



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

September 12, 2024
4:00 pm Regular Meeting

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

MISSION STATEMENT

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

Commissioners Present:

Greg Adkins, Chair
Stewart Clifton
Leah Dundon
Edward Henley
Asia Allen
Dennie Marshall
Matt Smith

Staff Present:

Lucy Kempf, Executive Director
Lisa Milligan, Assistant Director of Land Development
Andrea Dorlester, Land Development Manager
Tara Ladd, Legal Counsel
Abbie Rickoff, Planning Manager I
Celina Konigstein, Planner I
Laszlo Marton, Planner I

Commissioners Absent:

Jessica Farr, Vice Chair
Kathy Leslie
Councilmember Jennifer Gamble

Lucy Alden Kempf

Secretary and Executive Director, Metro Planning Commission

Metro Planning Department of Nashville and Davidson County
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Notice to Public

Please remember to turn off your cell phones.

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

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

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

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

Writing to the Commission

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

Mailing Address: Metro Planning Department, 800 President Ronald Reagan Way, P.O. Box 196300, Nashville, TN 37219-6300

Fax: (615) 862-7130

E-mail: planning.commissioners@nashville.gov

Speaking to the Commission

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

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


If you intend to speak during a meeting, you will be asked to fill out a short "Request to Speak" form.

Items set for consent or deferral will be listed at the start of the meeting.

Meetings are conducted in accordance with the Commission's [Rules and Procedures](#).

Legal Notice

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

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

MEETING AGENDA

A: CALL TO ORDER

The meeting was called to order at 4:04 p.m.

B: ADOPTION OF AGENDA

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

C: APPROVAL OF AUGUST 22, 2024 MINUTES

Mr. Marshall moved, and Mr. Henley seconded the motion to approve the meeting Minutes of August 22, 2024. (7-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Huffman spoke in favor of Item 12.

E: ITEMS FOR DEFERRAL / WITHDRAWAL: 1, 2, 3, 4, 5, 7, 8, 10, 13, 16

Ms. Dundon moved, and Ms. Allen seconded the motion to approve the Deferred and Withdrawn Items. (7-0)

F: CONSENT AGENDA ITEMS: 20, 24

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

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

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

G: ITEMS TO BE CONSIDERED

1. 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 26, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2016SP-019-007 to the September 26, 2024, Planning Commission meeting. (7-0)

2. 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 26, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-015-001 to the September 26, 2024, Planning Commission meeting. (7-0)

3. 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 26, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-016-001 to the September 26, 2024, Planning Commission meeting. (7-0)

4. 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 26, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-030-001 to the September 26, 2024, Planning Commission meeting. (7-0)

5. 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 indefinitely.

The Metropolitan Planning Commission deferred 2024S-025-001 indefinitely. (7-0)

6. 2024S-083-001

HARPETH OVERLOOK

Council District 35 (Jason Spain)

Staff Reviewer: Laszlo Marton

A request for concept plan approval to create 32 lots on properties located at McCrory Lane (unnumbered), approximately 700 feet north of Beautiful Valley Drive, zoned AR2a and RS10 (15.8 acres), requested by JW Land Surveying, applicant; Harpeth Overlook Partners, LLC, owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Request for concept plan approval to create 32 lots.

Concept plan

A request for concept plan approval for a conservation development to create 32 lots on property located at McCrory Lane (unnumbered) approximately 700 feet north of Beautiful Valley Drive, zoned Agricultural/Residential (AR2a) and Single-Family Residential (RS10) (15.8 acres).

SITE DATA AND CONTEXT

Location: The site consists of one property located along McCrory Lane, north of the intersection with Beautiful Valley Drive.

Street Type: The site has frontage on McCrory Lane which is classified as a Scenic Arterial Boulevard in the Major Collector Street Plan. The site plan proposes two new public streets, one of which ties into McCrory Lane. Both streets terminate into cul-de-sacs on the eastern side of the site.

Approximate Acreage: 15.8 acres (688,223 SF).

Parcel/Site History: The subject property at McCrory Lane (unnumbered) was created by deed in July 2024 and includes a total of 15.8 acres.

Zoning History: A majority of the property was recently rezoned to Single Family Residential (RS10) in 2024 and was previously zoned Agricultural/Residential (AR2a). A small portion of the property in the northwest corner remains AR2a. The plan does not propose any lots within the area zoned AR2a, as properties zoned AR2a are not eligible for Conservation Subdivisions.

Existing Land Use: The site is currently vacant and heavily forested.

Surrounding Land Use and Zoning:

- North: Single Family/Agricultural/Residential (AR2a)
- South: Single Family/Single Family Residential (RS10)
- East: Single Family/Single Family Residential (RS20)
- West: Cemetery/One and Two-Family Residential (R10)

Zoning: Single-Family Residential (RS10)

Min. lot size: 10,000 square feet

Max. building coverage: 0.40

Min. rear setback: 20'

Min. side setback: 5'

Max. height: 3 stories

Min. street setback: 20' along local streets

PROPOSAL DETAILS

Number of lots: 32 lots.

Lot sizes: The proposed lot sizes vary from 7,254 square feet to 12,983 square feet. The plan utilizes the Conservation Development standards to permit lot size flexibility in exchange for protection of natural areas present on the site. The Conservation Development Standards (17.12.090) allow subdivisions to reduce lots in size from the minimum required by the base zoning district by equivalent percentage of the site that is to remain natural open space. The site acreage minus the AR2a portion is 15.12 acres, while the plan proposes 4.42 acres of natural open space, resulting in allowable lot size reduction of 29%. This reduction would result in a minimum lot size of 7,100 square feet. All proposed lots exceed the minimum lot size.

Access: The plan proposes new public streets, shown on the plan as Hailey Heights, S. Jenna Court, and N. Jenna Court. The primary street, Hailey Heights, will extend access from McCrory Lane to the east and intersect with Jenna Court, providing access to the lots on the eastern half of the site, terminating into two cul-de-sacs. The street names will need to be reviewed and approved by NDOT prior to the approval of the final plat.

Subdivision Variances or Exceptions Requested: None.

Conservation Development Standards (17.12.090)

- A. *Purpose and Intent.* Conservation development is a set of standards that shall be utilized in the design of subdivisions as provided in this section. The purpose of these standards is to:
1. Preserve unique or sensitive natural resources such as steep slopes; hillsides; streams, wetlands, floodways, and floodplains; problem soils; archaeological resources; and native forests or unique vegetation through the creation of natural open space.
 2. Encourage the creation of lots on less environmentally sensitive areas of the site.
 3. Provide flexibility in design of subdivisions within existing zoning districts to promote environmental resource protection.
- B. *Applicability.* Subdivisions proposed in the R/R-A and RS/RS-A zoning districts that meet both of the following standards shall utilize the provisions of this section.
1. *Minimum Site Area.* The minimum site area of no less than ten times the minimum lot area for the base zoning district as established by Table 17.12.020A. For example, in the R10 district the minimum area for the subdivision would be one hundred thousand square feet. (Ten thousand square feet minimum lot size times ten).
Complies. The site is zoned RS10 which would require a minimum area of 100,000 square feet. The proposed site has a total area (688,237 SF) which meets the minimum site area. Excluding the AR2a portion of the site, the area is 658,795 SF (15.12 acres) which meets the minimum site area required.
 2. *Minimum Natural Area.* A minimum of ten percent of the site contains any, or a combination of, the following:
 - a. Areas shown on FEMA maps as part of the 100-year floodplain or identified in local studies as confirmed by Metro Stormwater;
 - b. All perennial and intermittent streams, floodways, and associated buffers, as determined by Metro Stormwater or the State;
 - c. Areas of natural slopes of twenty percent or greater of at least ten thousand square foot contiguous area;
 - d. Areas containing problem soils as established by Section 17.28.050; wetlands, as determined by metro stormwater;
 - e. Known habitat for federally or state listed or proposed rare, threatened, or endangered species;
 - f. Areas containing a protected Cedar Glade plant species as established by Section 17.28.060;
 - g. Archaeological or historic sites, cemeteries, and burial grounds; or
 - h. Protected, heritage and historic and specimen trees, as defined by Section 17.40.450 of the Metro Zoning Code.

