



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

September 26, 2024
4:00 pm Regular Meeting

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

MISSION STATEMENT

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

Commissioners Present:
Jessica Farr, Vice Chair
Leah Dundon
Edward Henley
Kathy Leslie
Dennie Marshall
Matt Smith
Councilmember Jennifer Gamble

Commissioners Absent:
Greg Adkins, Chair
Asia Allen
Stewart Clifton

Staff Present:
Lisa Milligan, Assistant Director of Land Development
Andrea Dorlester, Land Development Manager
Tara Ladd, Legal Counsel
Abbie Rickoff, Planning Manager I
Amelia Gardner, Planner III
Savannah Garland, Planner II
Dustin Shane, Planner II
Laszlo Marton, Planner I

Lucy Alden Kempf
Secretary and Executive Director, Metro Planning Commission

Metro Planning Department of Nashville and Davidson County
800 President Ronald Reagan Way, P.O. Box 196300 Nashville, TN 37219-6300
p: (615) 862-7190; f: (615) 862-7130

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](#).

Writing to the Commission

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

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

Fax: (615) 862-7130

E-mail: planning.commissioners@nashville.gov

Speaking to the Commission

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

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

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

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

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

Legal Notice

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



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

MEETING AGENDA

A: CALL TO ORDER

The meeting was called to order at 4:02 p.m.

B: ADOPTION OF AGENDA

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

C: APPROVAL OF SEPTEMBER 12, 2024 MINUTES

Mr. Marshall moved, and Ms. Leslie seconded the motion to approve the September 12, 2024, meeting minutes. (6-0)

Mr. Henley joined the meeting.

D: RECOGNITION OF COUNCILMEMBERS

No Councilmembers spoke at this time.

E: ITEMS FOR DEFERRAL / WITHDRAWAL: 2, 3, 4, 6, 7, 8, 9, 10, 11, 14, 15, 17, 19

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

F: CONSENT AGENDA ITEMS: 22, 23, 27

Councilmember Gamble moved, and Ms. Leslie 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

R-MANUEL CENTENNIAL (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: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST Amend a Specific Plan.

Preliminary Specific Plan Amendment

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 Specific Plan (SP) (8.1 acres), to permit up to 320 multi-family residential units in Zone 1 and to modify allowed heights within Zone 1.

Existing Zoning

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

WEST NASHVILLE COMMUNITY PLAN

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

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

REQUEST DETAILS

This is a request to amend the R Manuel Centennial SP located on 54th Avenue North. This SP originally approved a 27.87-acre development consisting of five zones. Zones 1-4 are site plan based with form guidelines and use tables, with Zone 5 being a regulatory SP with design standards. The preliminary SP approved a maximum of 394 multi-family units. An amendment was recommended for approval by the Metro Planning Commission on September 12, 2019, that increased the maximum height of Zones 1 and 2 to four stories in 60 feet and increased the unit count in Zone 2 from 32 units to 169 units. The 2019 amendment was adopted by Metro Council on November 22, 2019.

The adopted 2019 amendment, which is the current SP in effect, identifies Zone 1 with 192 units comprised of detached units and stacked flats, and a maximum height of four stories in 60 feet. The stacked flats buildings bookend the zone on the western and eastern ends, with the detached units in the center. The overall unit count of the amended SP is 513.

Previous SP Amendment (Case No. 2016SP-019-004)

The currently proposed amendment seeks to modify Zone 1 to increase the permitted height to five stories in 70 feet and the maximum permitted multi-family residential units within this zone to 320. Development of all other zones except Zone 5 is complete.

Site Plan

The proposed amendment increases the unit count entitlement for Zone 1 to 320 and the maximum height to five stories in 70 feet and will result in 641 total units in Zones 1 through 4. The proposed amendment removes the detached units from the plan, making stacked flats the only built form proposed in Zone 1. The central residential structure will wrap a parking deck that will not be visible from public street ROW. The outer two structures will wrap courtyards and bioretention areas that will open towards the Cumberland River to the north. The parking garage will be screened with architectural cladding featuring openings that match the proportions, size, and spacing of the openings on the exterior of the habitable portions of the building.

Skybridges will connect the three main structures of the proposed stacked flats complex, which will allow for pedestrian traffic, light, and air to circulate through the zone. The proposed greenway dedication along the river in the rear of the zone remains unchanged, as do the SP's proposed buffer yard plantings. The pass-throughs between the three buildings will allow access to the greenway area along the river, as will a new sidewalk connection from the existing roundabout on the southeastern edge of the zone.

The approved SP showed the extension of 54th Avenue North ending in a cul-de-sac, with dedications proposed to allow connections to the northwest. Since the adjacent Modera Nations SP (Case No. 2022SP-048-001) has developed, the road has been extended to the Modera property to the west. Staff has added a condition for the extended road condition to be reflected on a corrected copy of the plan.

ANALYSIS

The request to change the built form and increase the maximum height and unit count allowed in Zone 1 is consistent with the original goals of the SP to support infill development and to provide a range of housing choices. The increased height will allow more housing provision and will still be appropriate in the context of the surrounding area because the property is adjacent to the Cumberland River and heavy industry. The increased pedestrian flow through the site and to the proposed greenway will encourage access to amenity areas, and the breaking up of the site's buildings via the skybridges will keep the large building from seeming monolithic.

The proposed design of Zone 1 and how it interacts with the remainder of the SP and with the right-of-way is consistent with the planning goals of the original approval. The amendments are consistent with the T4 MU policy on the site which calls for moderate- to high-density residential development and heights of up to five stories. Staff would note, however, that further amendments that increase density may not be supportable until another means of public ingress and egress is provided for the area.

FIRE MARSHAL RECOMMENDATION

Approve

PARKS AND GREENWAYS RECOMMENDATION

Approve with conditions

- A Conservation Greenway Easement shall extend over the entire extent of the greenway trail. The existing greenway easement may need to be revised to reflect the final site plan application.
- Consolidate pedestrian access point from units so that there is only one greenway connection per building façade.
- Provide a minimum 5' separation between any buildings and the greenway.
- Design and construction documents for the greenway will be required with final site plan application.
- The Conservation Greenway Easement must be dedicated and memorialized in a Metro Parks' Conservation Greenway Easement Agreement, with two exhibits: a legal description and a boundary survey of the easement, all of which must be provided prior to approval of the first final site plan application.
- Greenway trail width to be 14' with a minimum 2' shoulder per side.
- Trail design and construction must comply with ADA standards and approved by Metro General Services ADA staff prior to Use and Occupancy permit.
- Greenway trail to be open to the public 365 days/year per Metro Parks approved operating hours, except for times of routine maintenance where temporary closure is required for public safety.
- No obstructions will be in a greenway easement, unless approved by Metro Parks staff, including, but not limited to site furniture, signage, and lighting.
- Maintenance of improvements within Greenway Conservation Easement to be performed by Applicant unless other agreement between Parks and the applicant/owner is formalized in a recorded agreement.

STORMWATER RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT ROADS RECOMMENDATION

Approve with conditions

Prior to first final SP approval

- With the final: Callout the following per NDOT ST- detail sections: access and ADA ramps, sidewalks, curb & gutter.
- All ROW frontages shall adhere to the Major Collector Street Plan (MCSP). Dedicate ROW along all frontages to accommodate MCSP requirements. Provide call outs on final site plan for MCSP requirements.
- Show 'Now Entering Private Drive' signage where applicable off public roads into site. Provide internal stop control at private or public intersections. Where there may be potential vehicular or pedestrian sight distance issues, provide stopping sight distance exhibits at any relevant intersections and accesses. Provide adequate sight distance spacing at all access ramps and public streets with on-street parking.
- Dimension ROW pavement widths for clarity.
- Provide a loading/unloading and waste plan for each aspect/phase of the total development.
- Provide any truck turning movements relevant to loading/unloading waste plan activities.
- Note: A private hauler will be required for site waste/recycle disposal.
- Comply w/ NDOT traffic comments.
- Additional paving and/or mill & overlay may be required along 54th Avenue North to cover any road damaged during construction and utility work.

