder layer.
- Thornton Grove Pud PH 4A must be completed and accepted prior to this phase being accepted.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- Attached is a copy of the above-referenced subdivision (uploaded by Planning on July 10, 2024) on which we have noted our comments and recommend approval. Approval is contingent on construction and completion of MWS Project #'s 23SL0030 and 23WL0017. A bond amount of \$220,000.00 is assigned to 23SL0030, and an amount of \$190,000.00 is assigned to 23WL0017.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Identify boundary of any cemetery and established buffer as required by Metro Historic Zoning.
2. If the final plat will be recorded without first constructing the required public infrastructure improvements (roads, water and sewer line extensions), then the applicant shall request a bond for those improvements. Submit a completed bond application with a check in the amount of \$750 made payable to the "Metropolitan Government" at least three weeks prior to when the plat will be recorded with the Metro Register of Deeds. The bond review and approval process are subject to receiving estimates from Metro departments and outside utilities for the amount that is required to be bonded. Amounts are calculated after all plat revisions have been made and approved by the Metro agencies. Contact the Bond Desk at 615-862-7202 or bond.desk@nashville.gov.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2024S-122-001 with conditions based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions. (7-0)

Resolution No. RS2024-200

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-122-001 is approved with conditions. (7-0)

CONDITIONS

1. Identify boundary of any cemetery and established buffer as required by Metro Historic Zoning.
2. If the final plat will be recorded without first constructing the required public infrastructure improvements (roads, water and sewer line extensions), then the applicant shall request a bond for those improvements. Submit a completed bond application with a check in the amount of \$750 made payable to the "Metropolitan Government" at least three weeks prior to when the plat will be recorded with the Metro Register of Deeds. The bond review and approval process are subject to receiving estimates from Metro departments and outside utilities for the amount that is required to be bonded. Amounts are calculated after all plat revisions have been made and approved by the Metro agencies. Contact the Bond Desk at 615-862-7202 or bond.desk@nashville.gov.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

18. 2013UD-003-004

GALLATIN PIKE UDO (CANCEL)

BL2024-483/Parker, Capp, Benedict

Council District 05 (Sean Parker, 06 (Clay Capp), 07 (Emily Benedict)

Staff Reviewer: Dustin Shane

A request to cancel the Gallatin Pike Urban Design Overlay on various properties along Gallatin Pike, (201.61 acres), requested by Councilmembers Clay Capp, Emily Benedict and Sean Parker, applicants; various property owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

A request for cancellation of an Urban Design Overlay District.

UDO Cancellation

A request to cancel the Gallatin Pike Urban Design Overlay (UDO) on various properties along Gallatin Pike (201.61 acres).

EXISTING ZONING

Mixed Use General-Alternative (MUG-A) 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.

Mixed Use Limited-Alternative (MUL-A) 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.

Office/Residential-Alternative (OR20-A) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

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. Specific Plan zones can include residential uses in addition to office and/or commercial uses.

Gallatin Pike Urban Design Overlay (UDO) is intended to permit optional development standards to enable flexibility with a new building's placement on a lot as it relates to the base zoning district's build-to-zone requirement. If the optional development standards are utilized, this UDO will require improvements to the street frontage and a pedestrian environment. This UDO also permits alley signs.

EAST NASHVILLE COMMUNITY PLAN

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

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.

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

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.

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

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.

CANCELLATION REQUEST DETAILS

The applicants request cancellation of the Gallatin Pike Urban Design Overlay (UDO). The Gallatin Pike UDO (adopted in 2013) was intended to allow for development flexibility with regard to building placement on lots while still requiring improvements to the pedestrian environment. It also allows alley signs for properties that have frontage on an alley. It is an optional UDO, requiring applicants to "opt in" to take advantage of its provisions. Since its enactment, only two final site plan applications have been submitted under the UDO, with one of those subsequently withdrawing.

ANALYSIS

In over a decade of existence, the Gallatin Pike UDO has been chronically underutilized. The vast majority of applicants have chosen to develop under the base zoning rather than opt in to the UDO. Cancelling the UDO will have no adverse impact on development along Gallatin Pike. The properties for which the UDO is currently an option are all zoned under Alternative (-A) district standards, which ensures good urban design in line with the existing land use policies.

STAFF RECOMMENDATION

Staff recommends approval of the UDO cancellation.