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

- C. *Maximum Lot Yield.* The determination of the maximum lot yield shall be based on assigning twenty percent of the gross acreage of the site to open space and infrastructure. The remaining eighty percent of the gross acreage shall be divided by the minimum lot size of the base zoning district to determine the maximum yield. Yield shall not be based on the minimum lot size as described in Section D Lot Size Flexibility.
The total site area is 15.12. Eighty percent of the gross acreage of the site is 12.096 acres. The maximum lot yield is 52 lots based on a minimum of 10,000 square feet for an RS10 residential lot. A total of 32 lots are proposed, which does not exceed the maximum lot yield.
- D. *Conservation and Design Flexibility.* In order to accomplish the purposes of this section, flexibility in lot sizes may be proposed in exchange for protection of the natural areas present on the site in natural open space according to the following standards:
The proposal sets aside approximately 29% of the 15.12-acre site for undisturbed natural area (4.42 acres). The plan reduces the minimum lot size from 10,000 square feet to 7,100 square feet (17.12.090.d.4).
- E. *Natural Open Space.* Open space provided for the purposes of protecting natural areas and in exchange for flexibility of design, as described above, shall be called natural open space and subject to the standards below. These standards are not applicable to common areas or open spaces that may be provided for other purposes.
Natural areas on the site include areas of natural slopes of twenty percent or greater, floodway and associated buffers, and protected and heritage trees. Protected natural open space comprising approximately 4.42 acres (shown as Preserved Natural Open Space on the plans) is identified on the northern and southeastern portions of the site encompassing much of the slopes and floodway in the

northern portion of the site as well as tree conservation areas along the southern and eastern portions of the site. Additionally, there are small areas of potential sinkholes in the center and western half of the site. As shown on the preliminary grading plan, grading is limited to the development footprint and the areas associated with the construction of Hailey Heights and Jenna Court, and the single-family lots. A homeowner's association will be responsible for management and maintenance of open spaces and landscape buffers.

F. Application Requirements

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

APPLICABLE SUBDIVISION REGULATIONS

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

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

3-1 General Requirements

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

3-2 Monument Requirements

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

3-3 Suitability of the Land

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

3-4 Lot Requirements

All lots comply with the minimum standards of the zoning code and the conservation subdivision requirements. Lots are required to have frontage onto a public street or, where permitted, onto a private street, or onto a common open space. Lots that front onto a common open space shall have a pedestrian connection from the front of each residential unit to the sidewalk and shall have vehicular access from an abutting public or private alley, or a shared driveway easement. All proposed lots front onto the proposed public streets and at the time of the development plan will be reviewed for sidewalk connections.

3-5 Infill Subdivisions

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

3-5.2 Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Maintenance, except where a Special Policy and/or a Designated Historic District exists.
Not applicable to this case as the lots are not being proposed along an existing street.

3-5.3 Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Evolving and/or Special Policies, except within Designated Historic Districts.
Not applicable to this case.

3-5.4 Criteria for Determining Compatibility for Designated Historic Districts.
Not applicable to this case.

3-5.5 *Infill Subdivision Frontage*
Not applicable to this case.

3-5.6 *Reasonable Conditions*
Not applicable to this case.

3-6 Blocks

The southern portion of Jenna Court has a block length of approximately 270 feet while the block length for the northern portion is approximately 419 feet. The subdivision regulations indicate that block lengths in residential areas shall not exceed 1,200 feet. The proposed street, Jenna Court, terminates in two cul-de-sacs which is appropriate given a connection to Beautiful Valley Drive to the south is hindered by existing lots that are part of a neighboring subdivision and could result in a disturbance of more natural areas.

3-7 Improvements

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

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

The proposed subdivision includes new public streets, Hailey Heights, and Jenna Court which terminate into two cul-de-sacs. Sidewalks are shown along the frontages of all newly proposed streets.

3-9 Requirements for Streets

The proposed subdivision includes new public streets, Hailey Heights, and Jenna Court which terminates into two cul-de-sacs. NDOT has reviewed and recommended approval with conditions. New public streets are to comply with AASHTO and the NDOT Subdivision Street Design Standards and Specifications.

3-10 Requirements for Dedication, Reservations, or Improvements

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

3-11 Inspections During Construction

This section is applicable at the time of construction, which will occur during the installation of infrastructure once construction plans have been approved.

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

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

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

Not applicable. No private streets are proposed.

3-14 Drainage and Storm Sewers

Drainage and storm sewer requirements are reviewed by Metro Stormwater. Stormwater recommends approval with conditions.

3-15 Public Water Facilities

Harpeth Valley Utility District has reviewed this proposed concept plan for water and has recommended approval.

3-16 Sewerage Facilities

Harpeth Valley Utility District has reviewed this proposed concept plan for sewer and has recommended approval.

3-17 Underground Utilities

Utilities are required to be located underground whenever a new street is proposed. The utility plan will be reviewed in more detail with the submittal of construction plans.

PLANNING STAFF COMMENTS – SUBDIVISION REGULATIONS

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

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 T3 NM (Suburban Neighborhood Maintenance). The goal of the T3 NM Policy is to maintain suburban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. The policy states that these areas are envisioned to remain primarily residential with low- to moderate-density residential development. Appropriate land uses in the T3 NM policy include residential, community gardens and open spaces, and institutional uses.

According to the T3 Suburban Neighborhood Maintenance policy density is secondary to the form of development; however, these areas are meant to be low- to moderate-density, with appropriate density determined by existing character of each individual neighborhood in terms of its mix of housing types, setbacks, spacing between buildings, and block structure.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

GREENWAYS RECOMMENDATION

Approve with conditions

- Applicant to design and build a segment of the PEDESTRIAN PATH TYP. (10' wide, compacted aggregate pathway) within the Conservation Greenway Easement area as a temporary improvement until Metro Greenways constructs a paved greenway within the easement area. Within the Conservation Greenway Easement area, the design and construction of the PEDESTRIAN PATH TYP. must be ADA compliant.
- Construction plans for the segment of the PEDESTRIAN PATH TYP. within the Conservation Greenway Easement area must be approved by Metro's General Services ADA office prior to approval of the final plat of any lot(s) within the subdivision.
- The segment of the PEDESTRIAN PATH TYP. within the Conservation Greenway Easement area must be inspected and approved by Greenways and Metro's General Services ADA office prior to any use and occupancy or issuance of the first Use and Occupancy letter for new construction on any lot in the development.
- The greenway easement and PEDESTRIAN PATH TYP. to be maintained by owner/HOA per Metro Parks' standards and terms, including ADA compliance, until such time as Metro lays an asphalt trail surface. Thereafter, Parks will maintain the paved surface. All to be memorialized in the Conservation Greenway Easement Agreement.
- The Conservation Greenway Easement must be dedicated and memorialized in a Metro Parks' Conservation Greenway Easement Agreement, including two exhibits: a legal description and a boundary survey of the easement which must be signed by the owner, notarized, and delivered to Greenways prior to approval of the final plat of any lot(s) within the subdivision.
- Coordinate with Greenways staff to process the Conservation Greenway Easement Agreement for Park Board and Metro Council approval.
- Maintenance within Greenway Conservation Easement to be performed by Applicant until such time as the greenway is built or upon other approved by Parks.
- Any access from the development into the greenway easement and/or onto the future greenway trail must be approved by Greenways. Greenways anticipates future connections from the greenway trail to the two access points, at the boundary of the Conservation Greenway Easement, to be created by the final site plan approval of the PEDESTRIAN PATH TYP. However, final determinations as to connections will be made when construction plans for the paved greenway trail are finalized.
- 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.