NASHVILLE DOT TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- The applicant shall continue to coordinate with NDOT on appropriate traffic control at the intersection of 54th Ave N & Centennial Blvd. If the appropriate traffic control measure is determined, the applicant may be required to provide an appropriate contribution towards the future operations of the intersection.
- At the intersection of 51st Ave N & Centennial Blvd, the intersection shall be converted from free running to time-of-day plan isolated during the PM peak hour. A cross walk shall also be striped in on the Eastern leg of the intersection.
- At the site access on 54th Ave N, there shall be no on-street parking within 30' of the proposed driveway location to improve sight visibility.
- The applicant shall comply with the Fire Marshal on any emergency access requirements.
- Parking for this development shall be shown per metro code, which includes bicycle parking/storage.
- The applicant shall comply with Greenway requirements for the greenway extension provided along the Cumberland River.
- The applicant shall comply with all previous conditions associated with this development.
- The applicant's final construction drawings shall comply with the design regulations established by the Nashville Department of Transportation, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

WATER SERVICES RECOMMENDATION

Approve with conditions

- MWS recommends approval, on the following conditions: Approval does not apply to private water and sewer line design. Plans for these must be submitted and approved through a separate review process with Metro Water Permits before their construction may begin. A minimum of 30% of W&S Capacity must be paid before issuance of building permits. (Water & Sewer Capacity Fee Permit No's. T2024023638 & T2024023642).

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	8.1	23.7 D	192 U	1,045	65	83

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	8.1	39.5 D	320 U	1,742	107	136

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+128	+697	+42	+53

METRO SCHOOL BOARD REPORT

Projected student generation existing SP-MR district: **7** Elementary **3** Middle **4** High

Projected student generation proposed SP-MR district: **12** Elementary **5** Middle **7** High

The proposed SP-MR zoning is expected to generate 10 more students than the existing SP-MR zoning district. Students would attend Cockrill Elementary School, McKissack Middle School, and Pearl-Cohn High School. All three schools are identified as having capacity for additional students. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 320 multi-family units in Zone 1. Short term rental property owner-occupied and short term rental property not-owner-occupied shall be prohibited from the entire development.
2. This amendment does not apply to Zones 2, 3, 4, or 5. All standards and permitted uses of Zones 3, 4, and 5 are as per BL2016-290 and BL2019-25.
3. Add a note to the corrected copy: Residential uses are not permitted in Zone 5.
4. On the corrected copy, add the total number of residential units permitted throughout the entire SP.
5. Metal screening at garage openings to be of a high-quality material and durability, as well as visually compatible with the surrounding masonry.
6. On the corrected copy, remove this note: "Roadway shall only be extended to Tax Map 80, Parcel 8 for connection with a compatible use." Indicate that the road has now been constructed to connect to the adjacent development.
7. No master permit/HPR shall be recorded prior to final SP approval.
8. Final plat may be required prior to permitting.
9. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
10. 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.
11. 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. Comply with all conditions and requirements of Metro reviewing agencies.
13. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

14. 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.
15. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

Resolution No. RS2024-220

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-019-007 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 320 multi-family units in Zone 1. Short term rental property owner-occupied and short term rental property not-owner-occupied shall be prohibited from the entire development.
2. This amendment does not apply to Zones 2, 3, 4, or 5. All standards and permitted uses of Zones 3, 4, and 5 are as per BL2016-290 and BL2019-25.
3. Add a note to the corrected copy: Residential uses are not permitted in Zone 5.
4. On the corrected copy, add the total number of residential units permitted throughout the entire SP.
5. Metal screening at garage openings to be of a high-quality material and durability, as well as visually compatible with the surrounding masonry.
6. On the corrected copy, remove this note: “Roadway shall only be extended to Tax Map 80, Parcel 8 for connection with a compatible use.” Indicate that the road has now been constructed to connect to the adjacent development.
7. No master permit/HPR shall be recorded prior to final SP approval.
8. Final plat may be required prior to permitting.
9. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
10. 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.
11. 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. Comply with all conditions and requirements of Metro reviewing agencies.
13. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
14. 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.
15. 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.

2. 2021SP-057-001

MARINA GROVE

Council District: 08 (Deonté Harrell)

Staff Reviewer: Laszlo Marton

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

Staff Recommendation: Defer indefinitely.

The Metropolitan Planning Commission deferred 2021SP-057-001 indefinitely. (7-0)

3. **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 October 24, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-015-001 to the October 24, 2024, Planning Commission meeting. (7-0)

4. **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 October 24, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-016-001 to the October 24, 2024, Planning Commission meeting. (7-0)

5. **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: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Rezoning to SP to permit 120 single family lots.

Preliminary SP

A request to rezone from Agricultural/Residential (AR2a) to Specific Plan (SP) zoning for properties located at 5788 Cane Ridge Road and Cane Ridge Road (unnumbered), approximately 285 feet southeast of Cane Ridge Road, to permit 120 single family lots (39.27 acres).

Existing Zoning

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

Proposed Zoning

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

SOUTHEASTCOMMUNITY PLAN

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

T3 Suburban Neighborhood Center (T3 NC) is intended to enhance and create suburban neighborhood centers that serve suburban neighborhoods generally within a 5-minute drive. They are pedestrian friendly areas, generally located at intersections of suburban streets that contain commercial, mixed use, residential, and institutional land uses. T3 NC areas are served with well-connected street networks, sidewalks, and mass transit leading to surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

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

SITE CONTEXT

The subject site consists of 39.27 acres across two parcels, located along the east side of Cane Ridge Road. The site has been zoned Agricultural/Residential (AR2a) since 1974 and is currently undeveloped. The site is heavily wooded. An existing cell tower is located in the northeast corner of the site and is to remain on the subject property. The site has approximately 700 feet of frontage on Cane Ridge Road and is currently accessed by Cane Ridge Road which is classified as an Arterial Boulevard in the Major and Collector Street Plan (MCSP). Adjacent zoning includes Single-Family Residential (RS15) to the north; One and Two-Family Residential (R20)/Planned Unit Development Overlay (PUD) to the east, and AR2a to the south and west. Surrounding uses include religious institution and single family residential. There is an existing access drive that runs along the northern boundary, extending beyond the site to the northeast to an offsite Metro Water facility.

PLAN DETAILS

The proposed SP would permit a residential development with a maximum of 120 single-family lots. The site will be accessed by an entrance along Cane Ridge Road, and lots will be accessed by new public roads internal to the site. Along the site's frontage, a 100-foot-wide area of natural open space buffers the internal lots between Cane Ridge Road. The plan calls for streetscape improvements according to the MCSP with new sidewalks along Cane Ridge Road connecting to the site's internal sidewalk network. The plan proposes a minimum lot size of 5,000 SF, however most of the lots range in size from 5,500 to 7,500 SF. The lots will have a maximum building height of 3 stories in 40 feet and for corner lots the plan includes a standard that will require architectural detailing along both streets. The plan includes 11.62 acres of undisturbed natural open space and 5.14 acres of passive open space including buffers, accounting for approximately 42 percent of the site total acreage. The northernmost cul-de-sac includes a driveway ramp and emergency access gate to access the emergency access drive at the northernmost point of the site. To provide possible future roadway connectivity, the plan identifies future right-of-way dedication beyond the northernmost cul-de-sac to the property line. Staff has included a condition of approval to update the right-of-way dedication to a reservation, given the presence of the access drive which is a Metro Water Services easement.

ANALYSIS

The two primary policies on the site are T3 Suburban Neighborhood Evolving (T3 NE) and Conservation (CO). The T3 NE policy is intended to create and enhance suburban residential neighborhoods with more housing choices. The Conservation policy on the site is associated with a stream buffer that runs along the southern property boundary. The site also contains a small portion of the T3 Suburban Neighborhood Center (T3 NC) policy area along the Cane Ridge Road frontage.

The proposed SP would permit 120 single family residential lots at a density of approximately 3 units an acre. While the SP proposes smaller lot sizes, T3 NE policy is supportive of smaller lot sizes when development is grouped and organized in a manner that preserves environmentally sensitive features. A large portion of the overall site is shown to remain undisturbed natural open space, particularly along the southern, western, and northern boundaries, avoiding disturbance of the stream buffer and emphasizing tree preservation. Although the SP includes residential uses only,

the plan includes streetscape improvements along Cane Ridge Road which is consistent with the T3 NC policy to provide well-connected street networks and sidewalks. Given that the majority of the site is in the T3 NE and CO policies, staff finds that the preservation of open space at the front of the site to be appropriate. Overall, the site meets the goals of the T3 NE policy by providing a moderately dense residential development, while balancing CO goals.