Approve. (7-0)

Resolution No. RS2024-201

“BE IT RESOLVED by The Metropolitan Planning Commission that 2013UD-003-004 is approved. (7-0)

19. 2024Z-051PR-001

Council District 10 (Jennifer Webb)

Staff Reviewer: Laszlo Marton

A request to rezone from IR to RS3.75 zoning for properties located at Plum Street (unnumbered), 1318 and 1320 Plum Street, and Atlantic Avenue (unnumbered), 400, 407, 409, 411, 413, 415, and 417 Atlantic Avenue, at the north and south corner of First Street and Atlantic Ave. (0.8 acres), requested by Wright Deals GP, applicants; Tracey Garrett and Property Pilots LLC, owners.

Staff Recommendation: Defer to the November 14, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024Z-051PR-001 to the November 14, 2024, Planning Commission meeting. (7-0)

20. 2024Z-069PR-001

Council District 24 (Brenda Gadd)

Staff Reviewer: Celina Konigstein

A request to rezone from RS7.5 to R6-A zoning for property located at 5011 Wyoming Avenue, at the southeast corner of 51st Avenue North and Wyoming Avenue (0.19 acres), requested by Marketplace Title and Escrow LLC, applicant; May Boyce Revocable Living Trust, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS7.5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to One and Two-Family Residential-Alternative (R6-A) zoning for property located at 5011 Wyoming Avenue, at the southeast corner of 51st Avenue North and Wyoming Avenue (0.19 acres).

Existing Zoning

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *Based on acreage alone, RS7.5 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. *R6-A would permit a maximum of one duplex lot. Duplex eligibility will be determined by the Metro Codes Department.*

WEST NASHVILLE COMMUNITY PLAN

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

SITE AND CONTEXT

The 0.19-acre site is located at the southeast corner of 51st Avenue North and Wyoming Avenue. The site is currently developed with a single-family residential structure and has an accessory building. Surrounding properties are primarily zoned RS7.5 and R6. Nearby land uses include single-family and two-family uses and a park.

ANALYSIS

The site is located in the Urban Neighborhood Maintenance policy (T4 NM) policy. According to the policy guidance, these areas are intended to maintain the general character of urban residential neighborhoods recognizing change can occur and when it does occur, that efforts should be made to retain the existing character of the neighborhood. The proposed zoning district, R6-A will retain the existing character of urban lots while being able to provide an incremental increase in density by permitting a maximum of two residential units on the property. Given the current lot size and configuration, no subdivision would be permitted, and the existing lot pattern would be maintained in the area.

With the site being located at the corner of 51st Avenue North and Wyoming Avenue, it could support a slight increase in density without the need for additional infrastructure. Given the corner location, the addition of a second unit could provide an opportunity to frame both streets, consistent with the residential pattern along 51st Avenue North and Wyoming Avenue. The context of this site is also unique in that it is located on a corner, across from the Metro Parks owned McCabe Golf Course, and is diagonal from a church. The intersection of Wyoming Avenue and 51st Avenue North already has a diverse mixture of uses. The proposed zoning district would keep with the residential character east of 51st Avenue North, but also not disrupt a corner that is established with exclusively residential uses. Providing additional opportunities for increased density next to open spaces is often ideal as it can provide benefits to future residents and opportunities for increased users of park spaces.

Additionally, the proposed development standards of the Alternative designation seek to achieve a more urban form which is appropriate within an urban policy area. For these reasons, staff recommends approval of the rezone to R6-A.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.19	5.26 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)	0.19	10.52 F	2 U	28	7	2

*Based on two-family lots

Traffic changes between maximum: **RS7.5 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 RS7.5 district: 0 Elementary 0 Middle 0 High
Projected student generation proposed R6-A district: 0 Elementary 0 Middle 0 High

The proposed R6-A zoning district is not expected to generate any more students than the existing RS7.5 zoning district. Students would attend Sylvan Park Elementary School, West End Middle School, and Hillsboro High School. Sylvan Park Elementary School has been identified as over capacity, West End Middle School has been identified as exceedingly under capacity, and Hillsboro High School has 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.

Ryan Beane stated he represents the owner, Sunny Boyce, who owns the property at 5011 Wyoming Avenue. He spoke in favor of the application.

Bernard Pickney, 4604 Dakota Avenue, spoke in opposition to the application.