STORMWATER RECOMMENDATION

Approve with conditions

- Preliminary approval only. Final submittal to be designed in accordance with Stormwater Management Manual.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- McCrory Lane is classified as a scenic arterial boulevard per the MCSP with a total planned width of 85'. From the centerline of existing road pavement provide at a minimum 42.5' of width along the frontage for ROW. Confirm dedication or reservation requirement with the Planning Department.

Provide the below on the construction plan set:

- Demolition of existing access from McCrory Lane for parcel 12600014100 is to occur with development. Access to be relocated to new proposed public street.

- Give curve data. New public streets are to comply with AASHTO and the NDOT Subdivision Street Design Standards and Specifications.
<https://filetransfer.nashville.gov/portals/0/sitecontent/pw/docs/projects/SubdivisionSpecs.pdf>
- Provide road cross sections and standard details to be used in design.
- Provide at minimum a 50' tangent prior to horizontal curve at intersection on construction plan submittal (give a callout/ label to this).
- Provide ADA ped ramps /w detectable warnings at all intersections per NDOT ST-330 spec. Ramp to be on the stop side of the intersection at the 'T intersection' of new proposed roads.
- Provide an ADA ped ramp crossing /w detectable warnings prior to navigating the Cul-De-Sac circumference.
- Provide a pull in for the mail cluster boxes for vehicles to be out of travel lanes. If a 90 degree pull in is designed - ramp to be built per NDOT ST-324 spec and no car overhanging the sidewalk.

TRAFFIC AND PARKING RECOMMENDATION

Approve

METRO WATER SERVICES RECOMMENDATION

Not applicable – served by Harpeth Valley Utility District

HARPETH VALLEY UTILITIES DISTRICT

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapprove without all conditions.

CONDITIONS

1. On the corrected copy, clearly label the pathway materials.
2. If sinkholes are determined to be present with the final development plan, the lot layout and road alignment may need to shift and changes to the plan may be required.
3. With submittal of development plans, a tree survey and tree preservation plan shall be provided for the tree preservation areas. The preservation plan shall demonstrate that the proposed path located within areas of natural open space does not result in the removal of trees and is comprised of pervious materials. Landscape buffers identified within the natural open space shall be used to supplement existing vegetation only.
4. Pursuant to 2-2.5.f of the Metro Subdivision Regulations, the approval a of concept plan shall be effective for four years from the date of Planning Commission approval to the recording of the final plat or a phase of the plat as described in Section 2-2.5.g.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. The clearing, grading, and disturbance of natural open space shall be prohibited, unless otherwise identified in the concept plan. Minor changes may be allowed during review of the final based on engineering and construction plans. However, if the amount of open space is reduced, the lots may need to increase in size per the requirements of the Conservation Development standards.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2024S-083-001 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. RS2024-209

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-083-001 is approved with conditions. (7-0)

CONDITIONS

1. On the corrected copy, clearly label the pathway materials.
2. If sinkholes are determined to be present with the final development plan, the lot layout and road alignment may need to shift and changes to the plan may be required.
3. With submittal of development plans, a tree survey and tree preservation plan shall be provided for the tree preservation areas. The preservation plan shall demonstrate that the proposed path located within areas of natural open space does not result in the removal of trees and is comprised of pervious materials. Landscape buffers identified within the natural open space shall be used to supplement existing vegetation only.
4. Pursuant to 2-2.5.f of the Metro Subdivision Regulations, the approval a of concept plan shall be effective for four years from the date of Planning Commission approval to the recording of the final plat or a phase of the plat as described in Section 2-2.5.g.
5. Comply with all conditions and requirements of Metro reviewing agencies.

6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. The clearing, grading, and disturbance of natural open space shall be prohibited, unless otherwise identified in the concept plan. Minor changes may be allowed during review of the final based on engineering and construction plans. However, if the amount of open space is reduced, the lots may need to increase in size per the requirements of the Conservation Development standards.

7. 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 26, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024S-084-001 to the September 26, 2024, Planning Commission meeting. (7-0)

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

The Metropolitan Planning Commission deferred 2024Z-069PR-001 to the September 26, 2024, Planning Commission meeting. (7-0)

9. 2024Z-081PR-001

Council District 34 (Sandy Ewing)

Staff Reviewer: Celina Konigstein

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

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from R40 to RS20.

Zone Change

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

Existing Zoning

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

Proposed Zoning

Single-Family Residential (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre. *Based on acreage alone, RS20 would permit a maximum of 17 single-family lots. This does not account for compliance with the Metro Subdivision Regulations.*

GREEN HILLS-MIDTOWN COMMUNITY PLAN

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

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

CASE HISTORY

This case was presented at the August 8, 2024, Planning Commission Meeting, where a public hearing was held and closed. The Commission expressed a desire for the applicant to consider Specific Plan (SP) zoning at this site to provide more details on the scope of future development after concerns were raised about access, architectural guidelines and the number of units that could be created, and whether additional properties could be included through an SP to provide cross connectivity to the broader area. The applicant has indicated to staff that additional conversations have taken place with surrounding property owners and the Councilmember since the August 8, 2024, meeting, and intends to move forward with the straight rezoning request on the subject property, as originally filed. In considering the broader area, staff will note that the inclusion of additional properties in the request may result in a development that provides alternative opportunities for connectivity, but due to the existing street network, surrounding parcel configuration, and floodway areas to the east, establishing a meaningful network in this area would be limited and may result in additional disturbance to environmentally sensitive areas.

SITE AND CONTEXT

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

ANALYSIS

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

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

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	7.93	1.00 F	10 U	125	12	11

*Based on two-family lots

Maximum Uses in Existing Zoning District: **RS20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	7.93	1.76 F	17 U	204	17	19

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

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

METRO SCHOOL BOARD REPORT

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

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

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

STAFF RECOMMENDATION

Staff recommends approval.

Ms. Konigstein presented the staff recommendation to approve. She reminded the Commissioners this case was previously considered by the Planning Commission at the August 8, 2024, meeting.

Chair Adkins stated they have already had the Public Hearing on this Item and are now in discussion.

Mr. Henley said staff has had the opportunity to engage the applicant and felt this aligns with policy.

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

Resolution No. RS2024-210

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-081PR-001 is approved. (7-0)

10. 2024SP-020-001

CANE RIDGE SP

Council District 33 (Antoinette Lee)

Staff Reviewer: Laszlo Marton

A request to rezone from AR2a to SP zoning for properties located at 5788 Cane Ridge Road and Cane Ridge Road (unnumbered), approximately 285 feet southeast of Cane Ridge Road, (39.27 acres) to permit 120 single family lots, requested by Old Acre McDonald, applicant; William Alexander, James Kieffer & Houston Hill, owners.