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.
- Emergency access gate shall be equipped with Knox pad lock or key box. Coordinate installation with Fire Marshal Office.

WEGO RECOMMENDATION

Approve

METRO HISTORIC RECOMMENDATION

Approve

- Recommend a Phase I archaeological survey.

STORMWATER RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final construction plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, with the final: Any proposed roadway sections, ramps, sidewalks, curb & gutter, etc. shall be designed and called out per NDOT detail standards. Any proposed public roads shall meet NDOT subdivision standards and specifications. Provide frontage improvements per the Major Collector Street Plan (MCSP). Dedicate ROW to accommodate the MCSP requirements. Dimension ROW pavement widths for clarity. Driveway access and spacing off ROW should meet metro code requirements. A private hauler will be required for waste/recycle disposal. Contact Metro Water services for waste disposal requirement (solidwastereview@nashville.gov). Additional 1-1/2' mill and overlay may be required to cover full extents of utility and/or roadway widening work in public ROW. (cont.) Extents to be coordinated in field with NDOT inspector.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- See Roads comments.

METRO WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. Public and/or private Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. Submittal of an availability study is required before the Final SP can be reviewed. Once this study has been submitted, the applicant will need to address any outstanding issues brought forth by the results of this study. A minimum of 30% W&S Capacity must be paid before issuance of building permits.
- A second gate outfitted with a Knox Key (MFD) will be installed at the emergency exit. This gate is to remain closed to all but authorized personnel.
- First gate at Cane Ridge to be retrofitted with a Knox Key (MFD). This gate to remain closed to all but authorized personnel.
- Either entrance, drive or associated appurtenances will not be used for anything other than an emergency exit.
- A Memorandum of Understanding (MOU) regarding the maintenance, provisions, operation, and other of drive, gates, keys, and other shall be in place prior to final technical approval.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	39.27	0.5 D	24 U	280	21	26

*Based on two-family lots

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	-	-	120 U	1,230	91	121

Traffic changes between maximum: AR2A and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+950	+70	+95

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2a district: 4 Elementary 2 Middle 3 High
Projected student generation proposed SP district: 25 Elementary 12 Middle 20 High

The proposed SP zoning district is anticipated to generate 48 more students than what would be generated under the current AR2a zoning district. Students would A.Z. Kelley Elementary School, Thurgood Marshall Middle School, and Cane Ridge High School. A.Z. Kelley Elementary School is at capacity and Cane Ridge High School is over capacity. Thurgood Marshall Middle School is under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

- Permitted uses shall be limited to a maximum of 120 single-family residential lots. Short Term Rental Property (STRP), owner occupied and not owner-occupied, shall be prohibited from the entire development.
- On the corrected set, update Landscape Standards Note #6 to say: A 20-foot-wide C-3 Landscape Buffer shall be provided at the rear of lots along the eastern property and between lots 1 and 90 and the cell tower. Behind lots 1 through 6, supplemental landscape planting will be determined at final site plan.
- On the corrected set, add case number to the development summary on page 3.
- On the corrected set, replace note 1 on page 12 with the use condition above.
- On the corrected set, remove page 10 with the illustrative plan.
- On the corrected set, update the side yard setback for corner lots based on the setback diagram on Sheet C1.01.
- On the corrected set, modify the right-of-way dedication area beyond the northernmost cul-de-sac and emergency access to a right-of-way reservation. Staff shall evaluate further with review of the final SP.
- With the final site plan, the limits of disturbance and areas of preservation as identified on the preliminary SP plan on Sheet C1.01 shall not be modified without prior approval from Planning staff.
- Comply with all conditions and requirements of Metro Reviewing Agencies.
- A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with the final site plan application.
- If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RS10 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
- The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
- The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Property Owners' Association.
- No master permit/HPR shall be recorded prior to final SP approval.
- Final plat may be required prior to permitting.
- 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.
- The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any of any building permits.

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

Kathryn Withers, Planning Manager at Barge Design Solutions, 615 3rd Avenue South, #700, stated she is representing the developer, Old Acre McDonald. She spoke in favor of the application.

Jon Michael, Thompson Burton Law Firm, 1801 West End Avenue, spoke in favor of the application.

Twana Chick, Cane Ridge Community Club, 6043 Cane Ridge Road, spoke in opposition to the application.

Whitney Campbell, 5546 Blue Hole Road, spoke in opposition to the application.

Carl Harris, 6019 Cane Ridge Road, spoke in opposition to the application.

Vice Chair Farr closed the Public Hearing.

Mr. Marshall stated he would like to get a better understanding of the approval with conditions, specifically with Metro Water Services.

Mr. Marton advised Metro Water Services and their Storm Water reviewing team have reviewed the plan and approved with conditions and approved the preliminary as a concept. They will be getting, at the final SP, a lot more detail on the impacts and will have full construction plans to review. He said there was a meeting with Metro Water Services last week.

Mr. Henley reiterated the fact there was a meeting with Metro Water Services and there was no indication from them the need for delaying this from the Metro side.

Ms. Milligan also said Metro Water Services and the Storm Water team have recommended approval.

Ms. Leslie asked if any of the gates shown in the photos address any of the neighbors' concerns.

Mr. Marton responded the Metro Water Services included conditions on the approval that are for the access road that currently exists on the site, which allows them to access one of their water facilities. He explained off site of this part of the property includes an access road with an easement and this plan is proposing emergency access to also be allowed through that easement, which is what those conditions are addressing.

Mr. Marshall asked if there were any particular reason why this was deferred from the September 12, 2024, meeting.

Ms. Milligan answered it was deferred by request of the applicant to allow time to speak with the Councilmember. She added the Councilmember has indicated that she is comfortable with it moving forward at this time at the Planning Commission stage and will work with the applicant for an additional community meeting at the Council level.

Mr. Smith moved, and Mr. Marshall seconded the motion to approve 2024SP-020-001 with conditions and disapprove without all conditions. (7-0)

Resolution No. RS2024-221

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-020-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 120 single-family residential lots. Short Term Rental Property (STRP), owner occupied and not owner-occupied, shall be prohibited from the entire development.
2. On the corrected set, update Landscape Standards Note #6 to say: A 20-foot-wide C-3 Landscape Buffer shall be provided at the rear of lots along the eastern property and between lots 1 and 90 and the cell tower. Behind lots 1 through 6, supplemental landscape planting will be determined at final site plan.
3. On the corrected set, add case number to the development summary on page 3.
4. On the corrected set, replace note 1 on page 12 with the use condition above.
5. On the corrected set, remove page 10 with the illustrative plan.
6. On the corrected set, update the side yard setback for corner lots based on the setback diagram on Sheet C1.01.
7. On the corrected set, modify the right-of-way dedication area beyond the northernmost cul-de-sac and emergency access to a right-of-way reservation. Staff shall evaluate further with review of the final SP.
8. With the final site plan, the limits of disturbance and areas of preservation as identified on the preliminary SP plan on Sheet C1.01 shall not be modified without prior approval from Planning staff.
9. Comply with all conditions and requirements of Metro Reviewing Agencies.
10. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with the final site plan application.
11. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RS10 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
12. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.

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

6. 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 October 24, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-030-001 to the October 24, 2024, Planning Commission meeting. (7-0)

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 October 24, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024S-084-001 to the October 24, 2024, Planning Commission meeting. (7-0)

8. 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 October 24, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024S-102-001 to the October 24, 2024, Planning Commission meeting. (7-0)

9. 2024Z-028PR-001

Council District: 01 (Joy Kimbrough)
Staff Reviewer: Celina Konigstein

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

The Metropolitan Planning Commission deferred 2024Z-028PR-001 indefinitely. (7-0)

10. 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 October 24, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024Z-069PR-001 to the October 24, 2024, Planning Commission meeting. (7-0)

11. 2024Z-074PR-001

Council District: 31 (John Rutherford)
Staff Reviewer: Celina Konigstein

A request to rezone from AR2a to RS10 zoning for part of property located at 935 Barnes Road, at the southwest corner of Barnes Road and Old Hickory Boulevard (approximately 13 acres), requested by Chad & Stephanie Uram, applicant and owner.
Staff Recommendation: Defer to the October 24, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024Z-074PR-001 to the October 24, 2024, Planning Commission meeting. (7-0)

**12. 2024SP-037-001
3993 DICKERSON PIKE MULTI-FAMILY**

Council District: 03 (Jennifer Gamble)
Staff Reviewer: Dustin Shane

A request to rezone from RS20 to SP zoning for properties located at 3993 Dickerson Pike and Nesbitt Drive (unnumbered), approximately 200 feet west of Nesbitt Court (4.48 acres), to permit 33 multifamily residential units, requested by Catalyst Design Group, applicant; Rhythm Development 401K and Jeff Kendig, owners.
Staff Recommendation: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Preliminary SP to permit a multi-family residential development.