Janet Younts, 206 51st Avenue North, spoke in opposition to the application.

Tony Hagelgans, 140 51st Avenue North, spoke in opposition to the application.

David Duren, 5011 Idaho Avenue, spoke in opposition to the application.

Donna Gilley, 5006 Wyoming Avenue, spoke in opposition to the application.

Jason Holleman, 4210 Park Avenue, spoke in opposition to the application.

Beth Jones, 5008 Wyoming Avenue, spoke in opposition to the application.

Harry Wilkinson Jr., no address given, spoke in opposition to the application.

John Summers, 5000 Wyoming Avenue, Sylvan Park Neighborhood Association, spoke in opposition to the application.

Ryan Beane spoke in rebuttal.

Vice Chair Farr closed the Public Hearing.

Mr. Henley said that looking at the adjacent properties this is a net one home improvement compared to what is there. He felt there was dynamic and thoughtful strategy going into place to take into consideration the sewer easement. Mr. Henley stated he is not inclined to go against staff recommendation based on what he has heard. He wanted to know how the Councilmember felt about this.

Mr. Marshall asked if this property is facing McCabe golf course.

Ms. Konigstein replied the property is currently facing Wyoming Avenue.

Mr. Marshall stated he is concerned about spot zoning and asked if there is anything the Commission can do to control that. He also expressed concern that they do not know what would be built on this lot. Mr. Marshall asked if the Councilmember has given any feedback on this.

Ms. Kempf urged the Commission to make a decision based on NashvilleNext and the policy and they will give a recommendation, then the Councilmember can evaluate her criteria. She added they look at each zoning on its own merits and within its context.

Ms. Milligan responded to the question of the standards of what would be built on a straight zoning, RS5 to R6-A; it would be based on the zoning code allowances regarding height and bulk. She stated staff would not view this as spot zoning. Ms. Milligan explained spot zoning would be something if it was inconsistent with the land use policy and they, as staff, have not found this as inconsistent with the land use policy. She added it is not unusual to have different scales of residential zoning next to each other.

Councilmember Gamble stated she is not sure this zoning fits the character of neighborhood maintenance and the fact that they are looking at zoning on just this one property and it is not a major corridor. She said 51st Avenue is a collector street and not a major corridor. Ms. Gamble asked for clarity on why the staff feels this fits neighborhood maintenance policy and if there was any community engagement as part of this discussion.

Ms. Milligan explained neighborhood maintenance policy does not mean that every housing type is the same throughout the neighborhood. It supports a variety of zoning districts. In this instance, because it is located on a corner, they saw there was an additional opportunity. She further explained this is a corner where there are not four existing family homes but there is a variety, with a church and golf course, on this corner. Ms. Milligan stated she cannot speak to the question of community engagement as the department does not require there be any community meetings and is not certain of what engagement has taken place.

Ms. Leslie stated the applicant said something about four units and asked if it is allowed.

Ms. Konigstein responded this rezone would specifically be addressing the parcel that is highlighted by the red box on the presentation screen. She said the applicant owns the other two to the south, so it would be a total of four units if this one got an additional unit.

Vice Chair Farr asked if this lot remained zone RS7.5, what is the maximum height.

Ms. Milligan answered the maximum height for a single family, which is permitted now, is the same for if it was a two family. She said this is within the UZO and it is three stories in 45 feet, and that is what would be permitted on all of the lots that are currently zoned RS5.

Vice Chair Farr said she is sensitive of the concerns of the neighborhood and wanting to maintain the context. She felt if this lot gets sold, they can still find themselves with something very much not in keeping with the context of the neighborhood. Vice Chair Farr stated she heard the applicant mention an SP, instead of a straight rezoning, and asked if that was something discussed with them.

Ms. Milligan said they did not have that conversation, as they reviewed the application as filed for R6-A and felt it met the requirements.

Vice Chair Farr felt that given this is a larger development, she would entertain a deferral to have a conversation about a specific plan.

Councilmember Gamble asked if this lot would qualify for a detached accessory dwelling.

Ms. Milligan replied that it would not under the current zoning, as the current zoning limits it to single family only.

Councilmember Gamble said she agrees with a deferral for more discussion about alternatives or community engagement.

Mr. Marshall moved, and Councilmember Gamble seconded the motion to defer to the September 12, 2024, Planning Commission meeting. (6-0)

Vice Chair Farr called for a five-minute break.