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

The Metropolitan Planning Commission deferred 2024SP-020-001 to the September 26, 2024, Planning Commission meeting. (7-0)

11. 2024SP-033-001

HCA EAST NASHVILLE

Council District 05 (Sean Parker)

Staff Reviewer: Dustin Shane

A request to rezone from IWD to SP zoning for property located at 800 Dickerson Pike, approximately 325 feet north of Grace Street (1.85 acres), to permit hospital use, requested by Ingram Civil Engineering Group, applicant; HTI Memorial Hospital Corporation, owner.

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

APPLICANT REQUEST

Preliminary SP to permit a hospital use.

Preliminary SP

A request to rezone from Industrial Warehousing/Distribution (IWD) to Specific Plan (SP) zoning for property located at 800 Dickerson Pike, approximately 325 feet north of Grace Street (1.85 acres), to permit a hospital use.

Existing Zoning

Industrial Warehousing/Distribution (IWD) is intended for a wide range of warehousing, wholesaling, and bulk distribution uses.

Dickerson Pike Sign Urban Design Overlay (UDO)

The purpose of this UDO is to enhance the Dickerson Pike streetscape by discouraging clutter and inappropriate signs through requiring signage that is appropriate in scale and design for pedestrians, motorists, and cyclists.

Skyline Redevelopment District was established in 2007 for redevelopment activities along portions of Dickerson Pike and is intended to provide for residential development, facilities, businesses, and services characteristic of a high-density urban area along a major pike; to support the contiguous residential neighborhoods; and for specialty services catering to a larger market.

Proposed Zoning

Specific Plan-Commercial (SP-C) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan includes commercial uses.*

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.

The Dickerson South Corridor Study is a plan devoted to the long-range planning of this area of East Nashville. The plan provides specific guidance for building form, uses, and other considerations in areas known as supplemental policy areas. The site is located within the 6- and 12-story building height supplemental policy subdistricts. Where the supplemental policies are silent, the guidance of the T4-CM policy area shall apply.

SITE CONTEXT AND PLAN DETAILS

The 1.85-acre site is located on Dickerson Pike opposite the intersection with Hancock Street. The site currently contains a terminal/distribution warehouse, zoned IWD. To the north is another terminal/distribution warehouse zoned IWD; to the south is another terminal/distribution warehouse zoned Commercial Service (CS). Across Dickerson Pike are a parking lot and a convenience gas market, zoned Commercial Limited (CL). Interstate 24 right-of-way (ROW) is directly to the west.

The application proposes an approximately 11,205-square foot single-story freestanding emergency room building with surface parking behind and to the side of the building, which fronts Dickerson Pike. The plan shows parking provision in excess of the Code-required maximum by 22 spaces. The site plan includes two access points from Dickerson Pike. An ambulance drop-off and loop drive is located at the rear of the building, with another drop-off point found on the southern side of the building for patients. Entrances are located on the western, northern, and southern sides of the building while the Dickerson Pike frontage will contain glazing and architectural articulation, but no entrances. The site plan will reduce the amount of impervious area from what is now existing (the site is currently almost completely covered by industrial buildings and pavement, and this redevelopment proposes a substantial increase in green and planting space). Landscaping screening is provided around the parking area and as a buffer to the south, with trees helping to screen the surface parking spaces from view along Dickerson Pike. Taller evergreen

material will be planted along the front façade as indicated by a note to provide visual interest. MCSP requirements are reflected on the plan for the Dickerson Pike frontage.

ANALYSIS

The site is within the Dickerson Pike South study area, which suggests heights of up to 6 stories along the Dickerson Pike frontage, with 12 stories being appropriate throughout the rest of the site. The proposed plan falls well below these maximums at only one story. It proposes, however, a crucial piece of health infrastructure that is needed in this redeveloping neighborhood, and which will greatly benefit existing residents. Additional parking beyond the parking maximums stipulated in the Code may be appropriate in this instance when considering the services to be provided to the neighborhood. Increased plantings are also present at the two entrances to further screen the additional parking spaces.

The base policy of T4 CM also supports high intensity uses along corridors, including a mix of commercial uses and essential services. Though lower in density/square footage than many other appropriate uses for T4 CM, the proposed use fits the diverse development vision laid out in the policy.

The site is also governed by the MDHA Skyline Redevelopment Plan, which designates the property as Arterial Mixed Use, which calls for residential development, facilities, businesses, and services characteristic of a high-density urban area along a major pike. The Dickerson Pike Sign UDO will regulate allowable signage upon submission of a signage plan to the Codes Department.

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 PUBLIC TRANSIT RECOMMENDATION

Approve with conditions

- Developer to provide plans, agreed by WeGo, that show: NDOT agreed driveways; all existing driveways; all remaining vertical obstructions in the sidewalks; all curb ramps; and show the existing bus stops convenient (as agreed by WeGo) to crosswalk(s) likely to meet FHWA STEP enhanced crosswalk requirements.
- If the Developer cannot provide plans as stated above that WeGo agrees to, WeGo will require new bus stops convenient to crosswalk(s) meeting FHWA STEP enhanced crosswalk requirements and as below:
 - At a minimum, a relocated southbound bus stop with appurtenances, convenient to a crosswalk and as per an in-lane frequent service shelter-type stop compliant with the WeGo Design Guidelines.
 - A new Northbound bus stop with appurtenances, convenient to a crosswalk and as per an in-lane frequent service shelter-type stop compliant with the WeGo Design Guidelines, except the design may be constrained by existing RoW and utilities. Robert.Johnson@Nashville.gov.

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.

NASHVILLE DOT ROADS 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.
- In general, with a final: Any proposed roadway sections, ramps, sidewalks, curb & gutter, etc. shall be designed and called out per NDOT detail standards.
- 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 the public ROW. Extents to be coordinated in field with NDOT inspector.

NASHVILLE DOT TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- The site access points are being approved with the condition that the driveway to the north is an entrance only and the access to the south can serve as a full access.
- Coordinate with NDOT prior to the submittal of the Final SP on the pedestrian crossing that will be enhanced per FHWA requirements. The location of the crossing is to be determined and designs are to be included in the Final SP plans.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	1.85	0.8 F	64,468 SF	147	11	12

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
Hospital (610)	-	-	22 Beds	491	40	42

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+344	+29	+30

METRO SCHOOL BOARD REPORT

As the proposed SP would not permit residential uses, it is not expected to generate any additional students.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to 11,205 square feet of hospital use.
2. On the corrected copy, remove "medical office" from the proposed uses.
3. On the corrected copy, remove the height note "measured from the average elevation..."
4. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.
5. No signage is approved with this preliminary SP.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. 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.
8. 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 ORI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
9. The Final SP 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.
10. 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.
11. 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.
12. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

Resolution No. RS2024-211

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-033-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to 11,205 square feet of hospital use.
2. On the corrected copy, remove "medical office" from the proposed uses.
3. On the corrected copy, remove the height note "measured from the average elevation..."
4. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.
5. No signage is approved with this preliminary SP.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. 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.
8. 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 ORI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
9. The Final SP 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.
10. 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.
11. 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.
12. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

12. 2024SP-035-001

3525 CENTRAL PIKE

Council District 14 (Jordan Huffman)

Staff Reviewer: Savannah Garland

A request to rezone from CS to SP zoning for property located at 3525 Central Pike, approximately 325 feet west of Stoners Bend Drive, (2.12 acres), to permit a self-service- storage facility, requested by Dale & Associates, applicant; Donelson Property Group, owner.

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

APPLICANT REQUEST

Preliminary SP to permit a self-service storage use.