Preliminary SP

A request to rezone from Single-Family Residential (RS20) to Specific Plan (SP) zoning for properties located at 3993 Dickerson Pike and Nesbitt Drive (unnumbered), approximately 200 feet west of Nesbitt Court (4.48 acres), to permit 33 multi-family residential units.

Existing Zoning

Single-Family Residential (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings

at a density of 1.85 dwelling units per acre. *RS20 would permit a maximum of 8 units based on acreage alone. This does not account for compliance with the Metro Subdivision Regulations.*

Proposed Zoning

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

PARKWOOD – UNION HILL COMMUNITY PLAN

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

PLAN DETAILS

The approximately 4.48-acre site is on the south side of Nesbitt Drive (a local street), approximately 330 feet east of Dickerson Pike. The site is currently wooded and listed as vacant residential land, with Parcel 060 housing a cemetery. Parcel 004 to the west, which fronts Dickerson Pike, is listed as vacant commercial land. To the south is a mobile home park zoned CS along Dickerson Pike and RS20 in the rear. To the east is the Ozark Hills subdivision with single-family homes, zoned RS20. Single-family homes, zoned RS20, are found across Nesbitt Drive to the north.

Site Plan

The plan calls for a multi-family residential development consisting of a maximum of 33 multi-family residential units (split between 9 detached units and 24 attached townhome units) at an average density of about seven units per acre. The development will be accessible by one entrance along Nesbitt Drive that traverses the northeastern corner of Parcel 004 to the west (an access and grading easement has been recorded across this parcel via instrument #20240910-0069793 that ensures access to the SP site). The detached units front Nesbitt Drive, and the townhomes, which are accessed by an internal private drive, front open spaces. The detached units will feature pitched roofs and feature a maximum height of three stories in 45 feet (except for the easternmost two units). East of the cemetery, the building envelopes of the detached units become larger. The easternmost two units along Nesbitt Drive are proposed with reduced heights and limited to two stories in 35 feet, as these units are located closer to the existing neighborhood. The townhomes to the rear are limited to three stories in 40 feet. Parking will be provided per Code by a combination of garage spaces, rear driveways, and surface parking along the private drives. Water quality/quantity areas are proposed along the southern boundary of the site as it slopes down.

Sidewalks and grass strips per the MCSP will be provided along Nesbitt Drive. Private walks are shown interior to the development and connect to the public sidewalk through the central open space. The attached units include sidewalks to the front of each unit. Staff is including a condition to provide sidewalk connections to the front of the detached units. A note indicates that landscape buffer yards and parking screening will be provided per Code. Staff is recommending a condition that a C-3 buffer yard be provided along the eastern boundary, with modifications possible for areas outside of stormwater management areas.

ANALYSIS

The plan is consistent with the goals of the T3 NE policy, such as featuring higher densities, greater housing variety than classic suburban neighborhoods, and moderate setbacks and spacing between buildings, with connectivity to the surrounding street network. The site is uniquely situated between the T3 NM (Suburban Neighborhood Maintenance) policy to the east and the T3 CM (Suburban Mixed Use Corridor) policy to the west. The larger detached units to the east of the cemetery along Nesbitt Drive provide an appropriate transition to the existing single-family homes to the north and east, in the T3 NM policy, and the two easternmost units step down in height with a two-story limitation. To the west, the detached units are proposed slightly smaller and taller than those on the eastern portion which may be appropriate given the adjacency on the west side to the T3 Mixed Use Corridor policy along Dickerson Pike, where more intensity is supported along the corridor. The detached units at the front of the site are situated along the edges with the T3 NM policy, with the townhomes located towards the rear. The incorporation of townhomes into the SP provides for diversity in housing, consistent with the T3 NE policy, but in a manner that is less visually intrusive based on their height limitation, their location behind the larger units, and the topography, which slopes downward to the south.

The proposed SP allows an appropriately intense residential development that achieves the intent of the policy area. The proposed infill development will fit with the evolving nature of this suburban neighborhood off Dickerson Pike. Staff recommends approval with conditions and disapproval without all conditions.

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.

HISTORIC ZONING RECOMMENDATION

Approve

- Recommend a Phase I archaeological survey and archaeological monitoring within 100 feet of the cemetery.

STORMWATER RECOMMENDATION

Approve with conditions

- Preliminary approval only. Final submittal shall match 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 construction plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions.
- All ROW frontages shall adhere to the Major Collector Street Plan (MCSP). Dedicate ROW along all frontages to accommodate MCSP requirements. Provide call outs on final site plan for MCSP requirements.

In general, with a final:

- Any proposed roadway sections, ramps, sidewalks, curb & gutter, etc. shall be designed and called out per NDOT detail standards.
- There shall be no vertical obstructions in new public sidewalks and removal or relocation of utilities will be required to accommodate new public sidewalks.
- Note: A private hauler will be required for waste/recycle disposal. Contact Metro Water services for waste disposal requirement (solidwastereview@nashville.gov).
- Additional 1-1/2' mill and overlay may be required to cover full extents of utility and/or road widening work in the public ROW. Extents to be coordinated in field with NDOT inspector.
- Provide recorded cross access easement instrument # on final site plans.
- Comply with traffic comments and conditions.

NASHVILLE DOT TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Prior to Final SP submittal, the applicant shall coordinate with NDOT on providing a pedestrian landing on the Southeast corner of the intersection of Nesbitt Drive and Dickerson Pike. If it is deemed feasible by NDOT the applicant shall construct the pedestrian landing.
- The applicant shall comply with the MCSP requirements on all public frontages.
- Comply with NDOT Roads conditions.
- The applicant's final construction drawings shall comply with the design regulations established by the Nashville Department of Transportation, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

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)	4.48	8.71 F	9 U	113	11	10

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	-	-	34 U	184	12	16

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+71	+1	+6

METRO SCHOOL BOARD REPORT

Projected student generation existing RS20 district: 1 Elementary 1 Middle 1 High

Projected student generation existing SP-MR district: 6 Elementary 2 Middle 3 High

The proposed SP-MR zoning is expected to generate eight more students than the existing RS20 zoning district. Students would attend Bellshire Elementary School, Madison Middle School, and Hunters Lane High School. Bellshire Elementary School and Hunters Lane High School are identified as being at capacity while Madison Middle School is identified as having capacity for additional students. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 33 multi-family residential units, including 9 detached units and 24 attached units. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. Sidewalks shall be shown from each detached unit to the public sidewalk along Nesbitt Drive on the final site plan.
3. No master permit/HPR shall be recorded prior to final SP approval.
4. Final plat may be required prior to permitting.
5. No individual driveways to the detached units from Nesbitt Drive shall be permitted. Access to the detached units shall be provided from the rear drive.
6. A C-3 landscape buffer yard shall be provided along the eastern boundary, with modifications possible for areas outside of stormwater management areas.
7. No rooftop decks are permitted on the attached units.
8. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the preliminary SP for review and approval.
9. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
10. 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.
11. 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. Comply with all conditions and requirements of Metro reviewing agencies.
13. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RM9-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
14. 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.
15. 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.

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

Andrew Wiseman, 5100 Tennessee Avenue, stated he was with Catalyst Design Group and representing the owners. He spoke in favor of the application.

Jeff Kendig, 1111 McGavock Pike, spoke in favor of the application.

Yolanda McWilliams stated she was a resident in the Hidden Springs subdivision. She spoke in opposition to the application.

Autumn LaVallee, 701 Nesbitt Court, spoke in opposition to the application.

John Hall, 1023 Nesbitt Drive, spoke in opposition to the application.

Dr. Angela King stated she lives on Curtis Drive. She spoke in opposition to the application.

Peter Quartararo, 904 Hidden Springs Drive, spoke in opposition to the application.