21. 2024Z-089PR-001

Council District 05 (Sean Parker)

Staff Reviewer: Laszlo Marton

A request to rezone from RS5 to R6-A zoning for property located at 849 W. Eastland Ave., approximately 77 feet northeast of North 9th Street (0.31 acres), and within a Neighborhood Conservation Overlay District, requested by Michael McGinniss, applicant; Michael McGinniss and Citlaly Gomez, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential-Alternative (R6-A) zoning for property located at 849 W. Eastland Ave., approximately 77 feet northeast of North 9th Street, and within a Neighborhood Conservation Overlay District (0.31 acres).

Existing Zoning

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

Neighborhood Conservation Overlay District (NHC) is applied to 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.

Proposed Zoning

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

EAST NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The application consists of one parcel (Map 082-08, Parcel 410) totaling 0.31 acres, located along the north side of W. Eastland Avenue. The property has been zoned Single-Family Residential (RS5) since 1998 and is currently vacant. Surrounding properties are zoned RS5 and Specific Plan while surrounding uses are single-family residential and two-family residential.

The application proposes to rezone the property from RS5 to R6-A. The property is located within the T4 Urban Neighborhood Maintenance policy area which intends to maintain the general character of existing urban residential neighborhoods. Based on acreage alone, the proposed R6-A zoning could allow up to two duplex lots for a total of four units. However, the existing lot configuration would not permit subdivision, therefore the lot is likely limited to a maximum of two units under the proposed R6-A zoning. This change is a moderate increase in intensity from the existing RS5 district which would permit a single unit. The vacant property is bordered by two parcels that have existing two-family uses at 845 and 901 W. Eastland Avenue, which makes it an appropriate location for infill development of a similar scale. The property is within a 5-minute walk to an area within the Neighborhood Center policy at the intersection of W. Eastland Avenue and McFerrin Avenue. The policy supports allowing for higher density residential uses in relation to transit corridors and centers. The -A designation will provide additional guidelines for access and driveways, garages, and includes a minimum raised foundation requirement. Additionally, staff notes that the site is within the Greenwood Neighborhood Conservation Overlay, which will require Metro Historic Zoning Commission approval for new construction.

The proposed R6-A district increases density modestly and aligns with the goals of T4 NM policy and NashvilleNext to provide a mixture of housing choices near neighborhood centers.

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)	0.31	8.71 F	2 U	28	7	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.31	14.52 F	4 U	54	8	5

*Based on two-family lots

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

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

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 districts: 0 Elementary 0 Middle 0 High
Projected student generation proposed R6-A district: 1 Elementary 0 Middle 0 High

The proposed R6-A zoning is expected to generate one more additional student than the existing RS5 zoning. Students would attend Hattie Cotton Elementary School, Jere Baxter Middle School, and Maplewood High School. Hattie Cotton Elementary is identified as under capacity while Jere Baxter Middle School and Maplewood High School are identified as at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Mr. Marton presented the staff recommendation to approve.

Micheal McGinnis, 849 West Eastland Avenue, spoke in favor of the application.

Brandon Starks, 901 West Eastland Avenue, spoke in opposition to the application.

Michael McGinnis spoke in rebuttal.

Vice Chair Farr closed the Public Hearing.

Ms. Leslie felt this was in line with the policy and agreed with staff recommendation.

Mr. Henley stated he also agreed with staff recommendation. He said this is an opportunity for needed additional housing in the community and improvements as it relates to storm water management for that area.

Mr. Henley moved, and Ms. Leslie seconded the motion to approve. (6-0)

Resolution No. RS2024-203

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-089PR-001 is approved. (6-0)

22. 2024Z-090PR-001

Council District 16 (Ginny Welsch)
Staff Reviewer: Matt Schenk

A request to rezone from RS5 to R6-A zoning for property located at 2301 Foster Avenue, at the southwest corner of Oriel Avenue and Foster Avenue (0.19 acres), requested by Alexander Adams, 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 2301 Foster Avenue, at the southwest corner of Oriel Avenue and Foster Avenue (0.19 acres)

Existing Zoning

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

Proposed Zoning

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

SOUTH NASHVILLE 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, approximately 0.19-acre parcel, located at 2301 Foster Avenue, at the corner of Foster Avenue and Oriel Avenue. The parcel has been zoned Single Family Residential (RS5) since 2004 and contains a single-story single-family residential use. The surrounding parcels are zoned Single-Family Residential (RS5). Land uses of the surrounding parcels include single-family residential, two-family residential, and community uses. The subject parcel has frontage along Foster Avenue, which is classified as an Arterial Boulevard in the Major and Collector Street Plan (MCSP), Oriel Avenue, which is a local street, and has access via improved Alley #1857 at the rear of the parcel.