Preliminary SP

A request to rezone from Commercial Service (CS) to Specific Plan (SP) zoning for property located at 3525 Central Pike, approximately 325 feet west of Stoners Bend Drive (2.12 acres), to permit a self-service storage use.

Existing Zoning

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

Proposed Zoning

Specific Plan-Commercial (SP C) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes a self-service storage.

DONELSON-HERMITAGE-OLD HICKORY COMMUNITY PLAN

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.

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.

SITE CONTEXT AND REQUEST DETAILS

The approximately 2.12-acre site is located on the north side of Central Pike with a railroad line abutting the eastern property line. The surrounding zoning districts are commercial and industrial. The property is vacant and surrounded by office/medical, commercial, and industrial uses. The subject site has frontage on Central Pike, an arterial boulevard as classified by the Major and Collector Street Plan (MCSP) and is adjacent to an existing rail line along the eastern boundary.

Site Plan

The plan proposes a self-service storage building with a maximum of three stories and up to 112,000 square feet of total building area. The proposed storage facility has one point of access from Central Pike located on the western portion of the site. Four parking spaces are required per the Metro Zoning Code, and 13 parking spaces are provided. The current right-of-way width along the Central Pike frontage exceeds the right-of-way width required by the MCSP. The plan shows an existing 8-foot sidewalk and 6-foot planting strip. The plan includes elevations for all sides of the proposed building. Building materials include architectural metal panels with three-foot brick wainscot and 1,600 square feet of glazing on the primary façade.

ANALYSIS

The proposed SP is located in an area of Suburban Community Center (T3 CC) policy characterized by previously developed non-residential uses, including low-slung commercial, office/medical, and industrial uses. The site is also adjacent to an industrial policy area to the east, on the opposite side of the railroad, and on the other side of Central Pike. Staff finds that the proposed SP use is compatible with the development character of the T3 CC policy area at this location. The proposed height is a maximum of three stories in 45 feet which is consistent with the height guidance in the T3 CC policy. The requested SP would permit additional FAR beyond the FAR permitted by the existing CS zoning, but the maximum height proposed by the plan is more restrictive than the height permitted by CS, where there is no maximum overall height. The SP also includes glazing and façade standards, and conceptual elevations have been included with the plan. The existing sidewalk and grass strip along the site's frontage comply with the MCSP requirements. The subject parcel does have some conservation policy on the front and rear portions of the parcel due to pockets of potential steep slopes, but the proposed building footprint is located outside of the areas with steeper slopes. Public utility and drainage easements have been established in these areas.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Shared access agreement will be required prior to issuance of construction permit.

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final construction plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. Any proposed roadway sections, ramps, sidewalks, curb & gutter, etc. 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.
- Include existing and proposed grades on profile view exhibits. With new site access ramp proposed, the existing curb cut off Central Pike shall be closed. Per recorded plat, note (17.) 'Any access from lot 2 to Central Pike shall have adequate sight distance per AASHTO standards.'
- With final SP submittal, Submit Stopping Sight Distance (include Intersection Sight Distance-ISD as well, turning out from a stop position), per AASHTO (green book). Submit exhibit w/ the following: State what's required versus what's available be it existing and proposed grades. Based on the required sight triangle legs, show profile views w/ line of sight between turning and approaching vehicles.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- An MMTA will not be required for this development. The applicant has submitted a TIS waiver due to the low trip generation for the proposed self storage.
- Prior to Final SP approval the applicant shall submit a sight distance exhibit for their proposed access on Central Pike, see NDOT roads comments for more details.

WATER 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.

STORMWATER RECOMMENDATION

Approve with conditions

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

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	2.12	0.6 F	55,408 SF	2,092	52	211

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
Mini-Warehouse (151)	2.12	1.22	112,664 SF	170	12	19

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-1,922	-40	-192

METRO SCHOOL BOARD REPORT

As the proposed SP would not permit residential uses, it is not expected to generate any additional students.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 112,000 square foot self-service storage.
2. On the corrected copy, update the fallback zoning on the coversheet based on the fallback zoning provided in these conditions.
3. On the corrected copy, clearly label easements as existing or proposed. If existing, include recorded instrument number. If proposed, easements shall be recorded prior to final plat approval, if platted, or prior to issuance of building permits, it not platted.
4. With the final site plan, architectural elevations consistent with the elevations provided with the preliminary SP shall be provided.
5. The requirements for 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.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. Final plat may be required prior to permitting.

8. 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 for the CS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved ordinance.
9. 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.
10. 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.
11. 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 principals and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
12. The 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.

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

Resolution No. RS2024-212

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-035-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 112,000 square foot self-service storage.
2. On the corrected copy, update the fallback zoning on the coversheet based on the fallback zoning provided in these conditions.
3. On the corrected copy, clearly label easements as existing or proposed. If existing, include recorded instrument number. If proposed, easements shall be recorded prior to final plat approval, if platted, or prior to issuance of building permits, it not platted.
4. With the final site plan, architectural elevations consistent with the elevations provided with the preliminary SP shall be provided.
5. The requirements for 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.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. Final plat may be required prior to permitting.
8. 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 for the CS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved ordinance.
9. 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.
10. 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.
11. 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 principals and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
12. The 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.

13. 2024SP-036-001

832 WEST TRINITY

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Laszlo Marton

A request to rezone from R8 to SP zoning for property located at W Trinity Lane (unnumbered), approximately 655 feet west of McKinley Street, (1 acre), to permit 18 multi-family residential units, requested by Dale & Associates, applicant; Mc Gran, LLC, owner.

Staff Recommendation: Defer to the October 24, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-036-001 to the October 24, 2024, Planning Commission meeting. (7-0)

14. 2018S-188-005

PARKS AT CANE RIDGE PHASE 1D

Council District 33 (Antoinette Lee)

Staff Reviewer: Dustin Shane

A request for final plat approval to create 52 residential cluster lots on a portion of properties located at Cane Ridge Road (unnumbered), at the current terminus of Legacy Drive, zoned RS10 (22.66 acres), requested by Kimley-Horn, applicant; Meritage Homes of Tennessee, Inc., owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Final plat to create 52 residential cluster lots.

Final Plat

A request for final plat approval to create 52 residential cluster lots on a portion of properties located at Cane Ridge Road (unnumbered), at the current terminus of Legacy Drive, zoned Single-Family Residential (RS10) (22.66 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 1D, part of the associated final development plan for Phase 1, 2018S-188-002, which was approved on October 7, 2022. The plat includes 52 single-family cluster lots, four open space parcels, and four public roads, including a new collector street.

SITE DATA AND CONTEXT

Location: The site is located west of Cane Ridge Road, at the current terminus of Legacy Drive.

Approximate Acreage: 22.66

PROPOSAL DETAILS

Number of lots: 52

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.

Proposed plat

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

APPLICABLE SUBDIVISION REGULATIONS

Staff determined that this plat is consistent with the 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

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT ROADS RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT 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 May 21, 2024) on which we have noted our comments and recommend approval. Approval is contingent on construction and completion of MWS Project #'s 21SL0158 part of and 21WL0070. A bond amount of \$310,000.00 is assigned to 21SL0158 part of, and an amount of \$300,000.00 is assigned to 21WL0070.

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. On the corrected copy, change the site data table phase from "1C" to "1D."
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. 2018S-188-005 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. RS2024-213

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018S-188-005 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. On the corrected copy, change the site data table phase from "1C" to "1D."
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.