Leon Deaderick, 1076 Nesbitt Drive, spoke in opposition to the application.

Bobby Lewis, 1058 Nesbitt Drive, spoke in opposition to the application.

Dr. Lance Kisby, 860 Fonnice Drive, spoke in opposition to the application.

Victor Tyler, 1019 Nesbitt Drive, spoke in opposition to the application.

Diane Romeo, 860 Fonnice Drive, spoke in opposition to the application.

Michael Bryant, 801 Sylvania Drive, spoke in opposition to the application.

Jeff LaVallee, 701 Nesbitt Court, spoke in opposition to the application.

Claude Grant, 808 Sylvania Drive, spoke in opposition to the application.

Paul Daugherty, 824 Fonnice Drive, spoke in opposition to the application.

Marquintes Deaderick, 1076 Nesbitt Drive, spoke in opposition to the application.

Ron Elliott, 1056 Nesbitt Drive, spoke in opposition to the application.

Johnny Walker, 814 Curtis Drive, spoke in opposition to the application.

Arra McWilliams, 844 Curtis Drive, spoke in opposition to the application.

Andrew Wiseman spoke in rebuttal.

Vice Chair Farr closed the Public Hearing.

Councilmember Gamble felt what is being proposed fits within the T3 Suburban Neighborhood Evolving Community character for the area, which is intended to create and enhance suburban residential neighborhoods with more housing choices. She emphasized her job as a Councilmember is to balance the city's housing needs with the residents' quality of life and said she will continue to work with everybody to accomplish that. Councilmember Gamble recognized all the opposition, as well as a petition with over 100 signatures, and stated there needs to be more work done on this development to address the concerns. She suggested a deferral.

Mr. Marshall stated he is uneasy approving it as it stands now without a little more conversation and agreed with Councilmember Gamble's thoughts on a deferral.

Vice Chair Farr expressed she would specifically like to have explored the possibility of there being a shared drive through the commercial site to the property on Nesbitt.

Mr. Smith felt this project meets the NashvilleNext priorities and context. He stated Nashville needs a variety and diversity of housing. Mr. Smith said the cemetery is important and that historic is very rigorous in their approval and has signed off on it. He remarked that multifamily does not hurt surrounding property values.

Ms. Dundon asked what NDOT analysis consists of, and can they change the plan to require two exits and entrances.

Mr. Shane explained NDOT reviewed it and did not meet the threshold for traffic study/MMTA. He thought, based on what they said, they prefer the configuration they see regarding the distances and topography. Mr. Shane said they also conditioned that the pedestrian landing be built on Dickerson Pike and Nesbitt.

Councilmember Gamble moved, and Mr. Marshall seconded the motion to defer 2024SP-037-001 to the November 14, 2024, Planning Commission meeting. (7-0)

13. 2024SP-038-001
12TH AVENUE SOUTH & BEECHWOOD
Council District: 18 (Tom Cash)
Staff Reviewer: Savannah Garland

A request to rezone from CS to SP zoning for properties located at 2501, 2503, 2503B and 2505 12th Avenue South, at the southwest corner of 12th Avenue South and Beechwood Avenue, (0.73 acres), to permit a mixed-use development, requested by Fulmer Lucas Engineering, applicant; Mary F. McMillen & Martha F. Thompson, owners.
Staff Recommendation: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Preliminary SP to permit a mixed-use development.

Preliminary SP

A request to rezone from Commercial Service (CS) to Specific Plan (SP) zoning for properties located at 2501, 2503, 2503B and 2505 12th Avenue South, at the southwest corner of 12th Avenue South and Beechwood Avenue, (0.73 acres), to permit a mixed-use development.

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

GREEN HILLS - MIDTOWN COMMUNITY PLAN

T4 Urban Neighborhood Center (T4 NC) is intended to maintain, enhance, and create urban neighborhood centers that serve urban neighborhoods that are generally within a 5-minute walk. T4 NC areas are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, residential, and institutional land uses. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

12th Avenue South Corridor Detailed Neighborhood Design Plan (DNDP)

The site is within Subdistrict 9A of the 12th Avenue South Corridor Detailed Neighborhood Plan, which is a part of the Green Hills-Midtown Community Plan. The DNDP provides planning guidance at a more detailed level than a community plan, addressing land use, transportation, and community character at the neighborhood level. The DNDP includes a detailed Land Use Plan and Building Regulation Plan which includes various subdistricts.

SITE CONTEXT AND REQUEST DETAILS

The approximately 0.73-acre site is located on the corner of Beechwood Avenue and 12th Avenue South. The Major and Collector Street Plan (MCSP) classifies 12th Avenue South as an arterial boulevard and Beechwood Avenue is a local street. The site has frontage along both streets. Alley # 428 is located along the western property line. The property is currently a surface parking lot. The surrounding zoning districts include CS, Office/Residential (OR20), Office/Neighborhood (ON), and One and Two-Family Residential (R8). Properties to the west of this site on the opposite side of the alley are located in the Belmont-Hillsboro Neighborhood Conservation Overlay District. The surrounding land uses include one- and two-family residential, commercial, office and medical.

Site Plan

The proposed SP is to permit a mixed-use development with approximately 54,000 square feet of restaurant and retail uses, and 8 multi-family residential units. The first through third floors are proposed for restaurant and retail uses. The eight proposed multi-family units are located on the fourth floor of the structure. An additional roof top commercial area is also proposed on the fourth floor. At the rear of the structure, a 20-foot building setback is proposed for floors three and four. Along 12th Avenue South, the third floor is stepped back from the property line approximately 10 feet and the fourth floor is stepped back from the property line approximately 18 feet. Stepbacks along Beechwood Avenue are shown on the fourth floor ranging from approximately six feet to nine feet. Along the southern property line, the third and fourth floors are stepped back 10 feet from the property line. The proposed height of the structure is four stories in approximately 66 feet. There are 130 garage spaces proposed which are located below grade. Vehicular access is limited to the alley.

ANALYSIS

The proposed SP is located in the Urban Neighborhood Center T4 (NC) policy and a supplemental policy as a part of

the 12th Avenue South Corridor Detailed Neighborhood Design Plan (DNDP). Where the supplemental policy is silent, guidance from the T4 NC policy will apply.

This supplemental policy provides guidance for maximum height in this subdistrict and generally calls for minimum setbacks to reflect an urban environment, and heights generally 3 stories in 45 feet. The plan proposes a 4-story building that activates the street at the pedestrian level and incorporates stepbacks on the upper levels so that the overall bulk and massing is scaled back with the increased height. The stepbacks incorporated into this proposed structure along the Beechwood Avenue and 12th Avenue South frontages are designed to minimize the visibility of the fourth floor.

The Urban Neighborhood Center policy (T4 NC) supports mixed use with intensity placed within edges that allows for services to meet the daily needs of residents within a 5- to 10-minute walk. A mix of building types is expected in T4 NC areas with preference given to mixed use buildings. T4 NC policy areas are pedestrian-friendly areas, generally located at intersections of urban streets with high levels of connectivity. The site is located at the intersection of 12th Avenue South, an arterial boulevard and Beechwood Avenue, a local street. The site plan shows enhanced sidewalks along 12th Avenue South and Beechwood Avenue, and vehicular access is limited to the rear alley, providing for enhanced connectivity that minimizes pedestrian conflicts, consistent with the T4 NC policy goals.

While the supplemental policy mostly addresses building height along the corridor, another key aspect of the building height as it relates to the T4 NC policy is the transition to the existing residential development to the west, which is located within the Urban Neighborhood Maintenance (T4 NM) policy. The T4 NC policy states that building form on the policy edges should complement the adjacent neighborhoods that the center serves and the infrastructure to which it has access. The proposed stepbacks of the third and fourth floor from the alley right-of-way provide a transition to the lower intensity policy area to the west. While the proposed structure is taller than the guidance of the supplemental policy, with the incorporated building stepbacks and architectural treatment along the building facades, staff is supportive of the request.

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.