The site is located within an Urban Neighborhood Maintenance (T4 NM) policy which intends to maintain the general character of the existing urban residential neighborhood. The T4 NM policy is intended to support moderate to high density residential development. Based on the approximate acreage of the site, the proposed R6-A zoning could allow for up to one duplex lot for a total of two units. The site is located on a corner lot and has frontage on Foster Avenue, which is classified as an arterial boulevard and where additional density may be appropriate. The site also has access via an improved alley at the rear, which contributes to accommodating a slight increase in density. Additionally, the adjacent property to the north of this site, across Oriel Avenue, has an existing two-family residential use where a slight increase in intensity at this location would be appropriate. The proposed Alternative (-A) district standards would ensure that future development on the site has an urban form, consistent with the policy guidance. The -A standards would also require vehicular access via the rear alley which assists in being able to accommodate a slight increase in density by not increasing traffic along Foster Avenue or Oriel Avenue. Due to these factors, the proposed R6-A district provides a modest increase in density and aligns with the goals of the 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)	0.19	8.712 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)	0.19	14.52 F	2 U	28	7	2

*Based on two-family lots

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

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

METRO SCHOOL BOARD REPORT

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

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

The proposed R6-A zoning is not expected to generate any additional students beyond the existing RS5 zoning. Students would attend John B. Whitsett Elementary School, Cameron College Preparatory Middle School, and Glenclyff High School. John B. Whitsett Elementary School and Glenclyff High School are identified as overcapacity, while Cameron College Preparatory Middle 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. (7-0)

Resolution No. RS2024-204

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-090PR-001 is approved. (7-0)

23. 2024Z-091PR-001

Council District 20 (Rollin Horton)

Staff Reviewer: Jason Swaggart

A request to rezone from CS to MUL-A-NS zoning for property located at 5502 New York Avenue, at the northwest corner of Centennial Boulevard and New York Avenue (0.41 acres), requested by Catalyst Design Group, applicant; TSI LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from CS to MUL-A-NS

Zone Change

A request to rezone from Commercial Service (CS) to Mixed Use Limited-Alternative-No Short Term Rentals (MUL-A-NS) zoning for property located at 5502 New York Avenue, at the northwest corner of Centennial Boulevard and New York Avenue (0.41 acres).

Existing Zoning

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

Proposed Zoning

Mixed Use Limited-Alternative-No Short Term Rentals (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.*

WEST NASHVILLE PLAN

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

ANALYSIS

The approximately 0.41-acre property proposed to be rezoned is located at the northwest corner of Centennial Boulevard and New York Avenue. The property is vacant. Surrounding zoning includes One and Two-Family (R6), Commercial Services (CS), Mixed Use Neighborhood (MUN), and Mixed Use Limited-Alternative (MUL-A). The property is also within the Urban Zoning Overlay District (UZO). Surrounding land uses include two-family residential, commercial, and multi-family residential. New York Avenue is a local street and Centennial Boulevard is classified as a mixed-use arterial (T4-M-AB4).

Staff finds that the proposed MUL-A-NS zoning district is consistent with the T4 CM land use policy at this location. The intent of the T4 CM policy is to create mixed use and higher intensity corridors. The proposed MUL-A-NS zoning district would permit the subject property to develop with a wide range of uses suitable to the site including a mixture of residential and nonresidential along the corridor. The proposed zoning district permits an intensity that is appropriate given the location along a busy arterial and is also consistent with existing mixed-use zoning districts along the Centennial Boulevard corridor. The -NS designation restricts short term rental properties from the district, which is appropriate given the site’s adjacency to the T4 NM, Urban Neighborhood Maintenance, policy area to the west.