15. 2023S-112-002

OAKWOOD PRESERVE

Council District 05 (Sean Parker)

Staff Reviewer: Jason Swaggart

A request for concept plan approval to create 18 lots on a portion of property located at Bethwood Drive (unnumbered), approximately 1,094 feet east of Oakwood Avenue, zoned RS7.5 (4.82 acres), requested by Dale & Associates, applicant; Main Street Land Trust, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Request for concept plan approval to create 18 lots.

Concept plan

A request for concept plan approval to create 18 lots on a portion of property located at Bethwood Drive (unnumbered), approximately 1,094 feet east of Oakwood Avenue, zoned Single-Family Residential (RS7.5) (4.82 acres).

SITE DATA AND CONTEXT

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

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

Approximate Acreage: 4.82 acres.

Parcel/Site History: The site consists of part of one parcel that was created by deed in 2023. A concept plan for the entire 5.01-acre parcel was approved by the Planning Commission in 2023 (case 2023S-112-001). The approved concept plan was for 18 lots utilizing the conservation development standards. The proposed plan includes less acreage from the previously approved plan. The proposed plan leaves out about a quarter acre portion of the existing parcel. The area removed from the previous plan is located at the terminus of Allenwood Drive.

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

Existing Land Use: The site is currently vacant.

Surrounding Land Use and Zoning:

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

Zoning: Single-Family Residential (RS7.5)

Min. lot size: 7,500 square feet

Max. building coverage: 0.45

Min. rear setback: 20'

Min. side setback: 5'

Max. height: 3 stories

Min. street setback: 20'

PROPOSAL DETAILS

Number of lots: 18 lots.

Lot sizes: Lot sizes vary from 3,954 square feet to 5,351 square feet. The plan utilizes the Conservation Development standards to permit lot size flexibility in exchange for protection of natural areas present on the site. The Conservation Development Standards (17.12.090) allows subdivision to reduce lots in size from the minimum required by the base zoning district by equivalent percentage of the site that is to remain natural open space. The site is 4.82 acres, while the plan proposes 2.28 acres of natural open space, resulting in a 47.3% allowable lot size reduction. This reduction would result in a minimum lot size of 3,548 square feet, which is smaller than the 3,750 square foot minimum lot size permitted by the regulations. The plans identify the minimum lot size of 3,952 square feet, which is larger than the minimum lot size of 3,750 square feet permitted by the regulations.

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

Subdivision Variances or Exceptions Requested: None.

Conservation Development Standards (17.12.090)

G. *Purpose and Intent.* Conservation development is a set of standards that shall be utilized in the design of subdivisions as provided in this section. The purpose of these standards is to:

1. *Preserve unique or sensitive natural resources such as steep slopes; hillsides; streams, wetlands, floodways, and floodplains; problem soils; archaeological resources; and native forests or unique vegetation through the creation of natural open space.*
2. *Encourage the creation of lots on less environmentally sensitive areas of the site.*
3. *Provide flexibility in design of subdivisions within existing zoning districts to promote environmental resource protection.*

H. *Applicability.* Subdivisions proposed in the R/R-A and RS/RS-A zoning districts that meet both of the following standards shall utilize the provisions of this section.

1. *Minimum Site Area.* The minimum site area of no less than ten times the minimum lot area for the base zoning district as established by Table 17.12.020A. For example, in the R10 district the minimum area for the subdivision would be one hundred thousand square feet. (Ten thousand square feet minimum lot size times ten).

Complies. The site is zoned RS7.5 which would require a minimum area of 75,000 square feet. The subject site is 209,959 square feet in size.

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

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

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

Complies. The total site area is 4.82 acres. Eighty percent of the gross acreage of the site is 3.856 acres. The maximum lot yield is 22 lots based on a minimum of 7,500 square feet for an RS7.5 residential lot. A total of 18 lots are proposed, which does not exceed the maximum lot yield.

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

Complies. The proposed plan sets aside approximately 47% of the 4.82-acre site for undisturbed natural area (2.28 acres). If the lots were reduced in size by 47%, they would not meet the minimum requirement of 3,750 square feet. The plan reduces the minimum lot size from 7,500 square feet to 3,952 square feet (17.12.090.d.4).

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

Complies. Natural areas on the site include streams and associated buffers and protected and heritage trees. While the stream intersects the site from the north to the southwest corner, protected trees currently exist across the whole site. Protected natural open space comprising approximately 2.28 acres (identified as primary conservation land on the plans) is identified on the northern and western portions of the site encompassing much of the floodway and associated buffers. Grading is limited to the development footprint and the areas associated with the extension of Slaydon Drive. Although grading for the road is disturbing areas that would be classified as natural open space, the regulations permit disturbance for essential infrastructure. The area being graded for the new road is not included in the 2.28 acres being set aside for flexibility of lot size for the development. A proposed greenway is also located within the open space; paved greenways are permitted to be installed within natural open spaces per 17.12.090.E.5. A homeowner's association will be responsible for management and maintenance of open spaces and landscape buffers.

- L. *Application Requirements*

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

APPLICABLE SUBDIVISION REGULATIONS

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

Prior versions of Subdivision Regulations for Nashville and Davidson County contained a uniform set of standards that were applied Metro-wide. This did not take into account the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This

allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is within the Urban Neighborhood Evolving (T4 NE) policy. For T4 NE, the conventional regulations found in Chapter 3 are utilized.

3-1 General Requirements

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

3-2 Monument Requirements

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

3-3 Suitability of the Land

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

3-4 Lot Requirements

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

3-5 Infill Subdivisions

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

3-5.2 *Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Maintenance, except where a Special Policy and/or a Designated Historic District exists.*
Not applicable to this case. The site is located within T4 Urban Neighborhood Evolving.

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

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

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

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

Complies. See section 3-4 above.

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

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

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

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

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

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

All agencies have recommended approval or approval with conditions.

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

3-5.4 **Criteria for Determining Compatibility for Designated Historic Districts.**
Not applicable to this case.

3-5.5 **Infill Subdivision Frontage**
Not applicable to this case.

3-5.6 **Reasonable Conditions**
Not applicable to this case.

3-6 Blocks

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

3-7 Improvements

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

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

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

3-9 Requirements for Streets

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

3-10 Requirements for Dedication, Reservations, or Improvements

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

3-11 Inspections During Construction

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

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

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

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

Not applicable. No private streets are proposed.

3-14 Drainage and Storm Sewers

Drainage and storm sewer requirements are reviewed by Metro Stormwater. A note on the plan includes information regarding a variance from the Metropolitan Stormwater Management Committee (SWMC). Metro Stormwater has recommended approval with conditions.

3-15 Public Water Facilities

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

3-16 Sewerage Facilities

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

3-17 Underground Utilities

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

PLANNING STAFF COMMENTS – SUBDIVISION REGULATIONS

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

POLICY CONSIDERATIONS

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

NashvilleNext includes a Community Character Manual (CCM) which established character areas for each property within Metro Nashville. The community character policy applied to the entirety of this property is T4 NE (Urban Neighborhood Evolving). The goal of the T4 NE Policy is to maintain suburban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. The policy states that these areas will have higher densities and or smaller lot sizes, with a broader range and integrated mixture of housing types, providing housing choice, than some surrounding urban neighborhoods. Appropriate land uses in the T4 NE policy include single-family residential, one and two-family residential, multi-family residential, open space and institutional uses.

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

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

GREENWAYS RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Show on plat turn around at the end of Allenwood Drive along with future submittals.

TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

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

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Pursuant to 2-2.5.f of the Metro Subdivision Regulations, the approval of a concept plan shall be effective for four years from the date of Planning Commission approval to the recording of the final plat or a phase of the plat as described in Section 2-2.5.g.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

4. Prior to final plat approval, the approximately 0.28 acres remnant shall be platted. Without the platting of the remnant, a new concept plan including the remnant will be required.
5. With the final site plan, continue to work with Planning staff to provide appropriate sidewalk connection to the greenway.
6. The clearing, grading, and disturbance of natural open space shall be prohibited, unless otherwise identified in the concept plan. Minor changes may be allowed during review of the final based on engineering and construction plans. However, if the amount of open space is reduced, the lots may need to increase in size per the requirements of the Conservation Development standards.
7. Bulk standards/final lot count may change as a result of meeting requirements of Metro reviewing agencies. The number of lots shown is the maximum allowed. Reductions may be necessary on the final site plan.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2023S-112-002 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. RS2024-214

“BE IT RESOLVED by The Metropolitan Planning Commission that 2023S-112-002 is approved with conditions. (7-0)
CONDITIONS

1. Pursuant to 2-2.5.f of the Metro Subdivision Regulations, the approval of a concept plan shall be effective for four years from the date of Planning Commission approval to the recording of the final plat or a phase of the plat as described in Section 2-2.5.g.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Prior to final plat approval, the approximately 0.28 acres remnant shall be platted. Without the platting of the remnant, a new concept plan including the remnant will be required.
5. With the final site plan, continue to work with Planning staff to provide appropriate sidewalk connection to the greenway.
6. The clearing, grading, and disturbance of natural open space shall be prohibited, unless otherwise identified in the concept plan. Minor changes may be allowed during review of the final based on engineering and construction plans. However, if the amount of open space is reduced, the lots may need to increase in size per the requirements of the Conservation Development standards.
7. Bulk standards/final lot count may change as a result of meeting requirements of Metro reviewing agencies. The number of lots shown is the maximum allowed. Reductions may be necessary on the final site plan.

16. 2024S-102-001

RESERVED PARCEL 58 ON THE PLAN OF HIDDEN HILL SUBDIVISION

Council District 11 (Jeff Eslick)
 Staff Reviewer: Jason Swaggart

A request for final plat approval to remove the reserve status and create one lot on property located at 5020 Rowena Drive, at the terminus of Rowena Drive, zoned R10 (0.48 acres), requested by Patrick Coode and Company LLC, applicant; XE Development Company LLC, owner.

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

The Metropolitan Planning Commission deferred 2024S-102-001 to the September 26, 2024, Planning Commission meeting. (7-0)

17. 2024Z-095PR-001

Council District 09 (Tonya Hancock)
 Staff Reviewer: Dustin Shane

A request to rezone from OR20 to MUL-A zoning for properties located at 117 Neelys Bend Road, 400 feet east of Gallatin Pike (0.38 acres), requested by Notion Advisory LLC, applicant; Charles Williamson, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from OR20 to MUL-A.

Zone Change

A request to rezone from Office/Residential (OR20) to Mixed Use Limited-Alternative (MUL-A) zoning for properties located at 117 Neelys Bend Road, 400 feet east of Gallatin Pike (0.38 acres).

Existing Zoning

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. OR20 would permit a maximum of 13 units.

Proposed Zoning

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.

MADISON 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.

ANALYSIS

The application consists of two parcels (Map 051-04, Parcels 092 and 093) totaling 0.38 acres in size and located on the north side of Neelys Bend Road, directly east of a Walgreens that fronts Gallatin Pike (zoned CS). The property currently contains a single-family home. Adjacent uses to the north and east consist of single-family homes zoned OR20. To the south across Neelys Bend Road are single-family homes (zoned RS7.5), a church (zoned OR20), and the intersection of Argle Avenue.

The application proposes to rezone the property from OR20 to MUL-A. The property is within the T4 Mixed Use Neighborhood (T4 MU) policy area. T4 MU policy is intended to create mixed-use neighborhoods with moderate to high levels of density, along with diverse commercial offerings in an urban form. One of the stated goals of the policy is to create high levels of connectivity, especially near mass transit. The property is approximately 360 feet from the Gallatin Pike WeGo Route No. 56, a frequent (BRT Lite) bus line.

The site is directly adjacent to properties in the Urban Community Center (T4 CC) policy, a higher intensity policy area present along Gallatin Pike and to the south (west of Argle Avenue), rather than interior to the block, which features an established single-family character to the east. The site is located on the western edge of a T4 MU policy area located between the T4 CC areas present along the corridor and properties in the Urban Neighborhood Maintenance (T4 NM) policy, located further to the east. Allowing a more intense mix of uses and/or residential density at this location would support the adopted policy goals for the site and support existing transit provision, and the proposed Alternative (-A) district standards would ensure that future development on the site has an urban form, consistent with the policy guidance. Staff would note that the proposed MUL-A zoning district is the most intense mixed use zoning district supported by the policy, and that the proposed zoning intensity supported at this site may not be appropriate further to the east, closer to the T4 NM policy area.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	0.19	20 D	4 U	20	1	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.19	0.8	6,621 SF	76	33	8

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

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)	0.19	1.0 F	8 U	42	3	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.095	1.0 F	4,138 SF	156	3	16

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.095	1.0 F	4,138 SF	464	42	40

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+566	+14	+50

METRO SCHOOL BOARD REPORT

Given the mix of uses permitted by the existing OR20 zoning and the proposed MUL-A zoning districts, the number of residential units ultimately built on site may vary and an assumption as to impact at this point is premature. School students generated by future development would attend Stratton Elementary School, Madison Middle School, and Hunters Lane High School. Stratton Elementary School and Hunters Lane High School are at capacity while Madison 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.

Approve. (7-0)

Resolution No. RS2024-215

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-095PR-001 is approved. (7-0)

18. 2024Z-096PR-001

Council District 16 (Ginny Welsch)

Staff Reviewer: Matt Schenk

A request to rezone from RS5 to R6-A zoning for property located at 305 Joyner Avenue, approximately 450 feet east of Nolensville Pike (0.17 acres), requested by The L & L Flooring Company, applicant; The Flooring Guys III, 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 305 Joyner Avenue, approximately 450 feet east of Nolensville Pike (0.17 acres)

Existing Zoning

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

Proposed Zoning

One and Two Family Residential-Alternative (R6-A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre, including 25 percent duplex lots, and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *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 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, approximately 0.17-acre parcel, located at 305 Joyner Avenue, approximately 450 feet east of Nolensville Pike. 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), with Multi-Family Residential-Alternative-No STRP (RM20-A-NS) zoning in the immediate area. Land uses of the surrounding parcels include single-family residential and two-family residential uses. The subject parcel has frontage along Joyner Avenue, which is classified as a local street, and has access via improved Alley #1879 at the rear of the parcel.

The site is located within an Urban Neighborhood Evolving (T4 NE) policy which is intended to create and enhance urban residential neighborhoods and provide more housing choices. The T4 NE policy is intended to support moderate to high density residential development. Based on the approximate acreage of the site, the proposed R6-A zoning may allow for up to one duplex lot for a total of two units. The site has access via an improved alley at the rear and is located within a half of a mile of a WeGo bus stop, which contributes to supporting additional density. The proposed Alternative (-A) district standards would ensure that future development on the site has an urban form, consistent with the policy guidance. The -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 Joyner Avenue. Based on the context of this site, staff finds the proposed R6-A zoning to be consistent with the policy goals for the T4 NE policy.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.17	8.71 F	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.17	7.26 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 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. RS2024-216

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-096PR-001 is approved. (7-0)

19. 2024Z-097PR-001

Council District 15 (Jeff Gregg)

Staff Reviewer: Laszlo Marton

A request to rezone from SP to RM20-A-NS zoning for properties located at 2518 and 2522 Elm Hill Pike, approximately 195 feet west of Emery Drive (9 acres), requested by Roberta Pauline Hicks Maupin, applicant; Henry H. Maupin, Jr & Roberta P. Maupin Rev TRT, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from SP to RM20-A-NS.