STORMWATER RECOMMENDATION

Approve with conditions

- Preliminary approval only. Final approval 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 RECOMMENDATION

Approve with conditions

- With the final: Callout the following per NDOT ST- detail sections: access and ADA ramps, sidewalks, curb & gutter. All ROW frontages shall adhere to the Major Collector Street Plan (MCSP).
- Dedicate ROW along all frontages to accommodate MCSP requirements and NDOT standard road half sections. Provide call outs on final site plan for MCSP requirements.
- Show 'Now Entering Private Drive' signage where applicable off public roads into site. Provide internal stop control at private or public intersections.
- Where there may be potential vehicular or pedestrian sight distance issues, provide stopping sight distance exhibits at any relevant intersections and accesses. Provide adequate sight distance spacing at all access ramps and public streets with on-street parking.
- Dimension ROW pavement widths for clarity.
- Provide a loading/unloading and waste plan for each aspect/phase of the total development.
- Provide any truck turning movements relevant to loading/unloading waste plan activities and/or reduced curb radii at intersections. Note: A private hauler will be required for site waste/recycle disposal. Comply w/ NDOT traffic comments. 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.
- Coordinate w/ planning and NDOT, prior to final submittal, on half section ST-252 (50 ft.) proposed for Beechwood; w/ either a need for additional sidewalk width (8 ft.) or pavement width to meet ST-252 half section instead.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- MMTA has been submitted and reviewed by NDOT.
- The design of the enhanced crosswalk on 12th Avenue S, as identified in the MMTA, will be worked out with NDOT prior to the Final SP submittal. Enhancements will include RRFB infrastructure, and the curb bulb out may need to be extended along the property frontage for better separation between the crosswalk and the on-street parking.
- Both crosswalks at 12th Ave & Beechwood are to be restriped as needed with high-visibility markings.
- Work with NDOT on the other mitigation measure identified in the MMTA to retime the signal at 12th Ave & Wedgewood.
- See WeGo comments for details of the transit improvements.
- Any on-street parking spaces that need to be removed shall be approved by the Traffic & Parking commission.

WeGo RECOMMENDATION

Approve with conditions

- Development to upgrade the southbound bus stop at 12th S and Caruthers. Development to upgrade the stop to an in-lane shelter type stop with appurtenances which must comply with the latest WeGo Transit Design Guidelines. The bus stop passenger waiting pad must be a minimum of 35 ft x 8 ft x 6 in concrete behind tangent curb. Pad must be flushed with curb and sidewalk. Bus stop with appurtenances must be shown on plans prior to SP submittal. Bus stop must be completed prior to any occupancy or use of first phase to be constructed. Developer must liaise and reach agreement with WeGo Philip.randall@nashville.gov on all WeGo conditions prior to final SP submittal, again prior to building permit issue and again prior to finalization of construction drawings.

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.73	0.6 F	19,079 SF	720	18	73

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	-	-	8 U	42	3	4

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
Retail (820)	-	0.6 F	36,515 SF	1,378	34	139

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
Restaurant (932)	-	0.6 F	17,785 SF	1,995	177	174

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
-	-	-	-	+2,695	+196	+244

METRO SCHOOL BOARD REPORT

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

If developing under CS zoning, the land use mix could vary, and the assumption of student generation is difficult to anticipate. The proposed SP zoning district is not expected to generate any students. Students would attend Waverly-

Belmont Elementary School, John Trotwood Moore Middle School, and Hillsboro High School. All three schools are identified as being at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to restaurant, retail, and a maximum of 8 multi-family residential units. Home occupation as defined by the Metro Zoning Code is permitted as an accessory use in the multi-family residential units. Short term rental property, owner occupied, and short term rental property, not-owner occupied shall be prohibited.
2. On the corrected copy, remove all references to live/work.
3. On the corrected copy, update the purpose note and square footage to be consistent with the floor plans.
4. On the corrected copy, update the site plan on sheet C1.0 to reflect the setbacks on the floor plans and elevations.
5. On the corrected copy, update the setbacks table under the site data table to be consistent with the setbacks proposed on the plan.
6. With the final site plan, architectural elevations consistent with the elevations provided with the preliminary SP shall be provided.
7. Vehicular access shall be limited to the alley.
8. 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.
9. Comply with all conditions and requirements of Metro reviewing agencies.
10. Final plat may be required prior to permitting.
11. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements for the MUL-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved ordinance.
12. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
13. The preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
14. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the 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.
15. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.

Ms. Garland presented the staff recommendation to approve with conditions and disapprove without all conditions.

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

Nick Dryden, 1107 Caruthers Avenue, spoke in favor of the application.

Michael Dolan, 2304 Belmont Blvd, spoke in favor of the application.

Amy James, no address given, spoke in favor of the application.

Beth Urbanczyk, 3101 Lealand Lane, spoke in favor of the application.

Shawn McSpadden, 1511 Sweetbriar Avenue, spoke in favor of the application.

Michael Crabtree, 405 Park Circle, spoke in favor of the application.

Phil Walker, 2408 Belmont Blvd, spoke in opposition to the application.

Patrick Napier spoke in rebuttal.

Councilmember Cash stated this project is great and felt like it was worth a community conversation.

Vice Chair Farr closed the Public Hearing.

Mr. Henley stated he feels a lot of positive things when he looks at the rendering and from what he's heard.

Vice Chair Farr said the growing pains with construction on 12 South are very real and does not know what can be done to focus on things like keeping the sidewalks open. She expressed something they need to consider as a city, as they continue to grow, is how they can minimize the impact on the surrounding neighborhoods.

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

Resolution No. RS2024-222

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-038-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to restaurant, retail, and a maximum of 8 multi-family residential units. Home occupation as defined by the Metro Zoning Code is permitted as an accessory use in the multi-family residential units. Short term rental property, owner occupied, and short term rental property, not-owner occupied shall be prohibited.
2. On the corrected copy, remove all references to live/work.
3. On the corrected copy, update the purpose note and square footage to be consistent with the floor plans.
4. On the corrected copy, update the site plan on sheet C1.0 to reflect the setbacks on the floor plans and elevations.
5. On the corrected copy, update the setbacks table under the site data table to be consistent with the setbacks proposed on the plan.
6. With the final site plan, architectural elevations consistent with the elevations provided with the preliminary SP shall be provided.
7. Vehicular access shall be limited to the alley.
8. 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.
9. Comply with all conditions and requirements of Metro reviewing agencies.
10. Final plat may be required prior to permitting.
11. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements for the MUL-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved ordinance.
12. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
13. The preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
14. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the 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.
15. The final site plan shall label all internal driveways as “Private Driveways”. A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association.

14. 2024SP-039-001

BRENTWOOD CHASE 3

Council District: 26 (Courtney Johnston)

Staff Reviewer: Jason Swaggart

A request to rezone from R40 to SP zoning for properties located at 5633, 5637, 5639, 5645 and 5651 Valley View Road, approximately 960 feet south of Old Hickory Blvd (11.26 acres), to permit 59 detached multi-family residential units, requested by Dale & Associates, applicant; various property owners.

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

The Metropolitan Planning Commission deferred 2024SP-039-001 to the October 24, 2024, Planning Commission meeting. (7-0)

15. 2024S-134-001

102 SCENIC VIEW ROAD

Council District: 11 (Jeff Eslick)

Staff Reviewer: Celina Konigstein

A request for concept plan approval to create ten lots on property located at 102 Scenic View Road, approximately 185 feet northwest of Rayon Drive, zoned RS10 (4.05 acres), requested by Dale & Associates, applicant; Lucky Lands, LLC, owner. **Staff Recommendation: Defer to the October 24, 2024, Planning Commission meeting.**

The Metropolitan Planning Commission deferred 2024S-134-001 to the October 24, 2024, Planning Commission meeting. (7-0)

16. 2024S-138-001

CEDARS OF CANE RIDGE PHASE 1

Council District: 33 (Antoinette Lee)

Staff Reviewer: Celina Konigstein

A request for final plat approval to create 70 lots and open space on a portion of properties located at Pettus Road (unnumbered), Pettus Road (unnumbered), and a portion of property located at 5866 Pettus Road, approximately 1,125 feet north of Sundown Drive, zoned Specific Plan (SP) (22.42 acres), requested by Wilson & Associates, P.C., applicant; Brookfield Holdings (Cane Ridge), LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Request for final plat approval to create 70 lots and open space.

Final Plat

A request for final plat approval to create 70 lots and open space on a portion of properties located at Pettus Road (unnumbered), Pettus Road (unnumbered), and a portion of property located at 5866 Pettus Road, approximately 1,125 feet north of Sundown Drive, zoned Specific Plan (SP) (22.42 acres).