FIRE RECOMMENDATION

Approve

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.41	0.6 F	10,715 SF	404	10	41

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)	0.205	1.0 F	9 U	47	3	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.102	1.0 F	4,443 SF	168	5	17

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)	0.102	1.0 F	4,443 SF	498	44	43

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+309	+42	+24

METRO SCHOOL BOARD REPORT

Given the mix of uses permitted by the MUL-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 Cockrill Elementary, McKissack Middle School, and Pearl-Cohn Magnet High School. All three schools have capacity for additional students. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-205

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-091PR-001 is approved. (7-0)

24. 2024Z-092PR-001

Council District 05 (Sean Parker)

Staff Reviewer: Laszlo Marton

A request to rezone from RS10 to R10 zoning for property located at 224 Whitney Park Drive, approximately 215 feet north of Hart Lane (0.3 acres), requested by Tara Mitchner, applicant; Charles & Carolyn Seay, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS10 to R10.

Zone Change

A request to rezone from Single-Family Residential (RS10) to One and Two-Family Residential (R10) zoning for property located at 224 Whitney Park Drive, approximately 215 feet north of Hart Lane (0.3 acres).

Existing Zoning

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *Based on acreage alone, RS10 would permit a maximum of one single family lot.*

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 one duplex lot for a total of two units. Duplex eligibility to be confirmed by Metro Codes.*

EAST NASHVILLE COMMUNITY PLAN

T4 Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle, and vehicular connectivity, and moderate to high density development patterns with shallow setbacks and minimal spacing between buildings. T4 NE areas are served by high

levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. T4 NE policy may be applied either to undeveloped or substantially under-developed “greenfield” areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors.

ANALYSIS

The application consists of one parcel (Map 060-12, Parcel 073) totaling 0.3 acres, located along the east side of Whitney Park Drive. The property has been zoned Single Family Residential (RS10) since 1998 and contains a single-story home. Surrounding properties are zoned RS10 and R10 while surrounding uses are primarily two-family residential and single-family residential.

The application proposes to rezone the property from RS10 to R10. The property is located within the T4 Urban Neighborhood Evolving (T4 NE) policy area which intends to create and enhance urban residential neighborhoods. The T4 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 one duplex lot for a total of two units on the property, which is a moderate increase in intensity from the existing RS10 district which permits one unit. Additionally, there is a large presence of existing two-family uses along Whitney Park Drive and Conviser Drive, where the intensity of the proposed zoning would be in line with the surrounding land use pattern. The proposed R10 district increases density modestly, is consistent with surrounding land uses, and aligns with goals of T4 NE policy and NashvilleNext to provide a mixture of housing choices.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.30	4.35 F	1 U	15	5	1

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)	0.30	8.71 F	2 U	28	7	2

*Based on two-family lots

Traffic changes between maximum: **RS10 and R10**

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 RS10 districts: 0 Elementary 0 Middle 0 High

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

The proposed R10 zoning is not expected to generate any additional students than the existing RS10 zoning. Students would attend Tom Joy Elementary School, Jere Baxter Middle School, and Maplewood High School. Tom Joy Elementary, Jere Baxter Middle School and Maplewood High School are identified as being at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Resolution No. RS2024-205

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-092PR-001001 is approved. (7-0)

25. 2024Z-093PR-001

BL2024-491/Brandon Taylor
Council District 21 (Brandon Taylor)
Staff Reviewer: Dustin Shane

A request to rezone from R6-A to RS5 zoning for properties located at 1712 A, B, and C Arthur Avenue, approximately 249 feet west of Jane Street (0.17 acres) and located within the Detached Accessory Dwelling Unit Overlay District, requested by Councilmember Brandon Taylor, applicant; Bolt Real Estate LLC and O.I.C 1712 Arthur Avenue, owners.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Zone change from R6-A to RS5.

Zone Change

A request to rezone from One and Two-Family Residential (R6-A) to Single-Family Residential (RS5) zoning for properties located at 1712 A, B, and C Arthur Avenue, approximately 249 feet west of Jane Street (0.17 acres) and located within the Detached Accessory Dwelling Unit Overlay District.

Existing Zoning

One and Two-Family Residential – Alternative (R6-A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6-A would permit a maximum of one lot with two units based on acreage alone. Final determinations regarding duplex eligibility are made by the Metro Codes Department.*

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

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of one lot and one unit, based on acreage alone; however, a second unit may be permitted under the DADU overlay, which will remain in place.*

NORTH NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The 0.17-acre site is located on the east side of Arthur Avenue. The site is currently vacant. Alley # 537 abuts the rear property line. The surrounding properties are all zoned RS5 and have been developed with single-family uses. There are also several vacant properties along Arthur Avenue and within the surrounding area. The site is located south of the Buchanan Street commercial corridor and across the street from Elizabeth Park and Senior Center.