Zone Change

A request to rezone from Specific Plan (SP) to Multi-Family Residential-Alternative-No Short Term Rentals (RM20-A-NS) zoning for properties located at 2518 and 2522 Elm Hill Pike, approximately 195 feet west of Emery Drive (9 acres).

Existing 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 office and commercial uses and specifically excludes multi-family residential uses.

Proposed Zoning

Multi-Family Residential-Alternative-No Short-Term Rentals (RM20-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods

through the use of appropriate building placement and bulk standards. *RM20-A-NS would permit a maximum of 180 units. The -NS designation prohibits Short-Term Rental Property – Owner Occupied and Short-Term Rental Property - Not Owner Occupied uses from the district.*

DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

D Employment Center (D EC) is intended to enhance and create concentrations of employment that are often in a campus-like setting. A mixture of office and commercial uses are present but are not necessarily vertically mixed. Light industrial uses may also be present in appropriate locations with careful attention paid to building form, site design, and operational performance standards to ensure compatibility with other uses in and adjacent to the D EC area. Secondary and supportive uses such as convenience retail, restaurants, and services for the employees and medium- to high-density residential are also present.

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

ANALYSIS

The application consists of two parcels (Map 095-16, Parcel(s) 002-003) totaling 9 acres, located along the north side of Elm Hill Pike. The property has been zoned Specific Plan since 2007 and permits all uses of Office/Residential Intensive (ORI) with the exception of multi-family residential uses. The adjacent parcel to the west is also within the bounds of the SP, but not included in this rezoning request. A final site plan has never been submitted for the site and it currently consists of two single family residences. Surrounding properties are zoned ORI with a Commercial Planned Unit Development (PUD) Overlay, Single Family Residential (RS20), Office/Residential (OR20) and Commercial Service (CS). Surrounding uses include single-family residential, multi-family residential, office, and hotel.

The application proposes to rezone the property from SP to RM20-A-NS. The property is located within the District Employment Center (D EC) and Conservation (CO) policy areas. The D EC policy intends to enhance and create concentrations of employment that are often in a campus-like setting. A mixture of office and commercial uses are the primary uses in the policy area while retail, restaurants, services and medium to high density residential are also appropriate as secondary uses. The CO policy on the site is associated with steep slopes along the sites frontage and western boundaries.

The larger D EC area is bounded by I-40, Briley Parkway, Elm Hill Pike, and Donelson Pike and has primarily developed with office, warehouse/distribution, and hotel uses. The D EC area immediately surrounding the site is primarily developed with small office buildings and hotel uses. The site has its primary frontage along Elm Hill Pike, which is an arterial boulevard as identified in the Major and Collector Street Plan. The site is also within a 5-minute walk to a bus stop served by WeGo Route 18.

There is a balance that must be struck in Employment Centers between employment and supporting residential, and it is critical to ensure that the balance is not tipping too heavily to residential uses. Given the area’s larger employment center is primarily built out with a mix of office and commercial uses, multi-family residential uses at the subject property could serve as a complementary use that is supportive of the primary function of D EC policy to provide intense concentrations of jobs. The -A designation will ensure that a multifamily development at the site will include a build to zone and a height maximum of 45 feet, which will provide a soft transition in height to the single-story homes in the T3 Neighborhood Maintenance policy to the north. The -NS designation will ensure that the development will provide long term housing by prohibiting Short Term Rental properties, which is appropriate given the site’s adjacency to residential areas located to the north and east. Overall, the proposed RM20-A-NS district aligns with the goals of the D EC policy, allowing for a multifamily residential development that is supportive of the area’s primary uses, and aligns with NashvilleNext to provide a mixture of housing choices near corridors and centers.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	9.0	-	392,040 SF	3,993	395	417

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (221)	9.0	20 D	180 U	979	61	78

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 4	-3,014	-334	-339

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed RM20-A-NS district: 20 Elementary 9 Middle 11 High

The proposed RM20-A-NS zoning is expected to generate 40 more additional students than the existing SP zoning. Students would attend McGavock Elementary School, Two Rivers Middle School, and McGavock High School. McGavock Elementary and McGavock High School are identified as at capacity while Two Rivers Middle School is identified as exceedingly under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Mr. Marton presented the staff recommendation to approve.

Roberta Hicks Maupin, 2522 Elm Hill Pike, spoke in favor of the application.

Jim Bosi, 2547 Lakeland Drive, spoke in opposition to the application.

Paul Sherrick, 305 Emery Drive, spoke in opposition to the application.

John Rhea, 2545 Lakeland Drive, spoke in opposition to the application.

Female, no name given, 2545 Lakeland Drive, spoke in opposition to the application.

Ms. Hicks Maupin spoke in rebuttal.

Chair Adkins closed the Public Hearing.

Mr. Marshall stated he agrees with staff recommendation that it meets all the requirements from a policy standpoint. He expressed concern regarding the neighbors' comments in opposition. Mr. Marshall asked if the Councilmember shared his position.

Ms. Milligan responded in the negative.

Mr. Marshall asked if there were any community meetings for the public to express their feelings.

Ms. Milligan advised their process for rezoning does not require a public meeting and said she did not know if any community meetings have taken place.

Mr. Clifton asked what the other zonings were in the area and asked if any were RM20.

Mr. Marton showed the zoning presentation slide and said the property is bordered by ORI and CS. He stated the previously mentioned multifamily development located on the south side of Elm Hill Pike is zoned OR20.

Ms. Kempf asked Mr. Marton to describe what the zoning designations mean.

Mr. Marton stated ORI is one of the most intense office residential districts in the code. He said a lot of the area is currently built out as hotels and a good mix of office uses. Mr. Marton pointed out a lot of properties are zoned ORI, OL and MUL, which have office uses. He added there is a sprinkling of commercial uses. Mr. Marton explained OR20 would allow office uses and residential at 20 units an acre density, same thing as RM20. He said this vicinity has a mix of commercial, office and a lot of the residential is north of Elm Hill Pike.

Mr. Clifton said he understands the neighbors' concerns but supports staff recommendation.

Ms. Dundon asked if the utilities are coming from Elm Hill Pike.

Mr. Marton advised they are just reviewing the rezoning request and do not have building plans or building permit at this time.

Mr. Henley stated the SP was originally governed by OR-Intensive, which is a significant amount of intensity that would have significant utility demands. He said the general plan has been updated and they identified the corridors as areas to direct the type of growth they want to see in the city.

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

Resolution No. RS2024-217

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-097PR-001 is approved. (7-0)

H: OTHER BUSINESS

20. Bonus Height Certification Memo for Paseo Tower 2

Resolution No. RS2024-218

"BE IT RESOLVED by The Metropolitan Planning Commission that the Bonus Height Certification Memo for Paseo Tower 2 is approved. (7-0)

21. Historic Zoning Commission Report
22. Board of Parks and Recreation Report
23. Executive Committee Report
24. Accept the Director's Report and Approve Administrative Items

Resolution No. RS2024-219

"BE IT RESOLVED by The Metropolitan Planning Commission that the director's report is approved. (7-0)

25. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

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

November 14, 2024

MPC Meeting

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

J: ADJOURNMENT

The meeting adjourned at 4:54 p.m.