CASE HISTORY

The site is located on vacant residential land along Pettus Road and is within a Specific Plan (SP) zoning district, 2020SP-038-001. Metro Council approved the preliminary SP in 2021 (BL2020-517). The overall SP is approved for 136 detached single-family and attached single-family units. The final SP for Phase 1 received administrative approval in 2023 for 70 units, comprised of 38 detached units and 32 attached units.

The proposed final plat application is for Phase 1 and includes 70 lots, open space and four public roads and is consistent with the approved Final SP plans.

SITE DATA AND CONTEXT

Location: The site consists of several parcels located along Pettus Road, south of Sundown Drive.

Approximate Acreage: 22.42 acres or approximately 976,615 square feet.

PROPOSAL DETAILS

Number of lots: 70

Subdivision Variances or Exceptions Requested: None.

UPDATED FINAL PLAT RULES AND PROCEDURES

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

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 Council approved SP plan, the approved final site plan, and the Subdivision Regulations. All SP conditions of approval have been satisfied.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Ensure Note 1 has accurate unit count prior to recording.
- Bond will be required for public infrastructure prior to recording plat.
- Plat is not to be recorded until new roads have been constructed to binder layer.

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 August 15, 2024) on which we have noted our comments and recommend approval. Approval is contingent on construction and completion of MWS Project #'s 21SL0164 offsite & 22SL0168 and 21WL0078 offsite & 22WL0078. A bond amount of \$840,000.00 is assigned to 21SL0164 offsite & 22SL0168, and an amount of \$450,000.00 is assigned to 21WL0078 offsite & 22WL0078.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. On the corrected copy, modify note 4 to state: "Setbacks per 2020SP-038-002."
2. On the corrected copy, remove note 20.
3. On the corrected copy, update the lot size table to include missing lots 86 and 87. Lot areas must meet the minimum lot size requirement as stipulated in 2020SP-038-002.
4. If the final plat will be recorded without first constructing the required public infrastructure improvements (roads, water and sewer line extensions), then the applicant shall request a bond for those improvements. Submit a completed bond application with a check in the amount of \$750 made payable to the "Metropolitan Government" at least three weeks prior to when the plat will be recorded with the Metro Register of Deeds. The bond review and approval process is subject to receiving estimates from Metro departments and outside utilities for the amount that is required to be bonded. Amounts are calculated after all plat revisions have been made and approved by the Metro agencies. Contact the Bond Desk at 862-7202 or bond.desk@nashville.gov.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2024S-138-001 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. RS2024-223

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-138-001 is approved with conditions. (7-0)

CONDITIONS

1. On the corrected copy, modify note 4 to state: "Setbacks per 2020SP-038-002."
2. On the corrected copy, remove note 20.
3. On the corrected copy, update the lot size table to include missing lots 86 and 87. Lot areas must meet the minimum lot size requirement as stipulated in 2020SP-038-002.

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

17. 109-71P-001

3620 ANDERSON ROAD AMENDMENT

Council District: 29 (Tasha Ellis)
 Staff Reviewer: Celina Konigstein

A request to amend a Planned Unit Development Overlay District on property located at 3620 Anderson Road, at the northwest corner of Smith Springs Road and Anderson Road, zoned R10 (0.84 acres), and within the Planned Unit Development District, to modify the permitted uses, requested by Dewey Engineering, applicant; Eyd Toss & Ebram Shalaby & Alaa Mankarious, owners.

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

The Metropolitan Planning Commission deferred 109-71P-001 to the October 24, 2024, Planning Commission meeting. (7-0)

18. 238-84P-001

STARBUCKS MADISON

Council District: 10 (Jennifer Webb)
 Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan and for final site plan approval for a Planned Unit Development Overlay District on a portion of property located at 2106 Gallatin Pike, approximately 355 feet west of Liberty Lane (0.43 acres), zoned R6, to permit a fast-food restaurant, requested by 2106 Gallatin, LLC, applicant and owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Revise preliminary PUD and final site plan to permit a fast-food restaurant.

PUD Revision and Final

A request to revise the preliminary plan and for final site plan approval for a Planned Unit Development Overlay District on a portion of property located at 2106 Gallatin Pike, approximately 355 feet west of Liberty Lane (0.43 acres), zoned One and Two-Family Residential (R6), to permit a fast-food restaurant.

Existing Zoning

One and Two-Family Residential (R6) 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. *The uses permitted under the commercial PUD overlay apply. Residential is not a permitted use of the subject PUD.*

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of Title 17. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working, and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets.

SITE CONTEXT AND PLAN DETAILS

The project site is in the parking lot of an existing shopping center, on the north side of Gallatin Pike in Madison. The project site comprises approximately 0.43 acres of the 17.01-acre parcel. The PUD was originally approved in 1984, for various commercial uses, including but not limited to, retail and restaurant.

Site Plan

The proposed plan includes a one story, 2,443-square-foot drive-through coffee shop. The site is adjacent to Gallatin Pike. Access to the site is from existing private drives along Gallatin Pike and Conference Drive, along the western boundary of the property. The plan includes surface parking to the south of the building, which is to be shared with existing business within the existing parking lot. The drive through window is located on the west side of the building, and sidewalks and crosswalks are provided for pedestrian access.

ANALYSIS

Since the proposed plan includes an additional building not on the currently approved plan, then this proposal is classified as a revision to the currently approved plan. In some instances, revisions to a preliminary plan only require approval from the Planning Commission. In other instances, revisions to approved preliminary plans require Council approval. The Planning Commission may approve changes to an approved PUD without Council approval. Section 17.40.120.G of the Zoning Code specifies what types of changes to a PUD must be approved by Council.

- G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous Zoning Code and remaining a part of the official zoning map upon the enactment of this title.
1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
 2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
 - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
 - b. The boundary of the planned unit development overlay district is not expanded;
 - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
 - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
 - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
 - f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
 - g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
 - h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
 - i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
 - j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
 - k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
 - l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
 - m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

Staff finds that the proposed plan is consistent with all zoning requirements and with the Council approved PUD. Since the PUD is consistent with zoning requirements and the Council approved plan, then Section

17.40.120.G allows the Commission to approve this request. Staff recommends approval with conditions.

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve with conditions

- See SWGR 2024047466.

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approval does not apply to private Sanitary Sewer line design. Plans for these must be submitted and approved through a separate review process with Metro Water Permits before their construction may begin. A minimum of 30% of Sanitary Sewer Capacity fees must be paid before issuance of building permits. - Water provided by Madison Suburban Utility District.

WEGO RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final construction plans shall comply with the design regulations established by NDOT.
- Final design and improvements may vary based on actual field conditions.
- In general, with a final: Any proposed roadway sections, ramps, sidewalks, curb & gutter, etc. shall be designed and called out per NDOT detail standards.
- 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.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- The applicant shall construct an improved splitter island for the access onto Gallatin Pike, to prevent left turns out of the site. Details are to be finalized with NDOT at Building permits.
- Additional details regarding the queueing and site circulation may be needed and will be determined at building permits.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Shared access easements may be required with any future plat.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.

Approve with conditions. (7-0)

Resolution No. RS2024-224

"BE IT RESOLVED by The Metropolitan Planning Commission that 238-84P-001 is approved with conditions. (7-0)

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Shared access easements may be required with any future plat.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.

19. 2024DTC-014-002
600 4TH AVENUE SOUTH
Council District: 19 (Jacob Kupin)
Staff Reviewer: Emily Lange

A request for overall height modification approval to permit a 24-story mixed-use development on properties located at 600 and 616 4th Avenue South, at the southeast corner of Lea Avenue and 4th Avenue South, zoned DTC (0.91 acres), and within the Rutledge Hill Redevelopment District, requested by Pinnacle 4th and Lea, LLC, applicant and owner.

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

The Metropolitan Planning Commission deferred 2024DTC-014-002 to the October 24, 2024, Planning Commission meeting. (7-0)

20. 2024Z-099PR-001
Council District: 02 (Kyonzté Toombs)
Staff Reviewer: Dustin Shane

A request to rezone from R8 to IWD zoning for properties located at 405 and 407 Haynie Avenue and Haynie Avenue (unnumbered), approximately 290 feet west of Brick Church Pike (0.54 acres), requested by Crunk Engineering, LLC, applicant; AH Harlin Partners Trust, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST
Zone change from R8 to IWD.