The intent of the T4 NE Policy is to create and enhance neighborhoods to include greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques. The policy states that when considering rezonings, in addition to consistency with the intent of the policy, the site's location in relation to centers, corridors and multi-modal transportation options, the size of the site, environmental conditions on and near the site, and the character of adjacent Transect and policy areas should be considered.

The site was rezoned by Metro Council from RS5 to R6-A in 2022. It received a recommendation of approval by the Metro Planning Commission under Case No. 2021Z-006PR-001 at the February 11, 2021, MPC meeting. At that meeting, the MPC agreed with staff that R6-A (the current zoning) was consistent with the intent of the T4 NE Policy to create and enhance residential neighborhoods. R6-A permits additional residential opportunities at an intensity consistent with the surrounding properties. Additionally, the Commission based its decision on the size of the site, which exceeds the minimum lot size of the proposed zoning district; the fact that the site has frontage along a public street and is served by the improved alley at the rear of the site; the addition of the Alternative (-A) zoning designation to the request, which provides standards to create an urban, built form in line with the urban intent of the policy; and finally, the site's location just south of Buchanan Street, which is an active mixed-use corridor.

Given the reasoning for supporting the original rezoning from RS5 to R6-A and that little time has passed since the zoning was changed, staff finds the existing zoning to be appropriate and therefore staff recommends disapproval.

Maximum Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	0.17	7.26 D	2 U	19	2	2

*Based on two-family lots

Maximum Uses in Proposed Zoning District: RS5

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.17	8.712 D	1 U	10	1	1

Traffic changes between maximum: R6 and RS5

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-1 U	-9	-1	-1

METRO SCHOOL BOARD REPORT

**Projected student generation existing R6-A district: 0 Elementary 0 Middle 0 High
 Projected student generation proposed RS5 district: 0 Elementary 0 Middle 0 High**

The proposed RS5 zone district is not anticipated to generate any additional students than what could be generated under the existing R6-A zoning. Students would attend Robert Churchwell Elementary, John Early Middle School, and Pearl-Cohn High School. All three schools have been identified as having additional capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends disapproval.

Mr. Shane presented the staff recommendation to disapprove.

Ms. Dorlester advised the applicant is Councilmember Taylor and he was not present at the meeting.

Steven Bolton, 1005 Pine Street, spoke in opposition to the application.

Vice Chair Farr closed the Public Hearing.

Ms. Kempf advised the Commission to evaluate the policy.

Vice Chair Farr asked if there is any vested interest.

Ms. Ladd said she did not believe it would be triggered yet. She stated she would have to know exactly what the entitlements were. Ms. Ladd relayed if they were just brainstorming, you cannot vest in brainstorming.

Councilmember Gamble asked if the property was vacant when it was upzoned two years ago.

Ms. Milligan responded it has been vacant going back to 2017.

Councilmember Gamble said she agreed with staff recommendation.

Ms. Leslie asked why a property would be down zoned.

Ms. Milligan stated the Councilmember is not present and cannot speak for him. She said they reviewed it based on policy and has recommended disapproval of the change in the zoning.

Ms. Kempf suggested the owner and the Councilmember make amends, which is out of the scope of this Commission.

Mr. Marshall moved, and Ms. Leslie seconded the motion to disapprove. (6-0)

Resolution No. RS2024-206

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-093PR-001001 is disapproved. (6-0)

H: OTHER BUSINESS

26. Agreement between Downtown Partnership and the Metropolitan Nashville Planning Department.

Resolution No. RS2024-207

"BE IT RESOLVED by The Metropolitan Planning Commission that The Agreement between Downtown Partnership and the Metropolitan Nashville Planning Department is approved. (6-0-1)

27. Historic Zoning Commission Report
28. Board of Parks and Recreation Report
29. Executive Committee Report
30. Accept the Director's Report

Resolution No. RS2024-208

"BE IT RESOLVED by The Metropolitan Planning Commission that the director's report is approved. (6-0)

31. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

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

October 24, 2024

MPC Meeting

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

J: ADJOURNMENT

The meeting adjourned at 6:30 p.m.