Zone Change

A request to rezone from One and Two-Family Residential (R8) to Industrial Warehousing/Distribution (IWD) zoning for properties located at 405 and 407 Haynie Avenue and Haynie Avenue (unnumbered), approximately 290 feet west of Brick Church Pike (0.54 acres).

Existing Zoning

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

Proposed Zoning

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

BORDEAUX-WHITES CREEK-TRINITY COMMUNITY PLAN

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

ANALYSIS

The application consists of three parcels (Map 060-13, Parcels 026 and 214 and Map 060-14, Parcel 100) totaling 0.54 acres, located on the north side of Haynie Avenue, approximately 275 feet west of Brick Church Pike. Surrounding uses include vacant land zoned IWD to the east and south and light manufacturing zoned IWD to the north and west. The

parcels have been zoned One and Two-Family Residential (R8) since 1974.

The application proposes to rezone the properties from R8 to IWD. The subject parcels have frontage along Haynie Avenue, a local road. The property is located within the District Industrial (D IN) policy. These policy areas are dominated by one or more activities that are industrial in character. The types of uses in D IN areas include non-hazardous manufacturing, distribution centers, and mixed business parks containing compatible industrial and nonindustrial uses. The IWD district implements these goals of D IN policy and provides opportunities for wholesaling, warehousing, and bulk distribution uses. The proposed IWD district at the subject site is consistent with the D IN policy goals and fits in with the surrounding context, which has seen several rezonings to IWD in recent years. For these reasons staff recommends approval.

FIRE RECOMMENDATION
Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.54	5.44 F	2 U	28	7	2

*Based on two-family lots

Maximum Uses in Proposed 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)	0.54	0.8 F	18,817 SF	75	3	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+47	-4	+2

METRO SCHOOL BOARD REPORT

Projected student generation existing R8 districts: 0 Elementary 0 Middle 0 High

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

The proposed IWD zoning is not expected to generate any more additional students than the existing R8 zoning. Students would attend Alex Green Elementary School, Brick Church Middle School, and Whites Creek High School. All three schools are identified as having capacity for additional students. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-225

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-099PR-001 is approved. (7-0)

21. 2024Z-104PR-001

Council District: 20 (Rollin Horton)
 Staff Reviewer: Savannah Garland

A request to rezone from R40 to MUL-NS zoning for property located at 6505 Charlotte Pike, approximately 260 feet east of Hillwood Blvd (0.48 acres), requested by Fulmer Lucas Engineering, applicant; 6505 Charlotte Partners, owner.

Staff Recommendation: Disapprove MUL-NS and approve MUL-A-NS.

APPLICANT REQUEST

Zone change from R40 to MUL-NS.

Zone Change

A request to rezone from One and Two-Family Residential (R40) to Mixed Use Limited-No Short Term Rentals (MUL-NS) zoning for property located at 6505 Charlotte Pike, approximately 260 feet east of Hillwood Blvd (0.48 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. *R40 would*

permit a maximum of 1 duplex lots for a total of 2 units. Duplex eligibility would be reviewed by Metro Codes. This does not account for compliance with the Metro Subdivision Regulations.

Proposed Zoning

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

WEST NASHVILLE COMMUNITY PLAN

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.

ANALYSIS

The approximately 0.48-acre property proposed to be rezoned is located on the east side of Charlotte Pike and 260 feet east of Hillwood Blvd. The property has a single structure on it. Surrounding zoning includes One and Two-Family (R40), Commercial Service (CS), Office/Residential (OR20), and Single-Family Residential (RS40). Surrounding land uses include two-family residential, commercial, and single-family residential. The subject site has frontage along Charlotte Pike, which is classified as an arterial-boulevard in the Major and Collector Street Plan (MCSP). The subject site is located at the eastern edge of a T3 CC policy area adjacent to T3 NM.

Staff finds that the proposed MUL-NS zoning district is inconsistent with the T3 CC policy at this location. The site is located on the eastern edge of a T3 CC policy area characterized by nonresidential uses to the north and west, and single-family residential properties directly east and south within the Suburban Neighborhood Maintenance (T3 NM) policy area. While the site is located along a major corridor with commercial development to the north and west, the context along the eastern and southern edges of the site is very different, as it is characterized by one and two-story single-family homes in an established neighborhood.

The Community Character Manual (CCM) provides guidance for when higher intensity policy areas adjoin lower intensity policy areas, and one of the guiding principles is that buildings at the edges of the policies form transitions in scale and massing as they relate to their surroundings. The T3 CC policy supports some non-residential zoning districts, including MUL and MUL-A, depending on the context. The proposed MUL-NS zoning district does not include any provisions for maximum overall height, which is an important factor to consider given the site’s adjacency to a lower intensity residential neighborhood. In MUL-NS, the Metro Zoning Code permits a maximum of 3 stories in 45’ at the setback line; beyond the setback, height is permitted to increase through a height control plane ratio of 1.5 to 1, with no overall maximum height requirement. Staff has considered the impact of future development at this site with no overall maximum height, given the immediately surrounding neighborhood context to the east and south, and recommends the -A (Alternative) designation be applied to the request. The MUL-A-NS zoning district requires a maximum height of 3 stories in 45 feet in the build-to zone, with an overall maximum height of 4 stories in 60 feet. Application of the -NS designation, which is included in the current request, restricts short term rental properties from the district, which would also be appropriate given the site’s given the site’s adjacency to the T3 NM policy area to the east. Staff would not support MUL without both the -A and -NS designations given the policy guidance and context of the site.

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)	0.48	3.17 F	1 U	15	5	1

*Based on two-family lots

Maximum Uses in Proposed Zoning District: MUL-NS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	0.24	1.0 F	10 U	53	4	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.12	1.0 F	5,227 SF	197	5	20

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.12	1.0 F	5,227 SF	586	52	51

Traffic changes between maximum: **R40 and MUL-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+821	+56	+75

METRO SCHOOL BOARD REPORT

Given the mix of uses permitted by the MUL-NS zoning district, the number of residential units ultimately built on this site may vary and an assumption as to the impact at this point is premature. Students would attend Charlotte Park Elementary, H.G. Hill Middle School, and James Lawson High School. All three schools have capacity for additional students. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends disapproval of MUL-NS and approval of MUL-A-NS.

Ms. Garland presented the staff recommendation to disapprove MUL-NS and approve MUL-A-NS.

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

Tesfay Gebremicael, 5908 Obrien Avenue, spoke in favor of the application.

Sara Jane Boyd, 849 Russleo Drive, spoke in opposition to the application.

Carlton Bassett, 845 Russleo Drive, spoke in opposition to the application.

Bobby Littrell, 846 Russleo Drive, spoke in opposition to the application.

Patrick Napier spoke in rebuttal.

Vice Chair Farr closed the Public Hearing.

Mr. Smith thought this is a tough case because it is on the border of a policy area. He said it is hard to have a transition and it starts to feel like an encroachment on the neighborhood. Mr. Smith felt this meets the exact definition of the character area of the suburban community center policy area.

Councilmember Gamble stated she understands the traffic challenges, but it meets the policy. She said she appreciates the staff changing it to MUL-A-NS because it reduces the intensity of the project and thought that would address some of the traffic concerns.

Mr. Smith moved, and Councilmember Gamble seconded the motion to disapprove MUL-NS and approve MUL-A-NS. (7-0)

Resolution No. RS2024-226

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-104PR-001 is disapproved for MUL-NS and approved for MUL-A-NS. (7-0)

H: OTHER BUSINESS

22. New Employee Contracts for Robert Leeman, Madalyn Welch, Jeremiah Commey, Ariana Ordoñez, and Richel Albright

Resolution No. RS2024-227

"BE IT RESOLVED by The Metropolitan Planning Commission that The New Employee Contracts for Robert Leeman, Madalyn Welch, Jeremiah Commey, Ariana Ordoñez, and Richel Albright is approved. (7-0)

23. Accept Green and Complete Streets Performance Metrics

Resolution No. RS2024-228

"BE IT RESOLVED by The Metropolitan Planning Commission that The Accept Green and Complete Streets Performance is approved. (7-0)

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

Resolution No. RS2024-229

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

28. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

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

December 12, 2024

MPC Meeting

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

The meeting adjourned at 7:08 p.m.